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EXECUTIVE SUMMARY

DEFINITIONS

Text to Come

ABBREVIATIONS

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

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GOAL –FUTURE LAND USE

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

- Promote conservation of natural and cultural resources;
- Provide public facilities and services concurrent with the impacts from development;
- Maximize economic benefits for existing and future citizens;
- Comply with adopted minimum levels of service standards; and
- Minimize detrimental impacts to health, safety and welfare that are caused by environmental degradation, nuisances and incompatible land uses.

OBJECTIVE 1.0 ESTABLISH A SMART GROWTH DEVELOPMENT FRAMEWORK

Lake County shall establish a smart growth development framework that makes efficient use of developable land. In addition, this framework shall provide for the optimization of service provision, use of innovative planning techniques, promotion of a wide variety of transportation and housing options, absorption and service of a significant portion of the future population growth of Lake County and central Florida, and protection of the environmental character of the County.

It shall be the policy of Lake County to:

1.1 ADOPTED FLUM SERIES

The framework shall be articulated through the adoption of the FLUM. The FLUM shall be comprised of the following exhibits:

Exhibit	Title
x	Areas of High Recharge Potential
x	Conservation and Trails Corridors
x	FLUM Atlas
x	Flood Plains
x	General Soils
x	Joint Planning Areas
x	Recharge Areas
x	Resource Protection Areas
x	Wetlands

1.1.1 ENCOURAGE DENSITY TO EXISTING CENTERS

Encourage compatible, higher intensity commercial and higher density residential infill development within the existing urbanized areas of the County.

1.2 ADOPT LAND DEVELOPMENT REGULATIONS

Maintain a set of specific and detailed LDRs that will implement and are consistent with the goals, objectives and policies contained herein. The LDRs shall address the following:

- Density and intensity incentives to encourage growth in areas that will minimize and mitigate development's negative impacts on the natural and aesthetic environment
- Establish guidelines for zoning districts that set up an allowable range of land uses. In certain designations, mixed-use performance zoning standards will be used to integrate land uses. Development regulations shall include development and design standards.

1.3 WATER AND SEWER SERVICE CONNECTIONS

The County shall encourage compact development and ensure that expansion of urban development occurs in a contiguous fashion through the detailed requirements of various policies within the Potable Water and Sanitary Sewer Elements. Within the Urban Land Use Series, existing homes must connect to public utilities where planned or present when:

- Any substantial repair is required on an existing septic system;
- Within five years for existing systems installed in or before 1996;
- Within ten years for systems installed in 2005 or thereafter;
- All septic systems installed in or after 2005 shall meet best industry standards for the reduction of nutrients and other potential groundwater contaminants.

1.3.1 USE INNOVATIVE PLANNING TECHNIQUES

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

In addition to implementing the location policies and standards set forth herein, the County shall ensure that properties assigned the planned commercial classification within which uses permitted include adult entertainment establishments and sexually oriented businesses are located to maintain the internal consistency and integrity of the Comprehensive Plan. The Comprehensive Plan and FLUM shall explicitly protect:

- Residential uses and neighborhoods;
- Public Lands, including state and federal public lands
- Trails and Parks, including state and federal parks, and national scenic trails
- CDBG Target Areas;

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- CEAs;
- Entranceways or gateways into the County and roadway corridors which serve as residential or commercial hubs.
- The provision of quality communities and jobs to the residents of the County.

1.3.2 PROMOTE CONSERVATION SUBDIVISIONS

Lake County shall update the LDRs by 20__ to provide design options and guidelines for the development of Conservation Subdivisions that advance environmental resource protection or restoration or promote infill and redevelopment. Conservation Subdivisions shall be subject to the following principles:

- Maximize the creation of common open space for the preservation of wildlife, habitat, and aquifer recharge, and to provide for passive recreational use consistent with these purposes.
- Maintain, enhance, and protect corridors for wildlife movement in coordination with adjacent properties.
- Minimize alteration of the natural landscape and terrain using design techniques that protect native vegetation and minimize earth movement such as reduced pavement widths, stem-wall construction, swales, and Florida Friendly landscaping.

Within the LDRs, the County shall define various FLU categories in which Conservation Subdivisions are allowed, the minimum percentages of tract(s) to be protected as contiguous open space percentages, and provisions for continuous maintenance of the open space.

To better judge the impacts of Conservation Subdivisions on the demands for services and the effects of coordinating protected open space, the County may phase the implementation of Conservation Subdivisions by FLUC.

1.3.3 ADULT ENTERTAINMENT ESTABLISHMENTS AND SEXUALLY ORIENTED BUSINESSES

The County shall provide adequate locations for adult entertainment establishments (adequate alternative avenues of expression or communication) that are protected under First Amendment guarantees (as expressed by authoritative rulings of courts) within certain commercial FLUC. Each site shall comply, at a minimum, with the following criteria as of the date of the **zoning classification** being assigned to the property:

- Be separated for a distance of no less than 1,500 feet from residential land use and zoning districts, churches, convents, monasteries, synagogues, mosques or similar places of worship; public, private or parochial schools which term shall include, but not be limited to, day care centers, pre-schools, schools having any grades kindergarten through twelfth grade, libraries, parks, playgrounds or other recreational facilities, whether commercial or nonprofit.
- Be separated for a distance of no less than 1,500 feet from alcoholic beverage establishments provided, however, that this separation requirement shall not apply to adult entertainment establishments that are also alcoholic beverage establishments.

- Cannot be seen by the traveling public from a major arterial or collector roadway.
- Does not have frontage along a major economic corridor such as would create a visual blight that would detract from the economic viability of any entrance corridor or would adversely impact children.
- The County may enter joint planning agreements with a municipality or municipalities which provides for the multi-jurisdictional siting of adult uses in certain areas of the County whether incorporated or unincorporated.

1.4 ADMINISTRATIVE APPROVAL OF WAIVERS

By December 2008, the County shall adopt amendments to the LDRs that permit the County Manager or designee to approve administrative waivers to lot size provided the minimum lot size is not established in the Comprehensive Plan. Administrative waivers shall not apply to properties within the WRPA or the GSACSC.

OBJECTIVE 2.0 FUTURE LAND USE CATEGORIES

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

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

- Protection of the environment;
- Creation of favorable economic conditions;
- Provision of adequate housing;
- Provision of adequate services and facilities;
- Maintenance of established residential neighborhoods;
- Protection of rural and agricultural areas; and
- Protection of private property rights.

}

Table 1 – Future Land Use Categories

CLASSIFICATIONS	PERMITTED USES	DENSITY/ INTENSITY	LOCATION
Conservation	<ul style="list-style-type: none"> • Publicly- and privately-owned open space, passive recreation and water management areas; • Public and private natural areas, game preserves and wildlife management areas that maintain the status quo; • Livestock grazing and short term crop production; • Forested wetlands. 	0	
Rural Low Density (RLD)	<ul style="list-style-type: none"> • Rural residential • Public and private parks and recreation facilities • Churches, country clubs and home occupations • Public elementary schools • Special exceptions including peat mines, sand mines, adult living facilities, group homes, borrow pits, cemeteries, kennels, sewage and water treatment plants, landfills and public structures • Family farms 	1 DU/5 net acres max	
Rural Medium Density (RMD)	<ul style="list-style-type: none"> • Rural residential development • Public and private parks and recreation facilities • Churches, country clubs and home occupations • Agricultural operations and attendant structures, greenhouses, nurseries and silviculture • Special exceptions including adult living facilities, group homes, borrow pits, cemeteries, kennels, sewage and water treatment plants, landfills and public structures • Public elementary schools 	1 DU/3 net acres max	
Rural High Density (RHD)	<ul style="list-style-type: none"> • Residential development in a clustered configuration to enhance protection of the environment and provide compatibility between urban and lower density rural land uses. 	1 DU/1 net acre	
Historic Village Special Planning		2 DU/1 net acre	

Table 1 – Future Land Use Categories

CLASSIFICATIONS	PERMITTED USES	DENSITY/ INTENSITY	LOCATION
Area (HV)			
Low Density Residential (LDR)	<ul style="list-style-type: none"> • Single family detached residences • Public elementary, middle and high schools, private and charter schools • Special exceptions including group homes, churches, day cares, guest cottages, home occupation, public utilities, and publicly owned parks and recreational areas 	2.5 DU/1 net acre max	
Medium Density Residential (MDR)	<ul style="list-style-type: none"> • Single family detached residences, patio homes, duplexes, multiple-family units, mobile home parks and factory-built modular units • Conversion of existing residential to residential professional offices • Public elementary, middle and high schools, charter and private schools • Special exceptions including group homes, churches, day care, guest cottages, home occupation, public utilities and public parks and recreational areas 	4 DU/1 net acre max	
Medium-High Density Residential (MHDR)	<ul style="list-style-type: none"> • Single family detached residences, patio homes, duplexes, multiple-family units, mobile home parks and factory-built modular units • Conversion of existing residential to residential professional offices • Public elementary, middle and high schools, charter and private schools • Special exceptions including group homes, churches, day care, guest cottages, home occupation, public utilities and public parks and recreational areas 	6 DU/1 net acre max	
High Density Residential (HDR)	<ul style="list-style-type: none"> • Condominiums, townhomes, apartment hotels, boarding and lodging houses and motels • Single family homes? • Public elementary, middle and high schools, charter and private schools • Special exceptions including churches, utilities, group homes, hospitals, convalescent and nursing homes, and accessory office uses 	12DU/1 acre max	
Higher Intensity Development District (HIDD)	<ul style="list-style-type: none"> • Target businesses and industries • Manufacturing, distribution and industrial • High density residential 	6-12 DU/1 acre FAR=0.5-	

Table 1 – Future Land Use Categories

CLASSIFICATIONS	PERMITTED USES	DENSITY/ INTENSITY	LOCATION
	<ul style="list-style-type: none"> • Commercial • Infill commercial • Low to medium density residential • Low intensity office • Schools • Business and industry 	2.0	
Community Activity Center (CAC)	Mixed use, including: <ul style="list-style-type: none"> • Public • Civic • Workplace • Residential 	6-12 DU/1 acre FAR=0.5-2.0	
Office (O)	<ul style="list-style-type: none"> • Conversion of residential to low intensity professional office • 	FAR=0.25-0.50	
Commerce (C)	<ul style="list-style-type: none"> • 		
Neighborhood Activity Center (NAC)	<ul style="list-style-type: none"> • Neighborhood convenience store • Community, regional and sub-regional shopping centers • Retail sales and commercial services • Amusement and commercial recreation within enclosed building • Day care nurseries • Schools • Special exceptions including contractor, alcoholic beverage, drive-in restaurants, flea markets, mechanical garages, paint and body shops, service stations, lumberyards, public utilities, hospitals and nursing homes 	FAR=0.25-1.5	
Industrial (IND)	<ul style="list-style-type: none"> • Light manufacturing industry 		

Table 1 – Future Land Use Categories

CLASSIFICATIONS	PERMITTED USES	DENSITY/ INTENSITY	LOCATION
	<ul style="list-style-type: none"> • Distribution and terminals • Automobile repair shops • Warehousing • Wholesale greenhouse • Lumberyards and machinery sales • Paint and body shops • Trade shops and schools • Medical clinics • Publishing plants • Public buildings • Stockyards • Schools • Special exceptions including utilities, service stations, hospitals, nursing homes, heliports and airports • Adult entertainment establishments and sexually-oriented businesses 		
Public/Quasi-Public/Institutional (INS)	<ul style="list-style-type: none"> • Public and private recreation, education and library facilities • Schools • Public safety facilities • Utilities 		
Recreation (REC)	Public and private recreation and open space	0	

FUTURE LAND USE CATEGORY – RURAL LAND USE SERIES

In addition to the designations assigned to the GSACSC and WRPA, the County has established four (4) similar, yet very distinct, FLUCs assigned to the Rural Area of Lake County as depicted in Future Land Use Series. This series of land use designations is hereby designated the "Rural Land Use Series" and is made up of the "Conservation", "Rural Low Density" and "Rural Medium Density," "Rural High Density" and "Rural Village" FLUCs.

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

Additionally, the creation of these land use designations will assist the County in implementing its overall Plan strategies to maintain the rural character and lifestyle of certain areas in the County and promote the protection of agricultural uses and the environment.

Rural Cluster Development

The County shall enforce LDR provisions relating to rural clustering designed to:

- Preserve open space along roadway corridors;
- Preserve open space in rural residential areas;
- Preserve natural amenity areas;
- Preserve evening dark skies through lighting ordinances;
- Enhance the rural character of the area; and
- Ensure that development along roadway corridors improves or protects the visual character of the corridor by encouraging the clustering of dwelling units, , with the perpetual reservation of the undeveloped buildable land as open space through a conservation easement or other similar means.
- The rural cluster regulations are intended to affect the location of the number of dwelling units authorized by the FLUC and not serve as a vehicle for increasing the lot yield above the number of units authorized by the designated rural land use designation.

2.1 CONSERVATION

This land use consists of areas that have had development rights transferred into other areas including wetland areas (as delineated on the St Johns River Water Management District Wetlands Map) and 100-year floodplain areas (as delineated on the United States Geological Survey or Flood Insurance Rate Maps). In addition, the areas shall implement the County's **non-structural approach** to water management. Land uses that involve a minimum land alteration shall be permitted in order to maintain areas of high recharge, the natural flood storage and nutrient assimilation capability of wetland and flood prone areas as well as to preserve significant environmental importance and associated wildlife habitat.

Uses:

- Publicly- and privately-owned open space, passive recreation and water management areas;
- Public and private natural areas, game preserves and wildlife management areas;
- Livestock grazing and short term crop production; and
- Forested wetlands including, but not limited to, cypress, hardwood swamp and bottom land hardwoods.

Services and Facilities:

These areas are not intended for urban intensity development and therefore do not require urban services and facilities.

2.2 RURAL LOW DENSITY

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

- Maintain the rural character of the area by developing at a very low intensity, by encouraging large areas to be left in a natural or open state, by reducing road congestion and the need for commercial services, urban public services and other uses beyond the needs of rural community;
- Permit horses and other livestock on large residential lots;
- Minimize conflicts with agricultural operations (e.g., traffic congestion, noise, odor and visual conflicts); and
- Minimize planned and programmed expenditures for public facilities (e.g., roadway improvements, schools, fire and law enforcement protection, etc.).

Uses:

The Rural Low Density FLUC permits the following uses:

- Single family residential;
- Publicly and privately owned parks and recreation facilities;
- Churches, **country clubs** (over 10 acres in size) and home occupations;
- Family farms;
- Agricultural operations and attendant structures, greenhouses, nurseries and silviculture;
- **Public elementary** schools; and
- **Special exceptions** such as peat mines, sand mines, adult congregate living facilities, group homes, borrow pits, cemeteries, kennels, sewage and water treatment plants, landfills, and other public structures.

Services and Facilities:

This land use requires an adequate, rural level of service for public safety and other services.

2.3 RURAL MEDIUM DENSITY

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

- Maintain the rural character of the area by developing at a very low intensity, by encouraging large areas to be left in a natural or open state, by reducing road congestion and the need for commercial services, urban public services and other uses beyond the needs of a rural community;
- Permit horses and other livestock on large residential lots;
- Minimize conflicts with agricultural operations (e.g., traffic congestion, noise, odor and visual conflicts); and
- Minimize planned and programmed expenditures for public facilities (e.g., roadway improvements, schools, fire and law enforcement protection, etc.).

Uses:

- The Rural Medium Density Future Land Use Designation permits the following uses:
- Rural residential development at a density equal to or less than one (1) dwelling unit per three (3) net buildable acres;
- Publicly and privately owned parks and recreation facilities;
- Churches, country clubs (over 10 acres in size) and home occupations;
- Agricultural operations and attendant structures, greenhouses, nurseries and silviculture;
- Public elementary schools; and
- Special exceptions such as adult congregate living facilities, group homes, borrow pits, cemeteries, kennels, sewage and water treatment plants, landfills, and other public structures.

Services and Facilities:

This land use requires an adequate, rural level of service for public safety and other services.

2.4 RURAL HIGH DENSITY

This land use consists primarily of residential development on a minimum of one (1) acre. Lots sizes of less than one (1) acre may be permitted with accompanying PUD zoning; provided, however, that density shall be computed on the basis of one (1) dwelling unit per net buildable acre; provided, further, however, that clustering shall not cause incompatibility with adjacent parcels and shall be directed internal to the parcel. The term clustering shall be defined to mean that the built area of a development is well defined and compact, thereby enabling the

creation of contiguous expanses of open space and the protection of environmentally sensitive areas. A “clustered subdivision” shall contain a minimum of 50 percent open space over the total net buildable area, and at least 75 percent of the minimum required open space within a clustered subdivision shall be contiguous. Development within a clustered subdivision shall be clustered away from environmentally sensitive areas on site and away from adjacent public conservation land. Further, however, uses such as golf courses will not be computed as open space. This land use is established to act as a transitional use between urban development and general rural uses; and to allow existing agricultural operations to continue.

Uses:

- Single family residences
- General rural uses;
- Churches, country clubs (over ten [10] acres in size) and home occupations;
- Public elementary schools, public middle schools and public high schools; and
- Special exception uses such as adult congregate living facilities, group homes, borrow pits, cemeteries, kennels, sewage and water treatment plants, landfills, and other public utility structures.

Services and Facilities:

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

2.5 HISTORIC VILLAGE

This land use designation is specifically intended to recognize existing compact, historically established communities that may have urban densities within rural parts of the county. In order to discourage urban sprawl, the county shall not expand or create new rural villages within the unincorporated area.

The maximum density in the Historic Village shall be two (2) units per acre to reflect the existing development pattern. However, the scale of existing land uses is flexible to ensure consistency with surrounding communities and neighborhoods.

Uses:

Limited neighborhood commercial and office uses shall be allowed in the Rural Villages. The scale, intensity and types of commercial and office uses must be compatible with the existing development pattern of the Historic Village. Commercial and Office uses shall be processed through the site plan process.

The following are Historic Villages recognizes within Lake County:

- Apschawa Groves
- Astor
- Astor Park
- Ferndale

- Lake Mack
- Mt. Plymouth
- Okahumpka
- Sorrento
- Yalaha

FUTURE LAND USE CATEGORY – URBAN LAND USE SERIES

2.6 LOW DENSITY RESIDENTIAL

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

Uses:

- Single family residences;
- Public elementary schools, public middle schools and public high schools, private and charter schools; and
- Special exception uses such as group homes, churches, day care, guest cottages, home occupation, public utilities, and publicly owned parks and recreational areas.

Levels of Services:

This land use requires an urban level of service for most facilities.

2.7 MEDIUM DENSITY RESIDENTIAL

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

Uses:

- Single family residences,
- Conversion of existing residential units to residential professional offices;
- Condominiums, townhouses, apartment hotels, boarding and lodging houses, and motels;
- Public elementary schools, public middle schools and public high schools, charter and private schools; and

- Special exception uses such as churches, public utilities, group homes, hospitals, convalescent and nursing homes, accessory office uses, guest cottages, day care, home occupation, and publicly owned parks and recreational areas

Services and Facilities:

This land use requires a full range of services and facilities.

2.8 MEDIUM-HIGH DENSITY RESIDENTIAL

This land uses provides for a range of residential development at a maximum density of six (6) dwelling units per net buildable acre. Medium-High density residential development should be located adjacent to major collectors and arterial roadways to minimize traffic on local and minor collector roadways and to provide convenient access to transit facilities. This land use can act as an effective transitional use between Medium and High Density Residential uses.

Uses:

- Condominiums, townhouses, apartment hotels, boarding and lodging houses, and motels;
- Public elementary schools, public middle schools and public high schools, charter and private schools; and
- Special exception uses such as churches, utilities, group homes, hospitals, convalescent and nursing homes, and accessory office uses.

Services and Facilities:

This land use requires a full range of services and facilities.

2.9 HIGH DENSITY RESIDENTIAL

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

Uses:

- Condominiums, townhouses, apartment hotels, boarding and lodging houses, and motels;
- Public elementary schools, public middle schools and public high schools, charter and private schools; and
- Special exception uses such as churches, utilities, group homes, hospitals, convalescent and nursing homes, and accessory office uses.

Services and Facilities:

This land use requires a full range of services and facilities.

2.10 HIGHER INTENSITY DEVELOPMENT DISTRICT (HIDD)

The Higher Intensity Development Districts (HIDD) designation is designed to provide a variety of land uses, development intensities and planned industry development. Allowable zoning

classifications in the HIDD designations include the Planned Unit Development (PUD), Planned Commercial (PC), Planning Industrial (PI) and Community Facilities (CF) districts. Allowable uses vary according to each HIDD proposal.

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

Transfer of Open Space. The County shall, on a case-by-case basis, allow the transfer of open space from intensely developed RAC areas to other locations within the RAC area to increase buffers from residential neighborhoods and consider the off-site transfer of open space to assist in the assemblage of Countywide conservation areas and as a means to encourage clustering of land uses.

Open Space Requirement. ???

Transit Service. RACs should be considered prime locations for public transit service. Wherever feasible, the County shall service RACs with public transit, and provide transit supportive amenities in a safe and accessible location.

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

Uses:

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

- Businesses and industries;
- Manufacturing, distribution, industrial;
- High density residential uses;
- Commercial uses located adjacent to the interchanges, at major roadway intersections (i.e., collector and arterial intersections) and as an accessory use located within a principal office structure;
- Infill commercial uses are permitted along major collector and arterial roads when commercial uses are the predominant existing use along the roadway in both directions from the project site, and therefore the proposed commercial development represents infill development;
- lower intensity office uses may only be located adjacent to existing subdivisions as a buffer from future planned industry development if such development provides adequate areas on the development site to buffer the residential uses from future planned industry development; and
- elementary schools, public middle schools and public high schools.

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

- Basic industry providing goods and services to markets outside the region;
- High growth potential industries such as information based businesses, headquarters and health care; and
- Business and industry providing high average annual wages, high property tax potential, high value added, and economic multiplier effects. The ultimate specific business and industry types within these areas are subject to economic cycles and the timing of individual property owners(s) proposals and therefore should not be specifically designated on the Exhibit FLUM. Rather, these areas should remain flexible in terms of future uses while ensuring that the uses developed can meet particular standards for facility capacity and land use compatibility.

2.11 MIXED-USE DEVELOPMENT DISTRICT (MUDD)/TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) DISTRICT

{What happened to the proposed Traditional Neighborhood Development FLU category? This Community Activity Center category seems to be an attempt (albeit incomplete attempt) to address the intent of the Traditional Neighborhood Development. This is very confusing since it seems to redefine what had been designated commercial nodes on the existing map into larger, mixed-use projects. By mixing this up with a residential component, it is no longer clear how these fit with the county's growth management objectives. Please rename this category Traditional Neighborhood Development, identify it within the Urban Land Use Series, and provide meaningful policies that ensure that the TND purposes are achieved. This should include a minimum open space component. The one acre minimum park is woefully inadequate, especially since it is not known how big the CAC may be.}

Traditional neighborhood and mixed use development are allowed and encouraged within the proposed and adopted joint planning areas, provided they are not designated GSACSC or WRPA. MUDD/TND project areas are identified as part of the County's FLUM series, and are adopted as discrete land use categories within the JPAs.

All development within MUDD/TND areas shall comply with the traditional neighborhood land use and design standards established in this section, and with TND standards adopted as a part of the County's LDRs. Prior to the adoption of TND standards in the LDRs, standards shall be established based on these policies and implemented through the PUD process and zoning district. New projects that propose developing structures greater than two stories in height shall, at a minimum, be set back 50 feet with a landscape buffer from the adjoining Rural Series land use categories.

MUDD/TND projects must be connected to central water and sewer.

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

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

- Internal roadway network and connections

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- Connections to public transit
- Street widths and block sized
- Community and shared parking areas
- Shared stormwater
- Minimum and maximum lot sizes
- Setbacks, build-to-lines and lot coverage
- Use mix for commercial and workplace, by size, location, and identification of the specific types of uses allowed
- Landscape and architectural controls

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

Public Use:

- Includes streets, squares, parks, playgrounds, 18-hole par three or championship golf courses (as greenbelts only) and the like.
- Each project contains at least one (1) square, not less than one (1) acre in size, close to the center. {This is inadequate for large projects.}
- Wherever feasible, the open space and/or recreational area that is provided should be connected to the larger Countywide open space system.

Civic Use:

- Community uses such as meeting halls, libraries, post offices, schools, child care centers, clubhouses, religious buildings, recreational facilities, higher education, museums, cultural societies, visual and performance arts buildings, municipal buildings, and the like.
- Civic uses are within or adjacent to squares and parks or on a lot terminating a street vista.
- Off-street parking is to the side or rear of the building and may be shared with other adjacent uses. Shared parking shall be permitted as defined in the LDRs.

Workplace:

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

- **Commercial Center:** Buildings of a neighborhood scale or character primarily for business uses, such as retail, services, entertainment, restaurant, club, office, medical, artesian, limited lodging, and residential use.
- Requires front streets with parallel parking and sidewalks a minimum of 10-feet wide.
- Off-street parking is to the side or rear of the buildings and may be shared with other uses as defined in the LDRs.
- Limited lodging is a bed and breakfast in a single building and that is residential in character.
- Entertainment and recreational uses such as sports clubs, fitness centers, dance schools, small theaters, small taverns and similar uses, but with no outdoor broadcasting or music.
- Commercial development which is located within the Green Mountain Scenic Byway or other Scenic Corridor shall adhere to the Scenic Guidelines

Small Apartment Buildings and Townhouses:

- Buildings for residential use may have limited office and retail use, cafes, limited lodging, and artisan uses.
- Outbuildings of a designated maximum size are permitted, as specified in the Mixed-Use/TND development plan.
- Requires front streets with parallel parking and sidewalks a minimum of six (6) feet wide.
- All off-street parking is behind the buildings except for on-street parking.

Single Houses:

- A mix of housing types, including single family houses, duplexes, townhomes and condominiums, shall be provided.
- Outbuildings of a designated maximum size are permitted, as specified in the Plan.
- Lots face roads with required sidewalks a minimum of 6' wide on at least one side of the road and optional parallel parking.
- All off-street parking is to the side or rear of the building. Where access is through the front, garages or carports are located a minimum of 20' behind the building façade.
- Alleys may be provided to allow access to garages and lots from behind the residence.

Design Standards

Design Standards provided in the LDR shall apply.

- **Open Space:** Open space shall be provided consistent with zoning requirements and shall be designed in a manner to promote compatibility of uses by promoting pedestrian connections between compatible uses and assisting in buffering of incompatible uses.

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

2.12 OFFICE/COMMERCE

{Office and Commercial should be separated into separate definable future land use categories on the FLU map in order to ensure the development of high-end employment (office) rather than only conventional commercial.}

Office/Commerce (OC) shall consist of a variety of office and commercial uses and shall allow for the conversion of existing residential structures to low-intensity (residential professional) office uses. This land use should be located along collector and arterial roadways to minimize traffic on local streets and to provide convenient access to transit facilities. This land use can serve as an effective transitional use between higher intensity activity center uses and High, Medium, and Low Density Residential uses.

OP (Office Professional), RP (Residential Professional) and PUD (Planned Unit Development) zonings within the Office land use designation must be accompanied by a site/master plan as set forth in the LDR. Such plans shall address, at a minimum, buffering, setbacks, lighting and building heights, to ensure compatibility with adjacent uses.

Design standards shall be provided in the LDRs and shall include, but not be limited to, building style, design and scale; exterior building materials; roof design and construction; building size and placement; site furnishings; fences and entrance features; and the size and location of service areas. If the proposed plan does not or cannot achieve the desired level of compatibility, as determined by the Board, the Board may deny the rezoning request.

Uses:

- Conversion of existing residential structures to low intensity professional office uses;
- General office development;
- Nursery schools, libraries, laboratories, and day care centers;
- Public elementary schools, public middle schools and public high schools; and
- Special exception uses such as hospitals, funeral homes, medical clinics, banks, and public utility and service structures.

2.13 COMMERCIAL

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

Uses:

- Neighborhood convenience store;
- Community, regional and sub-regional shopping centers;

- Retail sales and commercial services;
- Highway oriented businesses;
- Amusement and commercial recreation within an enclosed building;
- Day care nurseries;
- Public elementary schools, public middle schools, and public high schools;
- Hotels and motels; and
- Special exceptions such as contractor, alcoholic beverage, drive-in restaurants, flea markets, mechanical garages, paint and body shops, service stations, lumberyards, public utilities, hospitals and nursing homes.

The County shall encourage properties designated as Commercial on the County's

Future Land Use Map be developed as mixed residential/commercial planned developments. The following residential uses shall be permitted within the Commercial land use designation as an incentive to maintain short travel distances between commercial and residential areas:

- Attached multifamily units such as condominiums, apartments and townhouses of medium to high density; and
- Above store or office flats.

The County shall encourage mixed-use developments to discourage urban sprawl, maintain short travel distances between commercial and residential areas and provide transitional uses between low-density residential and nonresidential uses.

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

- A. Located adjacent to collector and arterial roadway intersections to maintain road capacity and not set a precedent for further strip development; or
- B. Located where commercial uses are the predominant existing use along the roadway in both directions from the site and, therefore, the proposed commercial development represents infill development; or
- C. Located within a mixed use planned development to provide convenient retail services for residents and reduce residential traffic on area roadways; or
- D. Located adjacent to residential areas only where compatibility with the residential area can be maintained in order to preserve neighborhood viability and community character.

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

Services and Facilities:

This land use requires a full range of urban services and facilities.

2.14 INDUSTRIAL

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

Uses:

- Light manufacturing industry;
- Distribution and terminals;
- Automobile repair shops;
- Warehousing;
- Wholesale greenhouses;
- Lumberyards and machinery sales;
- Paint and body shops;
- Trade shops and schools;
- Medical clinics;
- Publishing plants;
- Public buildings;
- Stockyards;
- Public elementary schools, public middle schools and public high schools;
- Special exceptions such as utilities, service stations, hospitals, nursing homes, heliports, and airports; and
- Adult entertainment establishments and sexually oriented businesses.

2.15 PUBLIC, QUASI-PUBLIC, INSTITUTIONAL

This land use consists of a variety of public, quasi-public and institutional uses, transportation, communication, and utilities. Public and quasi-public uses are designated on the Exhibit FLU: FLUM in areas where public and quasi-public uses are established and in areas reserved for future public use.

Uses:

- Public and private recreation, education and library facilities;
- Public elementary schools, public middle schools and public high schools;

- Public safety facilities; and
- Water, sewer, telephone, electric, gas, communication, and transportation facilities.

2.16 RECREATION

This land use consists of Countywide public or private recreational facilities, park lands and open space preservation areas. Recreational areas are designated to ensure their protection, proper development and future public uses.

Uses:

Public and private recreation and open space.

OBJECTIVE 3.0 PROTECT RESIDENTIAL NEIGHBORHOODS

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

It shall be the policy of Lake County to:

3.1 ENFORCE REGULATORY STANDARDS TO ALL DEVELOPMENT

The County shall maintain the viability of established and future residential neighborhoods by continuing to enforce LDR provisions relating to:

- Development within flood prone areas;
- Building setbacks and heights;
- Roadway buffers and buffers between land uses;
- Landscaping;
- Tree preservation;
- Signage;
- On-site traffic circulation and parking;
- Drainage and stormwater management;
- Fences, walls and entrance features; and
- Maintenance and use of common open space areas through homeowners associations.
- Interconnection of neighborhoods and pedestrian accessibility.
- Lighting
- Transportation Corridor Preservation

The County shall create LDR standards relating to active uses such as buffering to adjacent uses, parking, loading, refuse containers, signs, lights, balconies, and storage areas to minimize impacts upon and intrusions into residential areas.

3.1.1 ENSURE ROADWAY COMPATIBILITY

The County shall encourage the viability of future residential neighborhoods adjacent to collector and arterial roadways by:

- Requiring additional setbacks and buffers for residential development adjacent to future major collector and arterial roadways to minimize the impacts of future roadway improvements;
- Requiring development plans to transition residential and nonresidential land use intensities at major intersections to maximize compatibility with existing residential neighborhoods;
- Discouraging through traffic on local residential roadways; and

- Create LDR standards providing when and where pedestrian, bicycle and vehicular linkages between abutting residential areas are required to provide convenient access to recreation, schools, libraries, and shopping. Vehicular connections between subdivisions shall be designed to serve local residents and discourage through traffic.
- Designing in such a manner that calms speed on local roads, through the use of speed bumps, roundabouts, narrow streetscapes, and other appropriate features.

3.1.2 ALLOW FOR NEIGHBORHOOD COMMERCIAL USES

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

3.1.3 ENSURE PROVISION OF TRANSITIONAL LAND USES

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

3.1.4 ALLOW FOR CONVERSION OF RESIDENTIAL STRUCTURES

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

- The character of the area has undergone a significant change due to roadway improvements or development trends;
- Adequate access and parking to redeveloped parcels can be maintained; and
- LDR standards for buffers can be provided to effectively maintain the viability of adjacent residential uses.

3.1.5 LIMIT LOCATION OF INDUSTRIAL USES

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

3.1.6 REGULATE LOCATION OF COMMUNICATION TOWERS

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

OBJECTIVE 4.0 COORDINATE FUTURE LAND USES WITH ENVIRONMENTAL CHARACTERISTICS WHILE ENSURING SUFFICIENT ACREAGE IS DESIGNATED FOR URBAN USES

4.1 PROTECT NATURAL RESOURCES

The County shall ensure that natural resources are protected for the enjoyment of all citizens through provisions of the LDRs of Lake County (the “LDRs”) and Planning Horizon 2025 Comprehensive Plan (the “Plan”) policies.

4.1.1 DESIGNATE CONSERVATION LAND USES

The County shall regulate development and preserve environmentally sensitive areas by means of the Conservation FLUC and associated provisions of the LDRs where soils, topography, wetlands, floodplains, land use, and other constraints exist.

4.1.2 PROTECT FLOOD PLAINS

The County shall protect flood plains through the regulation of development consistent with the Flood Prone Area Zone Classification (FP-1) which:

{This is a county regulatory issues and should apply regardless of whether a “Conservation” future land use designation is assigned}

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

4.1.3 PROTECT WETLANDS

By 2008, the County shall implement a wetlands classification program and adopt regulations supporting a wetlands classification program within the LDRs.

The County shall protect wetlands through the regulation of development consistent with a Wetlands Overlay Zoning Classification (W-1), which shall include the following:

{This is a county regulatory issues and should apply regardless of whether a “Conservation” future land use designation is assigned}

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

- Requires, at a minimum, compliance with all performance standards set forth in the LDRs of Lake County, which standards and guidelines are accepted herein verbatim by this reference;
- Provides for development flexibility through mitigation/compensation measures where more beneficial environmental results may be achieved; and
- Requires dedication to the County or other agency of all post-development wetlands as conservation easements.

4.1.4 REQUIRE CONSERVATION EASEMENTS

The County shall require conservation easements in accordance the Florida Statutes, or dedication of post-development flood prone and wetland areas as a limitation to any future encroachment or development of these environmentally-sensitive areas.

4.1.5 PROTECT WELL-FIELDS

The County shall provide protection for areas surrounding public water supply well-fields through the regulatory framework. Siting criteria and design requirements shall be defined within the Land Development Regulations.

OBJECTIVE 5.0 WEKIVA RIVER PROTECTION AREA AND WEKIVA STUDY AREA

{Note: From a structural standpoint, it would be better to put the Wekiva River Protection Area (unchanged) and the new Wekiva Study Area policies into separate sub-sections. This would avoid confusion, improve understanding, and facilitate compliance review. The LPA has also agreed upon importance of the Wekiva-Ocala connector from a Future Land Use position. I recommend the following outline:

- 5.1 Wekiva River Protection Area (existing Comp Plan text)*
- 5.2 Wekiva Study Area (new)*
- 5.3 Wekiva-Ocala Connector (new)*
- 5.4 Roadway Corridor Overlays (new)*

Please see my attached text which I recommend as a replacement to the deleted text below. It includes suggested language which I previously submitted to the county, and adapts applicable portions of the draft Wekiva model policies prepared by Morris-Depew Associates for DCA and local governments within the WSA.}

{This sentence relating to school location should be its own policy.}

{What happened to the Wekiva definition section currently within the Comp Plan? Many of these definitions (such as net acreage, open space, etc) are critical to the meaning and function of the policies herein.}

5.1.1 RESTRICT EXPANSION OF PUBLIC FACILITIES AND SERVICES WITHIN THE WEKIVA RIVER PROTECTION AREA.

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

{Deed restrictions do not really run with the land in perpetuity since they can be amended at any time by a Homeowner's association made up of the homeowners. Also typically the HOA covenants allow the developer to control the association until the project is sufficiently built-out}

5.1.2 VESTED DEVELOPMENT WITHIN THE WEKIVA RIVER PROTECTION AREA

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

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

- A complete application for site plan approval was filed prior to December 21, 1989, the effective date of Ordinance No. 1989-12, which imposed a moratorium on development permit applications within the Wekiva River Protection Area, was based upon the zoning classification in place immediately prior to March 12, 1990 and was approved by the County.
- A complete application for preliminary plat approval was filed prior to December 21, 1989, the effective date of Ordinance No. 1989-12, which placed a moratorium on development applications within the Wekiva River Protection Area, and was based upon the zoning classification in place immediately prior to March 12, 1990. A final plat processed after a preliminary plat submitted prior to December 21, 1989, and subsequently approved by the Lake County Board of County Commissioners, shall be subject to the Lake County Code provisions in effect immediately prior to December 21, 1989.
- Commercial zoning within the Wekiva River Protection Area existing on March 12, 1990, is vested for commercial uses and designated on the FLUM, whether or not a site plan has been previously approved and if a site plan has not been previously approved, County approval is required.

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

5.1.3 LIMIT DENSITY AND INTENSITY OF LAND USE WITHIN THE WEKIVA RIVER PROTECTION AREA.

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

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

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

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

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

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

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

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

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

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

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

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

Beginning at the Southwest corner of Township 18 South, Range 28 East, thence north along the west line of Twp 18 South, Range 28 East to the northwest corner of the South 1/2 of Section 30, Twp 18 S, R 28E; thence east along the north line of the south 1/2 of Section 30 to the northeast corner thereof; thence south along the east line of Section 30 to the southeast corner thereof; thence east along the north line of Section 32, Twp 18 S, Range 28E. to the centerline of Ranch Road (4--6588); thence south along the centerline of Ranch Road to a point on the

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

Receiving Area Number Two.

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

Lands within the Mount Plymouth-Sorrento Urban Compact Node and outside of the Wekiva River Protection Area Boundary may be developed to a maximum density of five and one-half (5.5) dwelling units per one (1) net acre and shall utilize the development regulations of Lake County which pertain to the Urban Series land use categories. TDRs will not apply to these lands.

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

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

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

5.1.4 DEVELOP A POINT RATING SYSTEM AND SUBMITTAL REQUIREMENTS FOR DEVELOPMENT PERMITS WITHIN THE WEKIVA RIVER PROTECTION AREA.

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

- to ensure environmental protection;
- control urban sprawl;
- maximize land use efficiency;
- promote the efficient use of public facilities;
- ensure that services required by development are in place or are programmed concurrent with development impacts; and
- to direct appropriate growth patterns within the Wekiva River Protection Area.

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

{The changes in point assignments below (up to -15 points) is inconsistent with the county process decision not to alter regulations within the WRPA during this Comp Plan update. Land owners should not be penalized for individual wells and septic systems within very low density rural areas anyway, since onsite systems generally do not pose a serious environmental concern at very low densities. Such penalties can not be justified within the A-1-20 and A-1-40 categories that will remain very low density even with the application of points. DOH and DEP rules within the WSA are intended to address these concerns anyway. If the point system is going to be tinkered with, there are other far more glaring issues with it that should be addressed—This is not one of them.}

Table 2: Point System Rating Criteria

POINT SYSTEM RATING CRITERIA	POINTS
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Table 2: Point System Rating Criteria

POINT SYSTEM RATING CRITERIA	POINTS
Submission of Project as a Planned Unit Development (5 points possible)	5
Project is contained wholly within TDR receiving zone outside the Mt. Plymouth-Sorrento Urban Compact Node (5 points possible)	5
Purchase of TDRs sufficient to reach density of one (1) dwelling unit per net acre (5 points possible)	5
Innovation in Site Design by Providing More Open Space and Protecting Environmentally Sensitive Land than would be protected under existing regulations. (80 points possible)	80
a. Incorporation of Pervious Pavement or Grassed Parking	1
b. Preservation of Native Vegetation within the 100 year Floodplain	2
c. Zero Disturbance or Encroachment within the 100 year Floodplain	5
d. Restriction of Intensity of Development Adjacent to Publicly Owned Lands. If property is not adjacent to publicly owned lands, 5 points can be granted. (5 points possible)	5
1. 150 foot buffer	5
2. 100 foot buffer	4
3. 50 foot buffer	3
e. Preservation of existing Native Vegetation (upland and wetland species)	10
f. Use of Native Vegetation in Landscaping	2
g. Buffers on Wetlands (10 points possible)	10
1. 35 feet	10
2. 25 feet	5
3. 10 feet	3
h. Dedication of Natural Areas for Preservation (uplands only - wetlands are already required to be dedicated). (20 points possible)	20
1. 25 percent of each natural upland habitat type	20
2. 10 percent of each natural upland habitat type	15
3. 5 percent of each natural upland habitat type	10
i. Preservation of Existing Hydrological Patterns (surface and groundwater). Must demonstrate minimum interruption of surface and groundwater flow regime (minimize groundwater withdrawals and maximize recharge). (5 points possible)	5
j. Clustering of units to promote common open space, passive recreation, and preservation of environmentally sensitive areas.	10
k. If 70 points are attained, an additional 10 points may be granted.	10

Table 2: Point System Rating Criteria

POINT SYSTEM RATING CRITERIA	POINTS
<p>If it can be demonstrated that the development tract or parcel does not have any pre-existing environmental constraints and therefore not afforded the ability to achieve points, the proposed development can receive 67 points. An example of this type of property would be one that has historically (greater than 10 years) been used for citrus production, has no wetlands and no natural upland communities remaining on-site. An additional ten (10) points shall be available for clustering of units. An additional one (1) point shall be available for incorporation of pervious pavement or grassed parking and an additional two (2) points shall be available for the use of native vegetation in landscaping.</p>	<p>67</p>
<p>Contributes to the Expansion of an Existing or Proposed Wildlife Corridor (on or off-site). (10 points possible)</p>	<p>10</p>
<p>Provides Sufficient Habitat for Feeding, Nesting, Roosting, and Resting so as to Maintain Viable Populations of Species Designated As Endangered, Threatened, or Species of Special Concern Pursuant to the Florida Administrative Code (on or off-site). (5 points possible)</p>	<p>5</p>
<p>Provision of Affordable Housing. (5 points possible)</p>	<p>5</p>
<p>a. 15 percent of units for moderate, low, or very low income housing.</p>	<p>5</p>
<p>b. 5 percent of units for moderate, low, or very low income housing.</p>	<p>2</p>
<p>Vehicular Access to an Arterial Road with Level of Service (LOS) "C" Average Daily Trips (ADT) or better. Ten points can be granted for making improvements to bring up the LOS to "C." (10 points possible)</p>	<p>10</p>
<p>a. Directly Adjacent (existing or proposed)</p>	<p>10</p>
<p>b. Within 1 mile via collector (existing or proposed)</p>	<p>7</p>
<p>c. Greater than 1 mile via collector (existing or proposed)</p>	<p>5</p>
<p>d. Less than 2 miles via local roads</p>	<p>2</p>
<p>Potable Water Supply. (10 points possible)</p>	<p>10</p>
<p>a. Within an Existing Public Supply System Franchise Area with excess capacity or the creation of a franchise.</p>	<p>10</p>
<p>b. Central system</p>	<p>7</p>
<p>c. Private well</p>	<p>0</p>
<p>Sanitary Sewer Service. (10 points possible)</p>	<p>10</p>
<p>a. Within an Existing Wastewater Treatment Franchise Area with excess capacity or the creation of a franchise.</p>	<p>10</p>
<p>b. Central system</p>	<p>7</p>
<p>c. Innovative septic system</p>	<p>5</p>

Table 2: Point System Rating Criteria

POINT SYSTEM RATING CRITERIA	POINTS
d. Septic tank	0
Irrigation Water Supply. (10 points possible)	10
a. Grey water reuse (dual water system)	10
b. Surface water	5
c. Surficial aquifer	2
d. Potable Water	0
Fire Protection. (5 points possible)	5
a. Dedication of land and/or facilities sufficient to meet the requirements of the project.	5
b. Within a fire district having a rating of 7 or better and within 3 miles from a fire station.	3
c. Within a fire district having a rating of 7 or better and more than 3 miles from a fire station.	2
d. Within a fire district having a rating of 8 to 9 and within 3 miles from a fire station.	2
e. Within a fire district having a rating of 8 to 9.	1
Proximity to Public Schools. (5 points possible)	5
a. Dedication of sufficient acreage to satisfy the requirements of the Lake County School District (on or off-site).	5
b. Within 1/2 mile radius of an existing school and linked by sidewalks and/or bicycle paths.	5
c. Within 1/2 mile radius of an existing school.	4
d. Within one mile radius of an existing school and linked by sidewalks and/or bicycle paths.	4
e. Within one mile radius of an existing school.	1
Neighborhood Parks. (5 points)	5
a. Within 1/2 mile radius of a developed park and linked by sidewalks and/or bicycle paths.	5
b. Dedication of parkland and provision of facilities that meet the County's Level of Service. Facility must be open to the general public.	5
c. Dedication of environmentally sensitive land that is suited for passive recreation.	5
d. Within 1/2 mile radius of a developed park.	2
e. Within one mile radius of a developed park and linked by sidewalks and/or bicycle paths.	3
f. Within one mile radius of a developed park.	1

Table 2: Point System Rating Criteria

POINT SYSTEM RATING CRITERIA	POINTS
Other. (5 points possible)	5
The Board of County Commissioners may within its discretion, grant additional points up to a maximum of five (5) points, to developers who opt to provide facilities, land or funds for facilities not specifically identified in the criteria set out above. This provision may also include voluntary impact fees over and above those required by the Lake County Code.	

Table 3: Density Evaluation, A-1-40

MAXIMUM NUMBER OF UNITS *	
POINTS SCORED	PER NET DEVELOPABLE ACRE
120 - 160	1 per 10 acres
100 - 119	1 per 20 acres
70 - 99	1 per 30 acres
<70	1 per 40 acres
* One (1) unit per forty (40) net developable acres category contains a maximum of 160 possible points.	

Table 4: Density Evaluation, A-1-20

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

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

- The review of an application for a development permit initiated by a property owner or an authorized agent.
- The review of a DRI, pursuant to Florida Statutes.
- The preparation of any future sector or small area plans.

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

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

General Information:

Legal Description and Location Map.

Property survey showing the location of Wekiva River Hydrologic Basin Protection Zones.

Soil Classifications.

Surface and groundwater hydrology.

Wetlands and Uplands:

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

A typical vegetative inventory of the following:

- i. Overstory or canopy (trees).
- ii. Understory or sub-canopy (shrubs, small trees).

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

A. Mammals

B. Birds

Reptiles

Fish

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

Monitoring programs (ongoing) for wetland and upland systems.

Borrow and fill requirements.

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

- A. Pre and post-development acreage of corridors.

- B. Impact of development on corridors.
- C. Proposed management, monitoring and maintenance measures for protection of corridors.

Designated Wildlife and Vegetation:

- A. List designated species as specified in the Florida Administrative Code as Endangered, Threatened, or Species of Special Concern.
- B. List vegetation specified in the Florida Statutes.
- C. Pre and post-development acreage of designated vegetation and wildlife.
- D. Plan for protection of designated plant and animal species.

5. Buffers:

- A. Building setbacks from:
 - iii. Wetlands
 - iv. Uplands
 - v. Wildlife corridor
 - vi. Publicly owned conservation/preservation lands
 - vii. Wekiva River or other surface water bodies
- B. Acreage of Buffers
- C. Types of buffers, i.e.; vegetative (trees, shrub, or combination), masonry, fence, berms, etc.
- D. Use within buffers (i.e.; parks, recreational boardwalks, nature trails, bike paths, non-use, etc.)

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

Water Resource Management:

Complete statement and calculations of the following:

- Water quality and quantity for both pre and post-development.
- hydrological evaluation of development
- plans for conservation of potable water such as reuse of waste water (treated effluent and/or grey water including use of natural vegetation to reduce irrigation needs)
- recharge and discharge areas/recharge mechanisms
- potential contamination and abatement procedures
- use of underdrains/side drains
- degree of salt water encroachment in the Floridian Aquifer

Air Quality:

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

Monitoring Plans/Mechanisms

Storm and Waste Water Management:

Stormwater

- Calculations
- Retention/detention design
- a. Type of system (wet, dry, on-line, off-line, etc.)
- b. Pond/Swale
- (1) volume
- (2) elevations
- (3) overflow mechanisms flood elevations discharge point (internal, to tributary, to Wekiva River)
- c. Culvert, pipe, channel hydraulics
- d. Soil borings
- e. Energy dissipation/erosion and sediment control measures.
- (1) Grading/drainage plan
 - (a) Materials Used: pervious/impervious
 - (b) Percent pervious/impervious surface
- (2) Monitoring plans/mechanisms

Wastewater

- 1. Collection
 - a. Pump stations
 - (1) wet well water level control elevations
 - (2) emergency pump connection
 - (3) backup pump (at least two pumps total in pump station)
 - (4) elevation above 100-year flood elevation
 - b. Gravity lines
 - (1) slopes
 - (2) clearance from water lines
- 2. Treatment System
 - a. Type (septic-conventional/ no conventional, on-site-low pressure, etc., package plant on-site/off-site, regional plant-on-site/off-site)
 - b. Siting

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-
- (1) relation to 100-year flood elevation
 - (2) adjacent property
 - c. Plant
 - (1) general process
 - (2) bypass
 - (3) Hydraulic profile
 - (4) Flow diagram
 - 3. Effluent disposal method
 - a. sprayfield
 - b. perc pond
 - c. reuse
 - d. wetland
 - (1) Location of disposal area
 - (2) Analysis
 - (a) soil report
 - (i) soil type
 - (ii) groundwater depth
 - (iii) K factor
 - (iv) confining layers
 - (b) impact on groundwater quality/quantity
 - 4. Design
 - a. application
 - b. load/rest schedule
 - c. pond on steep slope
 - (1) dam design for berms; seepage prevention
 - (2) rip rap for influent flow
 - d. pond bottom compared to soil profile
 - e. overflow
 - f. elevations
 - g. buffers

- h. nearby potable wells
- 5. Monitoring wells
 - a. background - upstream
 - b. compliance - downstream

Potable Water System:

- A. Type (individual wells, package plant, regional plant)
- B. Location (on-site, off-site)
- C. Withdrawal rate/consumptive use
- D. Treatment Methods
- E. Impact on aquifer

5.1.6 NON-EXEMPT PARCELS

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

5.1.7 WEKIVA SYSTEM SETBACKS

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

- Land proposed to be developed under Policy 1.2-2, Vested Development within the Wekiva River Protection Area, or Policy 1.2-5, Non-Exempt Parcels, on the Wekiva River, Blackwater Creek, Sulphur Run, Seminole Creek, and Lake Norris:
- Those lands subject to the setback requirements of the St. Johns River Water Management District, established pursuant to the Florida Statutes, shall conform to said setbacks.
- Where setbacks for such development activity are not regulated by the St. Johns River Water Management District, the following minimum setbacks shall be established: 200 feet from the ordinary high water mark, 50 feet from associated wetlands, or as provided in the Lake County Code or LDRs, whichever is farther.
- Land proposed to be developed under Policy 1.2-3, Density and Intensity of Land Use Within the Wekiva River Protection Area, on the Wekiva River, Blackwater Creek, Sulphur Run, Seminole Creek, and Lake Norris:

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

5.1.8 RESTRICTIONS ON LAND ADJACENT TO CONSERVATION OR PRESERVATION AREA

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

5.1.9 GENERAL PROHIBITIONS

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

5.1.10 LAKESHORE AND WATERFRONT DEVELOPMENT

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

- A. Industrial or commercial uses shall not be permitted adjacent to water bodies.
- B. Purchase waterfront areas and islands for public use when identified as an environmentally sensitive resource.
- C. Require environmental surveys to be conducted in accordance with a County approved methodology to assess the impacts of waterfront development on ground and surface water quality, quantity, and hydrology; native and endangered vegetation and wildlife species; wetlands and associated uplands before granting approval of the proposed development. This policy shall apply to proposed developments requiring approval by Lake County pursuant to Appendix C, Subdivision Ordinance, or the "PUD" Planned Unit Development District regulations, Section 696, Lake County Code.
- D. Utilize the Planned Unit Development approach to waterfront development wherever appropriate in order to maintain the best possible controls over such developments.
- E. Require setbacks in conformance with Chapter 40C-41, F.A.C. and those of the Lake County Comprehensive Plan and LDRs to ensure safety, protect environmental factors and conserve public shores as established by local, State and Federal agencies to protect environmental factors and conserve public and private waterfront areas.

5.1.11 LOCATION OF COMMERCIAL DEVELOPMENT

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

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

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

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

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

SR 44 and CR 437;

CR 44A and CR 437;

SR 46 and CR 437;

SR 44 in the vicinity of the Royal Trails subdivision;

SR 46 and CR 435.

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

{This statement is part of existing WRPA policies and should be retained, especially now that the beltway (Wekiva Parkway) is becoming a reality.}

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

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

5.1.12 INDUSTRIAL DEVELOPMENT

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

5.1.13 MAINTENANCE OF OPEN SPACE SYSTEM

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

{These percentages are a change from current WRPA policy. Presumably this is intended in the receiving areas, or in sending areas where clustering is recognized as a means of achieving points. Please explain.}

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

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

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

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

{The comment inserted above is not accurate. These policies did exist as former FLUE Policy 1-20.15 and Policy 1-20.16, which are repeated here as 5.1.20 and 5.1.21 respectively.}

5.1.14 CONSIDERATION OF ENVIRONMENTAL FACTORS

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

5.1.15 AGRICULTURAL USES

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

- A. All lands within the Wekiva River Protection Area presently in use for a particular form of agriculture, such as grazing, row crops, fruit production or other agricultural uses of comparable agronomic or cultural intensity, may continue to be used in the same manner.
- B. The clearing of land for commercial agricultural use within the Wekiva River Protection Area will be permitted, provided that the following conditions are met and approved by the Board of County Commissioners.
1. A notice of intent shall be provided to Lake County prior to any clearing for agricultural uses. This notice of intent shall include as a minimum: a description of the land to be converted including the area, location, vegetation; the surface hydrological conditions; the crop or livestock enterprise intended; and a time schedule for the proposed activity.
 2. An agricultural plan shall be presented demonstrating the suitability of the land for the proposed use. Such a plan may be prepared directly by the applicant, a consultant, or the U.S. Department of Agriculture, Soil Conservation Service. The plan shall conform to best management practices recommended by the U.S. Department of Agriculture, Soil Conservation Service.
 3. Approval shall have been received by any regulatory agencies having jurisdiction.

5.1.16 SILVICULTURE IN WEKIVA RIVER PROTECTION AREA

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

- A. All areas currently in use for the production of pine trees, or other trees not found in wetlands, may continue to be used in the same manner.
- B. Before harvesting cypress, or other species of trees found in wetland areas, for all parcels of land one (1) acre or more, cumulative over a one (1) year period from date of initial harvesting, a notice of intent must be approved by the Board of County Commissioners. At a minimum, the notice of intent shall include a description of the land to be harvested, including the area, location, vegetation, surface hydrological condition and a time schedule for the harvesting activity.
- C. A harvesting plan shall be presented demonstrating the suitability of the timber for harvesting. Such a plan may be prepared directly by the applicant, the Florida Division of Forestry, or a consultant.
- D. The harvesting plan shall conform to the most current Best Management Practices recommended by the Florida Division of Forestry.

5.1.17 SURFACE AND SUBSURFACE HYDROLOGY

The hydrology of a site should be utilized in determining land use as opposed to land use determining hydrology. This would entail discouraging any land use that would significantly alter surface and subsurface water levels and have an adverse effect on the environment. ~~The last part of the above statement undermines the statement that such impacts should be discouraged, implying that mitigation is equally preferred.~~

5.1.18 REDUCTION OF DENSITY OF WATERFRONT DEVELOPMENT

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

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

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

5.1.20 RESTRICTION OF DEVELOPMENT WITHIN THE FLOODPLAIN

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

5.1.21 PROTECTION AND CONSERVATION OF WETLAND AREAS

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

5.1.22 PROTECTION OF WETLANDS AND WETLANDS SYSTEMS

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

5.1.23 PRESERVATION OF NATURAL HABITATS WITHIN THE WEKIVA RIVER PROTECTION AREA

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

5.1.24 PRESERVATION OF NATIVE VEGETATION WITHIN THE WEKIVA RIVER PROTECTION AREA

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

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

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

5.1.26 MINING ACTIVITIES WITHIN THE WEKIVA RIVER PROTECTION AREA

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

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

5.1.27 ENCOURAGE ACQUISITION OF ENVIRONMENTALLY SENSITIVE AREAS

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

5.1.28 PROVISION OF CENTRAL WATER SYSTEMS WITHIN THE WEKIVA RIVER PROTECTION AREA

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

{This aspect of the existing Comp Plan was never valid, because there is actually nothing called a "Wekiva River Hydrologic Basin Protection Zone". The term actually referenced via Florida Statutes and St Johns River Water Management District is a "Riparian Habitat Protection Zone" which is not related to the subject of water/sewer, and within Lake County exists mostly on public conservation lands. A more applicable policy would relate to the extension of water/sewer services within designated urban areas of the Wekiva springshed (like Mt Plymouth-Sorrento) but there already exists a policy for this. See above.}

5.1.29 PROTECTION OF GROUND AND SURFACE WATERS

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

5.1.30 PROTECTION OF THE WATER SUPPLY

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

5.1.31 PROVISION OF SEWER WATER SYSTEMS WITHIN THE WEKIVA RIVER PROTECTION AREA

Central sewer systems shall be required within the Wekiva River Protection Area where provision of such system is shown to be economically feasible or environmentally necessary, as

determined by the County. The development of a regional sewage treatment system is encouraged in order to augment the feasibility and desirability of providing central sewage treatment facilities consistent with policies in the Potable Water Sub-element for service to occur within the Mt. Plymouth-Sorrento Urban Compact Node when densities are such that centralized services are feasible.

{This aspect of the existing Comp Plan was never valid, because there is actually nothing called a "Wekiva River Hydrologic Basin Protection Zone". The term actually referenced via Florida Statutes and St Johns River Water Management District is a "Riparian Habitat Protection Zone" which is not related to the subject of water/sewer, and within Lake County exists mostly on public conservation lands. A more applicable policy would relate to the extension of water/sewer services within designated urban areas of the Wekiva springshed (like Mt Plymouth-Sorrento) but there already exists a policy for this. See above.}

5.1.32 ACQUISITION OF OPEN SPACE AREAS

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

5.2 ROADWAY CORRIDOR OVERLAYS

{The following will be largely dependent on the combined Wekiva Parkway/SR46 PD&E study currently underway. Decisions regarding the future configuration and relationship between these two roads will be significantly affected by the complexion of SR46 which may become a local two-lane facility through Sorrento and segmented along portions of the Wekiva Parkway east of Mt Plymouth. Developing roadway corridor overlays will be equally important (perhaps even more important) for SR44, SR44A, SR42, etc.}

By December 31, 2006, the County shall enact LDRs establishing an overlay zoning classification for arterial roads within the Wekiva-Ocala corridor of Lake County to maintain visual quality, provide a sense of place, protect the viability of wildlife corridors and improve/protect the rural character of the Protection and Study Areas. These roads include, but are not limited to SR46, SR44, SR44A, SR42, SR40, SR19, SR445, and SR445A. The development standards set forth in the overlay zoning classification shall establish, at a minimum, standards for:

- Preservation, removal/replanting of canopy trees;
- Black Bear and other wildlife corridors;
- Florida Friendly landscaping and buffer requirements;
- Clearing of native vegetation;
- Signage and lighting, including adoption of a Dark Sky Ordinance;
- Building setbacks and height restrictions;
- Walls, fences, entrance features and similar structures;

- Access management;
- Location of parking;
- Location of equipment storage;
- Location and design of retention ponds; and
- Land uses and mobility within two hundred feet from the centerline of the roadway.

5.2.1 STRUCTURAL MODIFICATION FOR WILDLIFE

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

{This last policy is not really a land use subject at all, but rather a road design issue, therefore it belongs within the Transportation Element.}

GOAL 2 - GREEN SWAMP AREA OF CRITICAL STATE CONCERN

The County shall, at a minimum, regulate development consistent with the GSACSC to ensure the natural resource. Ordinance provisions necessary to ensure protection of the GSACSC shall include:

- A. Protection of floodplain, wetlands and upland habitat;
- B. Historic and archaeological resource assessments; and
- C. Minimal removal of native habitats.
- D. Mandatory septic tank pumping every five years.
- E. Protection of the quantity and quality of groundwater and surface waters
- F. Protection of aquifer recharge and the Green Swamp Potentiometric High

{Define the "ordinance" referenced above. The above items do not address the breadth of concerns regarding the Green Swamp. }

OBJECTIVE 6.0 Objective is needed

6.1 GREEN SWAMP BOUNDARY

The GSACSC was designated in 1979 by the Florida Legislature pursuant to the Florida Statutes. This legislation set forth the requirements of the designation that are also found within the Florida Administrative Code. The boundary of the GSACSC is shown on **Map X** within the FLUE DIA of the Comprehensive Plan and is legally described within Rule **Chapter 28-28**, FAC, and is also described as follows:

6.2 GSACSC LEGAL DESCRIPTION

The legal description of the GSACSC is established, pursuant to ____.

6.3 PROTECTION OF WATER QUALITY AND QUANTITY

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

6.4 USES OF LAND DETERMINED TO BE OF ECOLOGICAL OR ENVIRONMENTAL VALUE

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

6.5 CONFORMANCE WITH THE PRINCIPALS FOR GUIDING FOR THE GSACSC

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

6.6 TRANSPORTATION RELATED CONSTRUCTION ACTIVITIES WITHIN THE GSACSC

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

6.7 REVIEW OF DEVELOPMENT PROPOSALS WITHIN THE GSACSC FOR ENVIRONMENTAL CONSIDERATIONS

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

6.8 PRINCIPLES FOR GUIDING DEVELOPMENT WITHIN THE GSACSC

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

6.9 PROTECTION OBJECTIVES:

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

6.10 REGULATORY GUIDELINES:

1. Site Planning - The platting of land shall be permitted only when such platting commits development to a pattern which will not result in the alteration of the natural surface water flow regime, and which will not reduce the natural recharge rate of the platted site.
2. Site Alteration - Site Alteration shall be permitted only when such alteration will not adversely affect the natural surface water flow regime, or natural recharge capabilities of the site; and when it will not cause siltation of wetlands, or reduce the natural retention and filtering capabilities of wetlands.

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

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

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

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

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

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

7. Structures - Structures shall be placed in a manner that will not adversely affect the natural flow regime, and which will not reduce the recharge capabilities. Placement of structures shall be consistent with sound floodplain management practices such as compliance with the Flood Disaster Protection Act of 1973.

OBJECTIVE 7.0 Former Objective 1-18

{Restore the text from former Objective 1-18, which formally incorporates the objectives and policies of Ordinance 1985-19, or preferably include the text from that ordinance here.}

7.1 PROTECTION OF GROUNDWATER RESOURCES

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

Minimization of Adverse Impact to the Floridan Aquifer

- Lake County shall minimize the adverse impacts of development on resources of the Floridan Aquifer.
- Protection of Ground and Surface Waters
- Lake County shall protect the normal quantity, quality, and flow of ground and surface water, which are necessary for the protection of resource of State and regional concern.
- Protection of Amount of Water Available for Aquifer Recharge

- Lake County shall protect the water available for aquifer recharge.

7.2 PROTECTION OF THE WATER SUPPLY

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

7.3 PREVENTION OF SALT-WATER INTRUSION INTO THE FLORIDAN AQUIFER

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

7.4 MAINTENANCE OF THE POTENTIOMETRIC HIGH OF THE FLORIDIAN AQUIFER

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

7.5 MINIMIZATION OF ADVERSE IMPACTS TO WETLANDS CAUSED BY DEVELOPMENT ACTIVITIES

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

7.6 PROTECTION OF THE FUNCTIONS OF WETLANDS

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

{Restore the following policy.}

7.7 PROTECTION OF WATER QUALITY AND QUANTITY

Water quality and a quantity in the Green Swamp Area of Critical State Concern shall be protected in accordance with the Principles for Guiding Development for the Green Swamp Area of Critical State Concern.

7.8 ENSURE THE CONVENIENCE AND SAFETY OF THE PUBLIC BY CONTROLLING SURFACE WATER RUNOFF AND FLOW

Lake County shall, in the GSACSC, conserve and protect the environmental resources consistent with the Principles for Guiding Development for the GSACSC as it relates to stormwater runoff. Lake County shall prepare and adopt a comprehensive stormwater management ordinance, which meets or exceeds the site alteration criteria for the GSACSC as found within the Florida Administrative Code. Wetland alteration shall be consistent with Policy 3-11 (wetlands) and policies in the Conservation Element. Stormwater shall be treated to the level for quality and quantity (Levels of Service) as established within the Stormwater Sub-element Goals, Objectives, and Policies and in conformance with Policies 1-2.2 and 1-2.11 as well as policies within the Conservation Element. The Stormwater Ordinance shall contain at minimum, definitions, permit requirements, exemptions, performance criteria, system design criteria, dedication of drainage easements and rights-of-way, application requirements, payment of fees, maintenance of systems, inspections, enforcement, emergency exemptions, variance provisions, provisions for appeals, and provide for penalties and violations.

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

7.9 MINIMIZATION OF THREATS TO LIFE AND PROPERTY THROUGH THE PROVISIONS

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

7.10 STORMWATER MANAGEMENT CONSIDERATIONS WITHIN THE GSACSC

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

7.11 DENSITIES AND INTENSITIES APPLICABLE TO THE GSACSC

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

7.12 LIMITATIONS OF DEVELOPMENT WITHIN THE GSACSC

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

7.13 RIDGE LAND USE CATEGORY

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

{A reference to another Green Swamp policy within the existing Comp Plan has been deleted, and the reference policy relating to central sewer has been deleted.}

{NOTE: Existing FLUE Policy 1-1.13 Land Use Density and Intensity Standards has been removed, but in so doing some of the Green Swamp requirements have been deleted as well. See page I-7 of the existing Comp Plan.}

Commercial uses will be limited to Neighborhood Commercial Activity Centers and will require a plan amendment unless incorporated into a mixed use Planned Unit Development. The following restrictions apply:

1. All developments shall use water conservation devices;
2. All developments must provide assurances that all of the services needed to support that development are in place concurrent with the impacts of the development (this includes fire, police, schools). Development orders shall be issued with a condition that specifies the regional wastewater service provider and that requires the development to connect to the regional provider when sewer services are available;
3. Clustering of development on the least environmentally sensitive areas;
4. Residential planned unit developments require 40 percent of the project site be retained as open space;
5. Impervious surfaces ratio shall be limited to 45 percent of the site;

6. All developments shall contain facilities for the retention of all stormwater on site or at regional facilities located in the same area of recharge;
7. A residential density of one (1) unit per twenty (20) acres of wetlands is transferable to the uplands; and
8. Mixed use PUDs in the Ridge area shall be limited to a maximum of 20 percent of the development site utilized as commercial.

7.14 TRANSITIONAL LAND USE CATEGORY.

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

1. Water conserving devices are mandatory for all development;
2. Impervious surface ration is limited to 30 percent of the site;
3. Sixty percent of the project site be retained as open space;
4. A qualitative wetland study is required for all developments in excess of 100 acres. The purpose of said wetland study is to maintain the integrity of wetland systems;
5. Development shall be clustered on uplands away from environmentally sensitive lands as identified in the Plan;
6. All developments shall contain facilities for the retention of all stormwater on site or at regional facilities located in the same area of recharge;
7. A study for threatened and endangered species and species of special concern is required for all proposed developments exceeding 50 acres. If it is determined that listed species are located on the site, a habitat management plan must be prepared using guidelines and protocols of the FFWCC. This plan must be reviewed by FFWCC prior to the issuance of a development order by the County; and
8. no exotic or nuisance plant species shall be used in landscaping.

7.14.1 LOT APPROVAL LIMITS WITHIN THE TRANSITIONAL LAND USE CATEGORY.

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

7.14.2 TIMING OF DEVELOPMENT WITHIN THE TRANSITIONAL LAND USE CATEGORY.

The relative timeliness for a proposal for residential development in the Transitional land use category shall be evaluated by the County. If the project is considered to be premature it shall

not be approved. The presence of any of the following five factors (1 through 5) indicate that a project is premature:

1. there is no functional and proximate relationship between the proposed development and any other development;
2. the proposed land use is incompatible with adjacent and adjoining land uses, such as agriculture;
3. there is a lack of urban services, including but not limited to police, fire, and EMS;
4. the adequacy of the collector and arterial road network is deficient; or
5. the degree of existing development (as defined in 8. below) surrounding the proposed development is less than:
 - a. forty percent (40%) developed within a one (1) mile radius for parcels containing up to 99.99 acres; and
 - b. sixty percent (60%) developed within a two (2) mile radius for parcels containing 100.00 or more acres.
6. As used herein, "existing development" is the amount of area included within parcels which contain:
 - a. residential structures at densities of 1 DU/AC or greater or subdivisions with one acre or smaller size lots which have been built out at least 50%; and
 - b. non-residential structures, excluding agricultural related structures including;
 - (1) roads;
 - (2) parks; and
 - (3) other similar improvements.

7. The density of a development in an area designated as Transitional, but which is unable to satisfy the provisions of this policy, shall be limited to a maximum of one unit per five acres.

8. To determine if an area is "developed" as stated above:

- Exclude open water bodies
- Exclude wetlands
- Exclude site area being evaluated
- Include development in municipalities
- Include commercial and industrial sites
- Include all parklands
- Include school property
- Include utility sites

7.15 MANUFACTURING USES ALLOWED WITHIN COMMERCIAL DESIGNATIONS

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

1. Unacceptable Manufacturing Products. Products and goods not allowed to be manufactured within commercial areas include: any chemical or mineral listed on the Florida Substance List, gas of any kind, ammonia, asphalt, cement, fertilizer, brass, brick, tile, metal, dyes, paper, pulp, glue, gunpowder, paint and/or its constituents, explosives, emery cloth, sandpaper, candles, disinfectant, dyestuffs, insect extermination, ice and ice cream.

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

7.16 RURAL/CONSERVATION LAND USE CATEGORY

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

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

7.17 CORE/CONSERVATION LAND USE CATEGORY

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

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

7.18 SEPTAGE DISPOSAL

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

7.19 RIVER AND STREAM CROSSINGS

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

7.20 SILVICULTURAL AND AGRICULTURAL ACTIVITIES

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

7.21 SEPTIC TANK PROVISIONS

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

1. All septic tanks and all the drainfields shall be required to have a 75 feet setback from the furthest upland extent of any wetland using the most extensive determination of the wetland area by the DEP, the appropriate WMD, the Army Corps of Engineers, or Lake County, if applicable. In the event of a disagreement regarding the jurisdictional line, the Soil Conservation Service shall make the final determination.
2. Where septic tanks are permitted in the GSACSC, the minimum lot size shall be one (1) acre. However, development in the Transitional land use category shall be allowed to cluster on lots no less than one-half (1/2) acre in size provided there is sufficient upland to contain the structure, contain the septic tank and drainfield, and meet the 75 feet wetland setback requirement. Additionally, development in the Transitional land use category shall only be allowed to cluster on lots no less than one-half (1/2) acre in size provided the soils are rated slight to moderately restricted for septic tank percolation by the Soil Conservation Service prior to fill being added to the site, and all other requirements of the Transitional land use category can be met.

For development on lots legally created on or before March 2, 1993, as well as lots located in a subdivision listed below, which cannot meet the seventy-five (75) feet setback requirement and would otherwise be deemed unbuildable, an administrative adjustment may be granted by the County Manager or designee to allow the placement of the septic tank and drainfield; whereby, the location of the septic tank and drainfield would least impact surface waters and wetlands. In those instances where a wetland is considered by the Department of Health and Rehabilitative Services to also be the same as the ordinary high water line of a surface water, the Department of Health and Rehabilitative Services variance process established pursuant to the Florida Statutes shall substitute for the County administrative adjustment process.

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

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

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

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

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

7.22 TREATMENT OF WETLANDS FOR DEVELOPMENT APPROVAL

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

7.23 FLOOD INSURANCE STUDY REQUIREMENTS

A detailed flood insurance study shall be performed for all subdivision proposals and other proposed development (including proposals for manufactured home parks) which have 5 acres or more in the 100-year floodplain or which contain 50 lots or more in the 100-year floodplain. The construction of a single family residence on a parcel of land containing 5 or

more acres which is not part of a subdivision or which is part of a subdivision in existence on the effective date of this Plan, such as Groveland Farms Subdivision, is exempt from this requirement. Phases of a larger development, if the larger development meets the 5-acre or 50 lot criteria, are not exempt from this requirement. If existing subdivisions are proposed for replatting, the replatted portion shall be required to comply with this requirement if the replatted portion meets the 5-acre or 50 lot criteria. Subdivisions which contain 10 lots or less shall be exempt from these requirements.

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

7.24 NEW ROAD CONSTRUCTION IN THE CORE/CONSERVATION AREA

The County may maintain roads in the Core/Conservation area. In addition, the County may improve or upgrade roads within this area provided the improvement or upgrading is necessary for the public safety, health or welfare.

7.25 PROHIBITION OF NEW MINES IN THE GSACSC

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

7.26 PROHIBITION OF INDUSTRIAL USES IN THE GSACSC

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

GOAL 3 – Goal is needed

OBJECTIVE 8.0 REDUCE NONCONFORMING USES AND ANTIQUATED PLATS

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

It shall be the policy of Lake County to:

8.1 INVENTORY ANTIQUATED PLATS, PARCELS OF RECORD

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

OBJECTIVE 9.0 PLAN FOR PUBLIC AND INSTITUTIONAL FACILITIES

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

It shall be the policy of Lake County to:

9.1 COORDINATE WITH LOCAL GOVERNMENTS AND AGENCIES

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

9.1.1 DEVELOPMENT REVIEW PROCESS

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

9.1.2 COMPREHENSIVE PLAN AMENDMENTS, REZONINGS AND DEVELOPMENT PROPOSALS

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

9.1.3 LOCATION CRITERIA

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

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

OBJECTIVE 10.0 OVERLAY DISTRICTS

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

It shall be the policy of Lake County to:

10.1 ESTABLISH THE GREEN MOUNTAIN SCENIC BYWAY OVERLAY DISTRICT

By 2007, the County shall develop LDR provisions relating to the Green Mountain Scenic Byway Corridor Overlay District for County Road 455 to improve or protect the rural character of the area. The overlay corridor classification shall extend 200 feet on each side of the right-of-way center, which will generally correspond to the building, parking, and clearing setbacks unless specifically determined that a particular structure or activity that is located upon property assigned the classification uniquely reinforces the rural character of the area. The overlay district shall regulate land development along County Road 455 by, at a minimum, establishing standards for:

- Land use types and frequencies;
- Preservation of existing canopy trees;
- Planting of new canopy trees;
- Landscaping requirements;
- Clearing setbacks and restrictions;
- Building character, setbacks and locations;
- Location of parking;
- Location of equipment storage;
- Walls, fences, entrance features and similar structures;
- Location and design of retention ponds;
- Access management;
- Number of travel lanes;
- Number and location of traffic signals;
- Absence or presence of overhead power lines or their presence on only one side of the street with lateral crossings underground;
- Location and design of signage;
- Location and design of street lights; and
- Easements, deed restrictions and other instruments required to perpetually preserve the undeveloped portion of the roadway corridor.

10.2 ESTABLISH THE GATEWAY STATE ROAD OVERLAY DISTRICT

By December 31, 2006, the County shall enact LDRs establishing an overlay zoning classifications for State Roads that extend into adjacent counties to maintain visual quality and to provide a sense of place. The development standards set forth in the overlay zoning classification shall establish, at a minimum, standards for:

- Preservation, removal/replanting of canopy trees;
- Florida Friendly landscaping and buffer requirements;
- Clearing of native vegetation;
- Signage and lighting, including adoption of a Dark Sky Ordinance;
- Building setbacks and height restrictions;
- Walls, fences, entrance features and similar structures;
- Access management;
- Location of parking;
- Two hundred feet from the center of the right-of-way
- Location of equipment storage; and
- Location and design of retention ponds.

10.3 IMPLEMENT PLANS FOR UNINCORPORATED COMMUNITIES

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

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

10.3.1 ACTION PLAN GUIDING PRINCIPLES

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

CEA Plans shall reflect the following guiding principles:

- A holistic, neighborhood-based approach that addresses the socioeconomic environment as well as the physical environment including the protection of natural resources,
- Identified assets within the community to build improvement strategies,

- Partnerships with groups that could include neighborhood groups and associations, the business community, outside organizations and County government.
- Geographic coordination of delivery of services when there is community involvement and need.

10.3.2 COMMUNITY ENHANCEMENT AREA DESIGNATION PROCESS

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

{What is this document?}

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

10.3.3 COMMUNITY ENHANCEMENT AREA OVERLAY DISTRICT

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

10.4 NEIGHBORHOOD REVITALIZATION STRATEGY AREA DESIGNATION

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

10.5 WEKIVA RIVER PROTECTION AREA AND WEKIVA STUDY AREA

The County shall provide for creative design concepts focused on preservation of natural open spaces, sensitive lands and rural character in the Wekiva Study Area to:

- Maximize preservation of conservation areas and unique features;
- Encourage creative design by clustering homes surrounded by permanently protected natural open spaces;
- Incorporate trail and pedestrian opportunities;
- Promote enhanced street design resulting in reduced infrastructure and impervious surfaces; and
- Provide for storm water conveyance and retention to enhance recharge that exceeds on-site requirements.
- Provide for the protection of habitat, wildlife, and wildlife corridors
- Encourage use of native and drought-tolerant landscaping

- Encourage water conservation

OBJECTIVE 11.0 PUBLIC FACILITIES AND SERVICES

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

It shall be the policy of Lake County to:

11.1 ENSURE CONSISTENCY OF DEVELOPMENT ORDERS, PERMITS AND AGREEMENTS

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

11.1.1 CONCURRENCY REQUIREMENTS

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

11.2 PROVIDE FACILITIES AND INFRASTRUCTURE AS A CONDITION OF APPROVAL

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

11.3 REQUIRE PRIVATE INVESTMENT

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

OBJECTIVE 12.0 INTERGOVERNMENTAL COORDINATION

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

It shall be the policy of Lake County to:

12.1 ADOPT JOINT PLANNING AREAS

The County shall pursue JPAs with each of the municipalities in Lake County to address, at minimum, future annexations, provision of services and facilities and land use compatibility.

12.1.1 JPA WITH THE CITY OF CLERMONT

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

12.1.2 JPA WITH THE CITY OF MOUNT DORA

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

12.1.3 JPA WITH THE CITY OF LADY LAKE

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

12.2 ESTABLISH FUTURE SERVICE AREAS

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

12.3 ACQUIRE SCHOOL SITES

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

- Public school sites shall be located within municipal joint planning areas or be compatible with compact urban growth patterns; provided, however, that elementary schools, by nature of their service characteristics, are compatible in rural areas only when located proximate to existing established residential communities;
- Public school sites shall be served by public facilities;
- Public school sites shall be compatible with environmental protection, based on the soils, topography, and other natural resources on site; and
- An assessment of critical transportation issues, including provision of adequate roadway capacity, transit, and bikeways, shall be made for proposed school sites prior to any development to ensure the safe and efficient transport of students.

12.4 DEVELOP AND IMPLEMENT RESOURCE MANAGEMENT PLANS

The County shall coordinate with the Florida Department of Environmental Protection, the St. Johns River Water Management District and the East Central Florida Regional Planning Council in the development and implementation of resource management plans through the following:

- Continued participation on the Wekiva River Commission and other Working Groups;
- Forwarding development proposals to State agencies for review and comment on projects located within the Wekiva River Protection Area, Wekiva Study Area, and GSACSC or adjacent to State owned lands prior to final action;
- Continuing to review the East Central Florida Regional Planning Council work programs and providing assistance in the development of regional resource plans;
- Continuing to coordinate with the St. Johns River Water Management District, the Department of Environmental Protection and other agencies in identifying high priority acquisition areas and providing staff and financial resources; and
- Participating in and supporting the processes associated with designation of the Wekiva River as a Wild and Scenic River.

12.5 EVALUATE JPA EFFECTIVENESS

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

12.6 COORDINATE WITH PRIVATE UTILITY

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

12.7 COORDINATE LEVELS OF SERVICE

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

OBJECTIVE 13.0 UTILITIES

13.1 MUNICIPAL UTILITIES OR PRIVATE UTILITIES

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

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

13.1.1 PERMIT POTABLE WATER, SANITARY SEWER AND RECLAIMED WATER UTILITIES

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

13.1.2 SANITARY SEWER OUTSIDE OF JOINT PLANNING AREAS

Consistent with the provision of services and facilities within the Rural Land Use Series, the County shall:

Rely primarily upon individual septic tank systems as the method of disposal of wastewater outside of Joint Planning Areas;

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

Require that new development outside adopted central service areas shall not be designed nor constructed with central water and/or sewer systems. Public and private central systems may be permitted in the future if it is clearly and convincingly demonstrated by the proponents of the system expansion that a health problem exists in a built but underserved area for which there is no other feasible solution. In such cases, the service area expansion plans will be updated concurrent with an area-wide administrative land use update.

{The Comp Plan has not identified a “central service area” within the unincorporated area, although the above policy implies that this should happen. What is intended?}

13.1.3 METHODS OF COLLECTING AND DISPOSING OF SOLID WASTES

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

13.1.4 METHODS OF MANAGING STORMWATER

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

- Regulate stormwater management consistent with Countywide regulations with the objective of maximizing aquifer recharge, minimizing flooding and protecting wetland systems; and
- Utilize Municipal Service Benefit Units to fund drainage improvements when appropriate.

OBJECTIVE 14.0 AFFORDABLE HOUSING

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

14.1 AFFORDABLE HOUSING DENSITY BONUS

The County shall enforce LDR provisions relating to the Alternative Density Option to encourage development of affordable housing opportunities that includes provisions for:

- Permitting development up to twelve (12) dwelling units per gross buildable acre under both conventional and PUD zoning classifications within the Urban Land Use Series;
- Providing density bonus on a sliding scale based on the percent of low and very low-income units provided on the development site;
- Permitting reduced lot sizes and open space requirements, duplex, zero-lot line, triplex structures, and cluster developments;
- Providing standards to ensure the integration of conventional and lower income units to prevent the undue concentration of lower income units within the development site;
- Requiring a binding affordability agreement to ensure units are priced for low and very low income owners and renters; and
- Requiring conditions under which day care and group homes should be permitted when designed to serve the needs of the development site.

{These density bonuses need to be defined somewhere. Explain the Alternative Density Option. What is the correlation between this and the maximum allowable density described within the Future Land Use categories.}

OBJECTIVE 15.0 PROTECTION OF PRIVATE PROPERTY RIGHTS

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

OBJECTIVE 16.0 FLUE PLAN AMENDMENT STANDARDS OF REVIEW

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

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

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

Programs: Since the Plan's policies address the continuance, expansion, and initiation of new government service and facility programs, including but not limited to capital facility construction, each application for a land use designation amendment will include a description and evaluation of any Plan programs (such as the affect on the timing/financing of these programs) that will be affected by the amendment if approved.

Regulations: The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan.

Development Policies: Additional criteria and standards are also included in the Plan that describe when, where, and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the use, intensity, location, and timing of the proposed amendment.

Coordination: Each application for a land use designation amendment will be evaluated to assess how and to what extent any additional intergovernmental coordination activities should be addressed.

16.1 STANDARDS OF REVIEW

16.1.1 SERVICES AND FACILITIES/CONCURRENCY

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

16.1.2 SPECIAL STUDIES.

The following special studies shall be provided by the applicant as part of the application package to provide adequate time for review by staff and appropriate agencies:

Traffic studies shall be required to identify the ability of the roadway network to accommodate the land use with the existing or programmed network, near-site improvements, project phasing, etc. Applications which forego this requirement will be reviewed solely on staff's traffic assessment unless the need for additional traffic studies are identified for the first time at public hearings in which case said studies shall be provided by the applicant with adequate review time allotted for County Staff and the public prior to final action.

16.1.3 OPTIONAL LAND USE DESIGNATIONS

The Board of County Commissioners may determine that a FLUM designation other than the designation requested by the applicant is appropriate, provided that the approved FLUM designation and/or use does not exceed the density or intensity of the FLU designation and/or use that was publicly advertised for consideration.

16.1.4 STATE/FEDERAL AGENCY REVIEW

Proposed amendments shall be forwarded to appropriate State agencies (and Federal agencies when appropriate) for review and comment on projects located adjacent to State or Federally owned lands, within any area subject to special provisions of law or upon request of the State or Federal agency.

16.1.5 AMENDMENTS TO EXISTING PLANNED UNIT DEVELOPMENT SITES

The following standards apply when determining whether a Plan amendment is required for new development proposals on previously approved PUD sites:

- A Plan amendment is required if the proposal shows uses or land areas not previously approved.

{PUD changes should always require an approved plan amendment subject to public comment. None of the examples mentioned above are necessarily di minimus in scale or impact.}

- A Plan amendment is required if the proposal shows a change in intensity or density of a previously approved use which results in an increase of ten percent (10%) or more in the number of average daily trips (as defined by Institute of Transportation Engineers trip generation standards).

{This policy contradicts the previous one, which only provided for public and quasi-public uses. This policy would automatically allow additional density beyond that which was approved, potentially hundred of units within a large development.}

16.1.6 STANDARDS FOR AMENDING THE URBAN/RURAL SERIES BOUNDARY

Amendments to the County's urban series, as depicted on Exhibit FLU: Special Area Boundaries, may be considered by the Local Planning Agency and the Board of County Commissioners only if all of the following standards are affirmatively met.

Demonstration of Need:

Are additional urban lands needed to accommodate population, housing or employment projected for the horizon year of this Plan?; or

Are additional lands required to support affordable housing or redevelopment goals of the County?; or

Are additional lands required to support economic development goals of the County?

Locational Analysis of Amendments:

Availability of facilities and services, and the orderly, efficient and cost effective provision of service; and

Fiscal capacity to provide adopted levels of service; and

Protection of environmental and natural resources

Analysis that the amendment would not negatively impact the interconnected system of wetlands, uplands, habitat, and wildlife corridors that exist in the Rural area and provide a high quality mosaic of regional significance. This analysis must describe how the amendment protects the ecological systems, including:

1. Retaining the connectivity of wetlands, uplands, habitat, and wildlife corridors;
2. Retaining/Improving the ecological quality of wetlands, uplands, habitat, and wildlife corridors; and
3. Retaining the functional and structure values of the types of wetlands, uplands, habitat, and wildlife corridors in the Rural Area

If amendment to the urban rural boundary is approved, developments shall avoid impact to wetlands to the maximum extent possible by utilization of clustering and other special techniques.

Contiguity to existing boundary and urban development patterns so as to discourage urban sprawl; and

Adequate transitions to maintain compatibility with adjacent, existing communities.

Mandatory Consistency with the Goals, Objectives and Policies of the Plan:

Any proposed amendment to the urban/rural boundary must undergo an assessment of consistency with applicable goals, objectives and policies of this Plan.

The above standards shall be evaluated by means of the preparation of needs analysis statements, economic impact statements, environmental impact statements, and land use compatibility analyses. If an amendment to the urban/rural boundary is adopted, the above referenced documentation shall be submitted as support documents relating to rural/urban area amendments.

{This criteria should apply to any boundary between an urban land use and rural land use, not just on municipality JPA edges that might not even be an urban/rural boundary. Also the Rural Village should not be considered a rural land use for such an assessment. What is the Special Area Boundaries map? It may be a good idea, but its purpose should be explained better here. }