6/15/07 PRE LPA
DRAFT FUTURE LAND USE ELEMENT
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1 FUTURE LAND USE ELEMENT

GOAL 1.0 PURPOSE OF FUTURE LAND USE ELEMENT

The goal of the Future Land Use Element (FLUE) is to define the character of Lake County and identify the location of land uses that:

- Promote conservation of Lake County's natural and cultural resources;
- Provide public facilities and services concurrent with the impacts from development and comply with adopted minimum levels of service standards;
- Maximize economic benefits for existing and future citizens;
- Promote compact growth and development pattern that establishes a clear delineation between urban and rural land uses; and
- Minimize detrimental impacts to health, safety and welfare that are caused by environmental degradation, nuisances and incompatible land uses.

OBJECTIVE 1.1 Establish a Smart Growth Framework

Lake County shall establish a smart growth framework to provide for the efficient provision of services, use of innovative planning techniques, a variety of transportation and housing options, protection of the environment, and a sustainable diversified economy.

Policy 1.1.1 Smart Growth Strategy

For Lake County, Smart Growth encompasses a broad range of strategies whose purpose is to substantially increase the number of close-to-home jobs for residents. The increase in employment is planned to help diversify the tax base of the County and its cities, reduce consumption of fuel, improve air quality, and make the most efficient use of existing public infrastructure.

These strategies include:

- Locating employment based future land use districts, such as workplace or office, within established Joint Planning Areas;
- Including employment based Future Land Use Categories with residential categories when undertaking the development of Small Area Plans;
- Preparation of a strategic economic development vision and plan within twelve (12) months of adoption of this Comprehensive Plan; and
- Coordination with the Metropolitan Planning Organization and Department of Transportation to identify transportation infrastructure improvements necessary to the development of workplace and office districts;

- Promoting Lake County quality of life as a means to attract existing businesses located within the region.

Policy 1.1.2 Encourage Density within Existing Centers

Land use patterns delineated in the Future Land Use Map (FLUM) shall promote orderly, compact growth. The County shall encourage growth within urban areas where public facilities and services are presently in place, and discourage growth within rural areas. Higher intensity commercial and higher density residential infill development shall be encouraged within existing urbanized areas of the County.

Policy 1.1.3 Reservation of Facilities and Services

The County shall require that an applicant requesting an amendment to the Future Land Use Map demonstrate that all facilities or service capacities are currently available or shall be available after the implementation of scheduled capital improvements to meet general needs of the proposed land use. A future land use amendment shall not constitute the reservation of capacity for any public facility. Reservation of capacities shall only be granted to development orders or permits which demonstrate specific impacts that a development project will place on capacity.

The County shall require the issuance of Certificate of Level of Service compliance prior to the approval of any of the following Development Orders:

1. Development of Regional Impact (DRI);
2. Florida Quality Development;
3. Preliminary Site Plan approval; and
4. Subdivision Plats.

Policy 1.1.4 Implement a Program/Economic Model

By January 2008, the County shall implement a program/economic model to evaluate the long-term economic impacts of proposed Future Land Use Map amendments.

Policy 1.1.5 Monthly Report for the Purposes of Planning Analysis

The County shall publish a monthly report for the purposes of planning analysis, which tabulates the number of development orders by type, acreage, location, population change, density, and /or intensity. By tracking zoning and subdivision approvals, building permits and other development orders from the County and incorporated areas, it will be possible to determine the amount, rate, and location of new development orders, and it will be possible to determine the amount, rate, and location of new development by type.

Policy 1.1.6 Adopt Land Development Regulations

The County shall adopt and maintain a set of specific and detailed Land Development Regulations (LDRs) that implement and are consistent with the goals, objectives and policies of the Comprehensive Plan. The LDRs at a minimum shall address the following:

- Zoning and the subdivision of land;

- Incentives to encourage growth in areas that will minimize and mitigate development's negative impacts on the natural and aesthetic environment and to encourage preservation of rural areas;

- Standards for development including but not limited to permitted uses, floor area, building height, architecture, setbacks, parking, access, lighting, landscaping, signage, sidewalks, tree protection, open space, and buffers, walls, or screening;

- Transfer of development rights;

- Development and site design standards to ensure preservation of natural resources including but not limited to surface waters, wetlands, wildlife, sensitive natural habitat, aquifer recharge, springsheds, and karst features;

- Tree preservation and/or replacement; native vegetation;

- Dedication of land and/or facilities for active and passive recreation;

- Floodplain management and regulation of areas vulnerable to flooding;

- Stormwater, drainage, erosion and sedimentation control;

- Water conservation measures and Florida Friendly (*right plant in the right place*) landscaping;

- Excavation and mining operations;

- Provision of public facilities including but not limited to potable water, sanitary sewer, reclaimed water, gas and electric utilities; and emergency services;

- Minimum standards for water wells and septic tanks;

- Fire prevention, building, and electric codes, health and sanitation;

- Circulation, access, and parking for various modes of transportation;

- Requirements regarding implementation and enforcement of the Concurrency Management System, including level of service standards, prior to issuance of a development order or permit;

- Criteria for a littoral protection zone for lake front areas and wetlands; and

- Criteria for protection of historically significant structures and sites which merit protection.

Policy 1.1.7 Water and Sewer Service Connections

The County shall encourage compact development and ensure that future urban development occurs in a contiguous fashion through the detailed requirements of policies within the Potable Water and

Sanitary Sewer Elements. Central water and sewer services are not intended nor required for areas within the Rural Land Use Series, provided however that property within the Rural Transition future land use category adjacent to urban areas shall be encouraged to connect to central services if available. Otherwise central services should only be provided within the Rural Land Use Series if the absence of such facilities would result in a threat to public health or safety.

Policy 1.1.8 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 Future Land Use Map (FLUM) series embodies strategies designed to: Protect the rural character of the County; 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 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 local, state and federal public lands;
- Trails and Parks, including local, state and federal parks, and national scenic trails;
- Community Development Block Grant (CDBG) Target Areas;
- Community Enhancement Areas;
- 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; and
- Rural Lands Stewardship Program.

OBJECTIVE 1.2 Future Land Uses

Lake County shall establish Future Land Use Categories (FLUCs) that reflect the grouping of compatible land uses, provide sufficient acreage to meet projected population growth, designate suitable land for development and redevelopment, recognize existing land uses, and provide guidance in the preparation and updating of the Land Development Regulations.

To implement this objective, the County shall seek to:

- Achieve an appropriate balance between public and private interests;
- Protect the environment;
- Create favorable economic conditions;

- Provide adequate housing;
- Provide adequate services and facilities;
- Maintain established residential neighborhoods;
- Promote compact growth;
- Preserve rural and agricultural areas; and
- Protect private property rights.

Policy 1.2.1 Future Land Use Map Series

The framework plan for future land use within Lake County shall be depicted through the adoption of the Future Land Use Map (FLUM) series. The FLUM shall be comprised of the following exhibits:

Exhibit	Title
1	Conservation and Trails Corridors
2	FLUM Atlas
3	Rivers, Lakes and Flood Plains (100 Year Flood Plain)
4	General Soils and Minerals (Soils Classification)
5	Joint Planning Areas
6	Aquifer Recharge Areas Existing and planned public potable water wells and wellhead protections area.
7	Resource Protection Areas (Protected Areas)
8	Wetlands (Wetlands Classification Map)
9	Wekiva Map Series
10	Green Swamp Area of Critical State Concern
12	Overlays Map

Policy 1.2.2 Consistency between Future Land Use and Zoning

The County shall regulate land use activities within the Future Land Use Categories and overlay areas illustrated on the Future Land Use Map and described within the Comprehensive Plan through the implementation of zoning districts. Zoning districts shall be defined within the Land Development Regulations, and a zoning map produced that depicts the demarcation of each zoning district. The maximum density and intensity established for each zoning district shall not exceed the density or intensity provided for by the corresponding Future Land Use Category. A Future Land Use Map amendment shall be required in order to amend the boundary of a Future Land Use Category, when a proposed use exceeds the allowable density or intensity for the Future Land Use Category, or when a proposed use is not within a zoning district allowed with the existing future land use category.

Policy 1.2.3 Interpretation of Residential Density

Maximum residential density, expressed as "dwelling units per net acre," shall be defined as the total allowable number of dwelling units that may be constructed on the "net buildable area" of a parcel. "Net buildable area" shall be defined as the total area of a parcel, less wetlands and water bodies. In addition to the aforementioned allowance, one (1) additional dwelling unit may be built within the net buildable area of a parcel for every five (5) acres of wetlands on the entire subject parcel.

Notwithstanding this, within the Green Swamp Area of Critical State Concern, only one (1) additional dwelling unit may be built within the net buildable area of a parcel for every twenty (20) acres of wetlands on the subject parcel.

Policy 1.2.4 Interpretation of Maximum Density and Intensity Allocations In Future Land Use Categories

The maximum density or intensity provided for within a Future Land Use category shall not be construed as a guaranteed right or entitlement. The application of the goals, objectives, and policies within the Comprehensive Plan and zoning, subdivision, and site plan review criteria and procedures contained within the LDRs shall assure that the specific density or intensity assigned to a development project or parcel of land is compatible with established development patterns, protects natural resources, and provides an equitable use. Criteria to be considered in allocating the specific density and intensity through zoning shall include, but not be limited to, the following:

- Presence of onsite and adjacent natural resources or environmentally-sensitive features such as surface waters, wetlands, tree canopy, upland habitat, listed species, wildlife corridors, and karst features;
- Floodplain and flood hazards;
- Neighborhood compatibility, cohesiveness and stability of established community character;
- Compatibility to abutting land uses such as residential development or public conservation land;
- Availability of infrastructure and services; and

- Zoning overlay policies or special criteria contained within the Comprehensive Plan or LDRs specific to the area.

OBJECTIVE 1.3 Rural Land Use Series

The "Rural Land Use Series" is established to identify areas within Lake County where rural character and agricultural potential shall be preserved and enhanced; a reduced level of investment for public facilities is required due to rural patterns of development and levels of service; and environmental qualities shall be protected by limiting density and intensity. Except for vested development, urban land uses shall not be permitted within this series. The "Rural Land Use Series" shall include the following future land use categories: Rural Low Density~~;~~, Rural Medium Density and Rural Transition Density.

These future land use categories are intended to work in harmony to preserve the rural character, lifestyle and agricultural potential of certain areas of Lake County. These categories also benefit 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 categories 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. The scale of development normally associated with a Development of Regional Impact is not consistent with the purpose and intent of the Rural Land Use Series and shall be prohibited.

Policy 1.3.1 Elements of Rural Character

The character of future development within the Rural Land Use Series shall be compatible and consistent with rural characteristics described below.

A. Individual parcels that are generally equal to or larger than five (5) acres in size, or smaller parcels clustered in a configuration that provides contiguous common open space while maintaining rural densities over the net buildable area of the development site.

B. A predominance of sites wherein a limited number of principal and accessory structures are surrounded by substantial areas of undeveloped land.

C. An emphasis on agriculture, equestrian-related activities and conservation areas.

D. A system of rural roads intended to provide access to widely spaced home-sites and farms with substantial building setbacks from adjoining roadways.

E. Naturally occurring or informal vegetative patterns protective of the environment.

F. Commercial and civic land uses limited in distribution, scale and scope to serve the basic and

special needs of rural areas and to ensure compatibility with the character of rural areas.

Lake County's Land Development Regulations shall be updated to include rural planning and design standards that address, at a minimum, each of the elements of rural character defined above and to regulate features including, but not limited to, the type, size, height, and location of uses and structures, fencing, signage, lighting, landscaping and viewscapes.

Policy 1.3.2 Scale of Development

The scale of development within rural areas is a key factor in efforts to preserve character and ensure compatibility. This element of character shall be addressed by comprehensive plan policies and land development regulations that establish standards for the intensity, size, and physical separation of single or clustered structures within a development site and~~/or~~ from adjoining property. The scale of development normally associated with a Development of Regional Impact is not consistent with the purposes and intent of the Rural Land Use Series and shall be prohibited.

~~Policy 1.3.1~~Policy 1.3.3 Purpose of the Rural ~~Low Density~~ Future Land Use ~~Category~~Series

The ~~v~~ Rural Future Land Use Series ~~allows~~ is intended to accomplish the following:~~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 by permitting new single family homes at a ~~of the area by developing at a very~~ rural ~~low~~density and intensity, by encouraging large areas to ~~be left~~ remain in a natural or open state, and by reducing road congestion, and ~~the need for~~by ~~-~~limiting commercial and ~~services, urban public services and other~~civic uses ~~beyond~~ to the needs of a rural community;

- Limit the number of road access locations from parcels as a means to preserve road capacity, minimize vehicle conflicts and accidents, promote safety of pedestrians, bicyclists and motorists, and minimize disturbance of the vegetative and visual qualities of the road corridor;

- Ensure that principal and accessory structures are located behind a rural character setback line to be determined for each rural roadway and incorporated within the Land Development Regulations;

- Permit horses and other livestock on large residential lots;

- Minimize conflicts with agricultural operations (~~e.g.~~such as~~,~~ traffic congestion, noise, odor and visual conflicts) and non-agricultural land uses through the application of buffering and use separation standards; ~~and~~

- Minimize planned and programmed expenditures for public facilities (such as~~e.g.~~, roadway improvements, schools, fire and law enforcement protection~~, etc.~~);~~.~~ and

- Control the scale, appearance and operation of public and private uses to ensure compatibility with rural character. This shall be accomplished through rural planning and design standards and guidelines that shall be developed and incorporated within

the land development regulations. These standards and guidelines should also specifically address public and private uses that tend to draw people from outside of rural areas to ensure that such uses minimize conflict with rural character and the perpetuation of rural functions.

- Maintain existing wildlife habitat, wildlife corridors and environmentally sensitive resources– including but not limited to wetlands and upland habitat types, karst features, and groundwater recharge areas; and

- Maintain levels of service that reflect the characteristics of a rural low density and intensity of use.

Policy 1.3.4 Rural Low Density Future Land Use Category

The Rural Low Density Future Land Use Category is intended to protect rural lifestyles represented by single family homes on large lots and to accommodate agricultural pursuits.

This Future Land Use Category provides for residential development at densities equal to or less than one (1) dwelling unit per five (5) net buildable acres, agricultural operations, civic uses compatible with a rural community, and rural functions where appropriate.

~~The Rural Low Density FLUC permits the following u~~Uses:

- ~~Rural s~~Single family residential at one dwelling unit per five (5) net buildable acres;

- Public~~ly~~ and private~~ly owned~~ parks and passive recreation facilities;

~~, cCountry clubs (over 10 acres in size); and~~

- Agricultural operations and attendant structures, greenhouses, nurseries and silviculture;

- Equestrian related uses

- Schools less than 60 acres;

- Home Occupations

- Churches~~Schools~~; and

- Rural Support uses as provided for in this Comprehensive Plan;

Uses requiring a conditional use permit include:

- Peat mines, sand mines and borrow pits

- ~~, a~~Active parks and recreation facilities;

- Adult congregate living facilities;

- Daycares;
- Group homes
- Country clubs
- Cemeteries,
- Kennels,
- Community buildings and club houses
- Unpaved airstrips
- Emergency services, and
- ~~Landfills, and~~
- Utilities, including Landfills.

~~**Services and Facilities:**~~

- ~~Levels of service shall be addressed through the respective Elements.~~

~~Policy 1.3.2~~Policy 1.3.5 Rural Medium Density Future Land Use Category

~~The Rural Medium Density Future Land Use Category allows rural residential development may be permitted within the Rural Medium Density category at one (1) dwelling unit per five (5) net buildable acres if dedicated common open space is not provided. Alternatively, development may be permitted at densities equal to or less than one (1) dwelling unit per three (3) net buildable acres, agricultural and attendant uses if developing a rural conservation/cluster subdivision. Within the WSA, this category shall also require the provision of at least 35% open space to achieve a maximum density of one (1) dwelling unit per three (3) net buildable acres. Alternatively, development may be permitted within the Rural Medium Density category at one dwelling unit per five net buildable acres if dedicated common open space is not provided. 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, and 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.)~~

The Rural Medium Density Future Land Use Category is intended to accommodate uses generally associated with the Rural Low Density future land use category and provide additional flexibility to allow for the creation of rural communities with common open space, such as equestrian-based communities with shared areas for horseback-riding and passive recreation.

This Future Land Use Category provides for residential development at densities equal to or less than one (1) dwelling unit per five (5) net buildable acres, agricultural operations, civic uses compatible with a rural community, and rural support functions where appropriate.

Alternatively, residential development not to exceed a maximum density of one (1) dwelling unit per three (3) net buildable acres may be permitted provided that any subdivision in excess of ten (10) dwelling units shall be developed as a clustered Rural Conservation Subdivision utilizing PUD zoning, and provided that at least 35% of the net buildable area of the entire PUD site shall be dedicated in perpetuity for preservation as common open space through the use of a conservation easement or similar recorded and legally binding instrument.

~~**The Rural Medium Density Future Land Use Designation Permits the Following uses:**~~

- ~~Rural single family residential;~~

- ~~Publicly and privately owned parks and recreation facilities;~~

~~Churches,;~~

~~cCountry clubs (over 10 acres in size); and~~

- ~~hHome occupations;~~

- ~~Agricultural operations and attendant structures, greenhouses, nurseries and silviculture;~~

- ~~Schools; and~~

- ~~Uses requiring a conditional use permit include adult congregate living facilities, daycares, group homes, borrow pits, cemeteries, kennels, landfills, and utilities.~~

~~**Services and Facilities:**~~

- ~~Levels of service shall be addressed through the respective Elements.~~

Uses:

- Single family residential development at one dwelling unit per five (5) net buildable acres
- Single family residential development at one dwelling unit per three (3) net buildable acres with 35% open space
- Public and private parks and passive recreation facilities

- Agricultural operations and attendant structures, greenhouses, nurseries, and silviculture
- Equestrian related uses
- Schools less than 60 acres
- Home occupations
- Churches
- Rural Support uses as provided for in this Comprehensive Plan

Uses requiring a conditional use permit:

- Peat mines, sand mines, and borrow pits
- Active parks and recreation facilities
- Adult congregate living facilities
- Daycares facilities
- Group homes
- Country clubs
- Cemeteries
- Kennels
- Community buildings and club houses
- Unpaved airstrips
- Emergency services
- Utilities

~~Policy 1.3.3~~Policy 1.3.6 Rural Transition Density Future Land Use Category

~~This land use consists of residential development at a density of one (1) dwelling unit per five (5) net acres. Lot sizes of less that one (1) acre may be permitted with accompanying PUD zoning, provided that development exceeding ten (10) acres in size shall be required to utilize PUD zoning.; provided, that dDensity shall be computed on the basis of one (1) dwelling unit per net buildable acre. provided that clustering shall not cause incompatibility with adjacent parcels.~~

~~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.~~

~~Clustering shall be required within the Rural Transition Density Future Land Use Category for densities greater than one (1) dwelling unit per five (5) net acres and shall contain a minimum of 50 percent open space over the total net buildable area, and at least 50 percent of the minimum required open space within a clustered subdivision shall be contiguous provided that clustering shall not cause incompatibility with adjacent parcels. Alternatively, dDevelopment may be permitted within the Rural Transition category shall be limited to at one (1) dwelling unit per five (5) net buildable acres if dedicated common open space is not provided. Development within a~~

~~clustered subdivision shall be clustered away from environmentally sensitive areas on site and away from adjacent public conservation land. 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.~~

The Rural Transition Future Land Use Category is intended to address "edge" conditions where rural land use categories abut urban or special land use categories. These "edges" represent areas where lower rural densities may be increased for conservation subdivisions that utilize clustering techniques.

This Future Land Use Category provides for residential development at densities equal to or less than one (1) dwelling unit per five (5) net buildable acres, agricultural operations, civic uses compatible with a rural community, and rural support functions where appropriate.

Alternatively, residential development not to exceed a maximum density of one (1) dwelling unit per three (3) net buildable acres may be permitted provided that 35% open space is provided pursuant to requirements associated with the Rural Medium Density Future Land Use Category.

As a third alternative, residential development not to exceed a maximum density of one (1) dwelling unit per one (1) net buildable acre may be permitted provided that any subdivision in excess of ten (10) dwelling units shall be developed as a clustered Rural Conservation Subdivision utilizing PUD zoning, and provided that at least 50% of the net buildable area of the entire PUD site shall be dedicated in perpetuity for preservation as common open space through the use of a conservation easement or similar recorded and legally binding instrument.

Subdivisions and lots lawfully existing on the effective date of this Comprehensive Plan within the Rural Transition Density Future Land Use Category not meeting the density or open space requirements of this policy shall be considered conforming to these requirements providing that the density or number of lots is not increased.[BTS1]

Uses:

- ~~Single family residences~~
- ~~Public and private parks and recreation facilities;~~
- ~~Churches, country clubs (over ten [10] acres in size) and home occupations;~~
- ~~Agricultural operations and attendant structures, greenhouses, nurseries and silviculture;~~
- ~~Elementary schools, middle schools and high schools; and~~
- ~~Uses requiring a conditional use permit include adult congregate living facilities, daycares, group homes, borrow pits, cemeteries, kennels, landfills and utilities.~~

~~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.~~

- Single family residential development at one dwelling unit per five (5) net buildable acres
- Single family residential development at one dwelling unit per three (3) net buildable acres with 35% open space
- Single family residential development at one dwelling unit per one (1) net buildable acre with 50% open space
- Public and private parks and passive recreation facilities
- Agricultural operations and attendant structures, greenhouses, nurseries, and silviculture
- Equestrian related uses
- Schools less than 60 acres
- Home occupations
- Churches
- Rural Support uses as provided for in this Comprehensive Plan

Uses requiring a conditional use permit:

- Peat mines, sand mines, and borrow pits
- Active parks and recreation facilities
- Adult congregate living facilities
- Daycares facilities
- Group homes
- Country clubs
- Cemeteries
- Kennels
- Community buildings and club houses
- Unpaved airstrips
- Emergency services
- Utilities

Policy 1.3.7 Open Space within Rural Conservation Subdivisions

Open space within Rural Conservation Subdivisions shall be applied and protected as follows:

1. Open space shall be designated to remain undeveloped and protected in perpetuity through the use of conservation easements, plat restrictions, or similar legally recorded and binding instruments that run with the land and establish the conditions and restrictions on the use of the open space area.

2. Open space shall be dedicated to one or a combination of the following, which shall be designated prior to development:

3. Conservation agency such as FDEP or SJRWMD;

4. Non-profit conservation organization or land trust; and/or

5. Lake County, subject to county approval.

6. The boundaries of the designated open space shall be clearly delineated on project site plans, including recorded plats, and marked in the field.

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

8. Clustering shall mean that the built area of the development site is well defined and compact, thereby enabling the creation of contiguous expanses of open space and the protection of environmentally sensitive areas. At least 50% of required open space shall be configured in a single contiguous tract. Open space shall be contiguous with protected open space on adjacent parcels and public conservation lands to the maximum extent feasible, and configured to ensure compatibility with adjacent rural properties.

Policy 1.3.8 Rural Support

This policy is intended to address the need for commercial uses that "support" the resident population of areas within the Rural Land Use Series. Rural Support land uses may include professional offices, personal services, convenience retail, agricultural-related retail sales of goods and services, or similar uses as defined in the land development regulations. Such uses shall be limited in scale and scope to serve the basic and special needs of rural areas, and ensure compatibility with the character of the rural areas. The following requirements shall apply to Rural Support uses within the Rural Land Use Series:

1. Commercial zoning districts existing prior to the effective date of this policy and not acquired for conservation by a public agency shall be vested for rural support uses whether or not a site plan has been previously approved. Approval of a site plan shall be required prior to development.

2. Unless otherwise provided herein, new commercial zoning districts shall be limited to specific locations identified within this Comprehensive Plan as Rural Support Intersections and depicted on the Future Land Use Overlay Map. The maximum extent of Rural Support uses shall not exceed a distance of 320 feet measured perpendicular to the road from a point on the centerline of the road not to exceed 320 feet from the center of the intersection. Building structures shall be limited to a maximum aggregate footprint of 5000 square feet at each quadrant of the intersection and shall not be combined in any fashion that would yield a composite footprint that exceeds 5000 square feet in within each quadrant.

3. Any future Rural Support Intersection shall not be located less than three miles from an existing Rural Support Interchange or Rural Support Corridor. A new Rural Support Intersection may only be located at the junction of two roads that are classified as arterials or collectors.

4. With the exception of vested property and well-defined commercial corridors located within established rural communities, roadway-oriented commercial zoning not associated with Rural Support Intersections shall be prohibited within the Rural Land Use Series. Rural Support Corridors recognized as appropriate for future commercial activity based on established development patterns shall be limited to specific locations identified within this Comprehensive Plan and depicted on the Future Land Use Overlay Map. The maximum extent of a Rural Support Corridor shall not exceed 320 feet from the centerline of the roadway corridor and 320 feet from the terminus of the corridor. Within Rural Support Corridors, new commercial zoning shall be preferred adjacent to existing commercial zoning. The maximum aggregate building size for all structures within a parcel of record shall be 5000 square feet. Except for commercial zoning existing prior to the effective date of this policy, no new commercial zoning shall not be approved within a Rural Support Corridor until after the completion of a study conducted by Lake County to determine the need for and appropriate characteristics of rural support uses within the corridor.

5. The following Rural Support Corridors are recognized:

6. CR42 between Central Avenue and Country Squire Road (Paisley)

7. CR455 between CR561A and Trousdale St (Ferndale)

8. CR448 between Lois Drive and east intersection of Sunset Court

9. Rural Support uses may be permitted as a part of a Planned Unit Development (PUD), provided that the use serves residents of the PUD and is located interior to the PUD. Rural Support uses within a PUD shall be limited to a ratio of one (1) acre per 500 dwelling units. Land containing a Rural Support use within a PUD shall not count toward buildable area in the determination of residential density.

The site and architectural design of Rural Support uses shall be compatible and consistent with the character of the rural area. Elements of compatibility that shall be addressed by the Land Development Regulations include but are not limited to signage, hours of operation, lighting, orientation of buildings, height, facade, parking, landscaping and buffering. New Rural Support uses shall not be located adjacent to public conservation land.

OBJECTIVE 1.4 Urban Land Use Series

The "Urban Land Use Series" is established to identify areas within the county that are suitable for urban development. Categories within the "Urban Land Use Series" include: Low Density Residential, Medium Density Residential, Medium-High Density Residential, High Density Residential, Traditional Neighborhood, Office and Workplace. The following policies are intended to help shape and guide decisions involving the creation of appropriate land development regulations and the review of development proposals.

COMMENTS AND PROPOSED CHANGES TO URBAN LAND USE SERIES

K. Schue Comment 1: Objective 1.5 Urban Land Use Series

Delete Office and Commercial from the objective. (Office and Commercial categories belong in a general group with Industrial, Public/Quasi Public, Recreation, and Conservation.)

K. Schue Comment 1: Insert and objective for General Land Uses. Commercial, Office, Industrial, Public/Quasi-public, Recreation, and Conservation categories should be grouped under a general objective in the document since these are not unique to either rural or urban areas. The following text is suggested:

Objective -.- General Land Uses

The County has established a set of general land use categories to provide for a variety of public needs including centers for employment, provision of services, infrastructure, recreation, and the protection of natural resources. These future land use categories include "Commercial", "Office", "Industrial", "Public/Quasi-Public/Institutional", "Recreation" and "Conservation".

Staff Recommendation 1: Leave Categories in Urban LU Series. New Series unnecessary. **[Bring Back with Rural Support]**

Policy 1.4.1 Traditional Neighborhood (TN) Future Land Use Category

Within the Urban Land Use Series, Traditional Neighborhood developments are encouraged through incentives and preferred over conventional design. The TN Future Land Use Category provides the framework within which one or more master planned developments accomplish a functional mix of land uses developed in a livable and sustainable community. The Traditional Neighborhood Category is intended to foster infill and redevelopment efforts, deter urban sprawl, encourage a mix of housing options, and lessen the number of external vehicular trips through enhanced internalization of trips accomplished through the mix of residential, commercial and workplace land uses.

The purpose of Traditional Neighborhood Future Land Use Category is to encourage mixed-use, compact development which is sensitive to environmental characteristics of the land, and which facilitates efficient use of services within the County. This land use category provides an opportunity for diversification and integration of land uses including residential, retail, office, recreation, civic, etc., within close proximity to each other, providing for the daily recreation and shopping needs of the residents.

The TN Land Use Category shall provide for innovative and alternative development patterns, provide for employment centers, and allow the integration of residential uses with:

1. Community serving workplace activities including commercial and office uses;

2. Recreation and Open Space systems;

3. Institutional, Civic and Public Facility uses; and

4. Well coordinated vehicular and pedestrian circulation systems.

1.4.1.1 Applicability of TN Category

The TN Land Use Category shall not be allowed within the GSACSC or WRPA.

1.4.1.2 Residential Density

The permitted residential density for any specific property within a TN Category shall be determined based on the applicable Special Area Plan, Neighborhood Sub-Area type (center, proper or edge) and the planning criteria established through Policy 1.4.1.4~~1.6.1.4~~ below. The maximum number of dwellings units for a Traditional Neighborhood shall be based on 4 dwelling units per net acre of the TN development site. The minimum required open space for a Traditional Neighborhood shall be twenty-five (25) percent of the net acreage of the TN development site. This open space shall be distributed throughout the TN according to the standards identified in Policy 1.4.1.3~~1.6.1.3~~.

1.4.1.3 Planning Criteria for Traditional Neighborhoods

The appropriate mix of land uses and open space, as well as the density and intensity of those uses, are basic criteria necessary for the establishment of the TN Land Use Category. A minimum of one Scoping Meeting/Charette must be held. This meeting shall include all affected property owners, stakeholders, and any other party who has expressed an interest in participating. The results of this meeting/Charette shall be summarized and included as background information for the SAP. The criteria that Lake County shall utilize for the purpose of preparing TN Special Area Plans and for evaluating development proposals within TN/SAP areas are provided in the table below.

PERFORMANCE CRITERIA BY TN SUB-AREA TYPE				
Traditional Neighborhood Sub-Area Type	Density (Residential)	Intensity (Non-Residential)	Minimum Number of Land Use Types/Housing Types	Required Open Space

Traditional Neighborhood Center	Maximum of12 du/net acre	Maximum FAR 1.5	3/2	A Minimum of 5% and Maximum of 10 % of the TN requirement of 25% of net TN development site area.
Traditional Neighborhood Proper	Maximum of 8 du/net acre	Maximum FAR 0.35	2/3	A minimum of 50% of the TN requirement of 25% of net TN development site area.
Traditional Neighborhood Edge	Maximum of 4 du/net acre	Maximum FAR 0.20	1/2	A minimum of 30% of the TN requirement of 25% of the net TN development site area.

1.4.1.4 Traditional Neighborhoods (TN) Area Types

- Each discrete TN/SAP area should be comprised of at least one mixed use center, a neighborhood proper and a neighborhood edge.

- Each Traditional Neighborhood SAP should be organized around one or more "centers" that contain neighborhood or village serving shops and services; civic/public facilities such as libraries, schools or religious institutions; appropriately located public spaces such as squares, greens, parks and conservation areas; and workplaces. Each center should be within a comfortable walking distance (one-quarter to one-half mile) of a majority of the housing units located within the supporting neighborhood proper.

- Each TN should be at least 100 acres in size and contain all three neighborhood sub-areas. Each TN/SAP may contain multiple TN's. Where the SAP is planned to contain three or more Traditional Neighborhoods comprising 300 or more acres, additional land and non-residential building area may be included in one of the planned centers

to reflect household expenditures for major goods and services generated by all households projected within the SAP. In order to accommodate the additional commercial land and building area, the center in which such space is planned must have direct access to an existing or planned arterial road.

- Each TN center should serve an adjoining "neighborhood proper" that is comprised primarily of various types of housing units but may also contain well-placed and compatible service uses such as child and senior care facilities, bed and breakfast inns and other similar uses. The neighborhood proper serves as an area of transition from the higher density and intensity neighborhood center to the neighborhood edge.

- A "neighborhood edge" is intended to provide the final means of transition from the Traditional Neighborhood to adjoining properties and Future Land Use Categories. The characteristics of each TN "edge" should be adapted to the existing and planned/future land use characteristics of adjoining land areas.

1.4.1.5 Relationship of TN Category and Special Area Plan

- All commercial and residential development within a Traditional Neighborhood (TN) District shall comply with the land use and community design objectives established herein, and with TN standards adopted as a part of the County's Land Development Regulations. The Future Land Use Element and Map shall require that TN Districts be planned and developed in conformance with a Special Area Plan (SAP) Overlay created specifically for each designated TN district. Until each TN/SAP has been completed and adopted by the Lake County Board of County Commissioners, development may proceed in accord with the existing zoning of a specific property within the TN/SAP District. Rezoning applications for any property within a specific TN/SAP that are submitted prior to the adoption of the applicable TN/SAP will be considered incomplete and returned to the applicant.

- Each plan and phasing schedule for a development within a TN District shall comply with the policies and guidelines of the applicable SAP. The SAP will delineate the physical boundaries of functional areas of the TN District such as the neighborhood center, neighborhood proper and neighborhood edge, and will establish expectations for each functional area relative to the specific development program, amenities, density/intensity and other elements.

1.4.1.6 Site Placement, Scale and Programming of Commercial and Workplace Uses

The development program for commercial and workplace land uses shall be directly related to the number and type of planned residential units. The maximum number of acres or square feet of commercial/service and/or workplace space shall be based on projected household factors related to income, household size, and expenditures for convenience goods and personal services; and, the type of transportation access available to the neighborhood center. The specific factor(s) shall be defined and included in the Land Development Regulations (LDRs).

Commercial and workplace uses should be located within or adjacent to the neighborhood center. The placement of commercial and workplace uses within their respective sites will be determined by standards contained in the LDRs, and those standards should function to place the front of

buildings close to the primary access street with parking provided to the rear of the site or within shared pools of parking strategically located within the neighborhood center or adjoining workplace. The scale of these uses is another important design component that should be more specifically addressed in the LDRs. Neighborhood serving commercial and workplace uses shall be limited in scale and size through a combination of site and architectural design standards that address such elements as: maximum ground floor area/floor area; building height and façade design.

1.4.1.7 Open Space within the TN Category

Open space shall be provided and designed to enhance community aesthetics, common recreational areas, and in a manner to promote compatibility of uses by promoting community trails and pedestrian connections. The overall open space requirement for the TN Category shall be twenty-five (25) percent.

- The overall open space requirement, consistent with the definition of "open space," shall be a minimum 25% over the entire development;

- Wherever feasible, the internal open space system shall be connected to the larger Countywide open space system;

- The open space system should afford flexibility in design of landscaping and buffers to maximize compatibility between existing and proposed land uses based on the intensity of proposed uses;

- Open space should be planned to provide protection and connection of existing environmental upland and wetland areas; and

- The overall approach to TN site design should emphasize site design standards that minimize cuts and fills and maintain as much of the existing site topography as possible.

1.4.1.8 Internalization of Road Trips within a TN/SAP

In order to accomplish an enhanced internal trip capture, the applicable Special Area Plan shall address and define standards and requirements necessary to achieve a minimum 20% internal trip capture rate for the entire SAP. Such standards and requirements may include or address the mix of residential, commercial and workplace land uses, phasing of development of neighborhood sub-areas, and required programs linking housing development and job creation.

1.4.1.9 Access and Circulation

The TN/SAP should be planned to provide an internal and connected hierarchy of streets, walks, and trails within each neighborhood or village and include appropriate points of connection with adjoining areas. The access and circulation system should be based on a hierarchy of streets designed to serve the needs of the pedestrian and the motorist; and include pedestrian-oriented design through the development of pedestrian and bikeway circulation systems which serve to functionally and physically integrate the various land use activities.

1.4.1.10 Public Facilities and Services

- Traditional Neighborhoods should be served by central water and sewer and the storm water management system should be planned, designed and phased for the entire TN area per the applicable SAP.

- TN development shall maintain all adopted levels of service, as specified in the Comprehensive Plan, and all urban services should be available concurrent with the impacts of development.

- Standards for the use of Leadership in Energy and Environmental Design (LEED) and Energy Star building and design standards shall be addressed and specified as part of the preparation of the Special Area Plan.

1.4.1.11 Civic and Public Uses

- Civic and Public land uses play an important role in the place making process as well as supporting the desire to internalize as many trips as possible within the neighborhood. Important and strategic sites should be planned and reserved for these uses as part of the SAP process, and representing 1-2 percent of the net land area of the Traditional Neighborhood.

- Placement of these sites and uses within the TN/SAP should be based on the hierarchy of streets, proximity and walkability from residential units, area type and compatibility with adjoining on and off site land uses. It should also be recognized that civic and public uses offer opportunities for important pieces of civic architecture that help to establish neighborhood character. Such uses should be planned to take advantage of site topography to occupy elevated locations and serve as place markers. Steeples, bell towers and other architectural features should be incorporated within civic and public uses as a means of creating community identity and character.

Policy 1.4.2 Workplace District (WD) Future Land Use Category

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

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

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

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

Support uses shall be limited to no more than twenty-five (25) percent of the net land area of the individual Workplace District and shall, wherever possible, be included within the building, building footprint or building site of a primary use. These uses shall be developed after the completion of a significant portion of the principal development. Maximum amounts of development within the support use category shall be established upon approval of the special area plan.

- Residential densities shall be calculated over residential areas, and 25% of the net land area of the Workplace development site shall be planned and reserved as common open space. Residential uses shall be limited to 33% of the Support Land Use Area.

Policy 1.4.3 Low Density Residential Future Land Use Category

This land use is designated primarily 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 the Rural Transition District.

USES:

Single family residences;

Duplexes and townhouses designed to ensure compatibility with neighboring single family residences;

Schools; and

Uses requiring a conditional use permit include group homes, churches, day care, guest cottages, home occupations, utilities, and public parks and recreation areas.

Services and Facilities:

- Levels of service shall be addressed through the respective Elements.

Policy 1.4.4 Medium Density Residential Future Land Use Category

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, condominiums, patio homes, duplexes and townhouses;
- Residential professional offices;
- Schools; and
- Uses requiring a conditional use permit include: group homes, churches, day care, hospitals, convalescent and nursing homes, accessory office uses, guest cottages, home occupation, utilities and public parks and recreation areas.

SERVICES AND FACILITIES:

- Levels of service shall be addressed through the respective Elements.

Policy 1.4.5 Medium-High Density Residential Future Land Use Category

This land use provides for a range of residential development at a maximum density of six (6) dwelling units per one (1) net buildable acre and allows for the conversion of existing residential units to residential professional office uses in the Residential Professional (RP) Zoning District. 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:

- Single family residences, patio homes, duplexes and townhouses;
- Condominiums, apartments, boarding and lodging houses;
- residential professional offices;
- Schools; and
- Uses requiring a conditional use permit include: group homes, churches, day cares, hospitals, convalescent and nursing homes, accessory office uses, guest cottages, home occupations, utilities and public parks and recreation areas.

SERVICES AND FACILITIES:

- Levels of service shall be addressed through the respective Elements.

Policy 1.4.6 High Density Residential Future Land Use Category

This land use provides for a range of residential development at a minimum density of four (4) dwelling units and 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:

- Single family residences, patio homes, duplexes and townhouses;
- Multi-family Condominiums, apartments, boarding and lodging houses;
- Boarding and lodging houses
- Schools; and
- Uses requiring a conditional use permit include: group homes, churches, day care, hospitals, convalescent and nursing homes, accessory office uses, guest cottages, home occupation, utilities and public parks and recreation areas.

SERVICES AND FACILITIES:

- Levels of service shall be addressed through the respective Elements.

Policy 1.4.7 Office (O) Future Land Use Category

Office (O) shall consist of a variety of office uses and limited commercial that supports office uses. This category is intended to accommodate office development which exhibits a high level of site and building amenities to include extensive landscaping, plazas and pedestrian/employee-friendly gathering areas, central building entrances, enhanced building and site security features, and accessory uses included within the building footprint. This land use shall 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 workplaces, traditional neighborhoods, and urban residential uses.

Zoning map amendment applications within the Office Land Use Category must be accompanied by a site/master plan as set forth in the LDRs. 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 that ensure that office development is compatible with adjoining land in the Low Density Residential Future Land Use. Standards 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. A maximum floor area ratio of 1.0 shall be established as a base intensity, but may

be up to a maximum 3.0 FAR through a conditional use approval process that considers such factors as adjoining land uses, size of the development site and traffic impacts.

USES:

- General office development, technologically-based industry, and light manufacturing;
- Limited commercial uses that support office and manufacturing land uses;
- Light manufacturing,
- Nursery schools, libraries, laboratories, and day care centers;
- Institutes of higher learning, colleges and universities; and
- Corporate headquarters, including manufacturing distribution facilities co-located with appropriate categories including, but not limited to: office, industrial uses.
- Uses requiring a conditional use permit include: hospitals, funeral homes, medical clinics, banks, and public utility and service structures;

SERVICES AND FACILITIES:

- Levels of service shall be addressed through the respective elements.

Policy 1.4.8 Commercial (C) Future Land Use Category

This land use shall provide 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. A floor area ratio (FAR) range of 0.25-1.5 shall be established in the Zoning Districts created in the Land Development Regulations. The maximum 1.5 FAR shall only be permitted through a conditional use approval process that considers such factors as adjoining land uses, size of the development site and traffic impacts.

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 centers and nurseries;
- Schools;

- Hotels and motels; and

- Other uses such as contractor, alcoholic beverage, drive-in restaurants, flea markets, mechanical garages, enclosed paint and body shops, service stations, lumberyards, public utilities, hospitals and nursing homes.

The County shall 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:

- Located adjacent to collector and arterial roadway intersections to maintain road capacity and not set a precedent for further strip development; or

- 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

- 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 Category.

The County shall consider the creation of urban infill and redevelopment areas as a land use incentive for enhancement of urban areas.

The County shall consider development of an urban infill and redevelopment plan pursuant to Section 163.2517, Florida Statutes, for the geographic area depicted in the FLUM series for the purpose of economic development, job creation, neighborhood revitalization, and crime prevention.

Within Historic Overlay Areas, commercial development shall be restricted in scope, scale, size, intensity, lighting, parking and design in order to service and ensure compatibility within the community.

Within the Rural Land Use Series, a Conditional Use Permit which stipulates specific permitted uses, floor area ratios, and requirements to address compatibility, shall be a required companion instrument in the adoption of all future land use amendments for new commercial development.

Commercial Use Adjacent to Rural and Environmentally-Sensitive Areas

Adjacent to the Rural and Conservation land uses, WRPA and GSACSC, commercial development shall be restricted in scope, scale, size, intensity, lighting, parking and design in order to service and ensure compatibility with rural lifestyles and the protection of natural resources. With the exception of commercial uses existing or vested prior to the adoption of this policy, new commercial development adjacent to Rural and Conservation future land uses in the WRPA (with the exception of the Mt Plymouth-Sorrento Main Street Corridor), or GSACSC shall be required to meet the following criteria:

- Located within 500 feet of arterial and collector intersections and limited in size to 5000 square feet of commercial floor space; or

- Located within and satisfying specific criteria of a designated Rural Commercial Overlay District relating to scope, size, intensity, lighting, parking and design. Such criteria contained within this Comprehensive Plan and the Land Development Regulations of Lake County shall emphasize and reinforce the unique rural character and needs of the particular rural community.

With the exception of commercial property vested prior to the adoption of this policy, commercial development within the GSACSC and WRPA shall be restricted to designated activity center locations existing prior to the adoption of this policy. Where commercial property is vested adjacent to or in the vicinity of public recreation or conservation lands, the county shall retain flexibility to encourage or require the relocation of such commercial uses to areas away from public recreation or conservation lands to ensure protection of natural resources.

SERVICES AND FACILITIES:

This land use requires a full range of urban services and facilities, where located in urban areas. In rural areas, the scale and intensity of commercial development shall be limited to uses that do not require urban services and utilities, or where neighboring urban services and facilities are available but connection will not result in additional burden on capacity.

Policy 1.4.9 Industrial (I) Future Land Use Category

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;
- Schools;
- Uses requiring a conditional use permit include: heavy industrial, utilities, service stations, hospitals, nursing homes, heliports, and airports.

SERVICES AND FACILITIES:

- Levels of service shall be addressed through the respective Elements.

COMMENTS AND PROPOSED CHANGES TO SPLIT INDUSTRIAL INTO HEAVY AND LIGHT

Policy 1-X.X Draft Policy 1-5.X Light Industrial (LI) Future Land Use Category

The Light Industrial Land Use Category is designed to group together a wide range of industrial uses which do not produce objectionable environmental influences in their operation and appearance and are intended to provide a degree of compatibility between permitted uses and those in nearby commercial and residential categories. This land use consists of industrial land uses oriented toward the processing, manufacturing, compounding, assembly, packaging, treatment, or fabrication of materials and products, from processed or previously manufactured materials, generally within a fully enclosed building but may allow parking of vehicles or storage of finished materials outside. This land use shall be located with direct access to rail systems, collector and arterial roadways, or as infill development where this use is established. Examples of Light Industrial Uses are:

USES

- Light manufacturing
- Distribution and terminals;
- Warehousing;
- Lumberyards and machinery sales;
- Paint and body shops;
- Publishing plants;
- Stockyards;
- Uses requiring a conditional use permit such as utilities, heliports, and airports.

SERVICES AND FACILITIES:

- Levels of service shall be addressed through the respective Elements.

Policy 1-X.X Heavy Industrial (HI) Future Land Use Category

The Heavy Industrial (HI) Future Land Use Category is intended for industrial uses with nuisance or hazardous characteristics which, by the nature of their normal operations and activities as well as for reasons of health, safety, environmental effects or welfare, are best segregated from other

uses. This land use consists of industrial uses that may have significant potential impacts on the environment or adjacent uses in terms of noise, hazards and odors, where more than twenty (20) percent of the use takes place outside of an enclosed building or where exterior storage equals or exceeds building floor area. This land use shall be located with direct access to rail systems, collector or arterial roadways where this use is established.

USES

- Vehicle recycling centers;
- Railways;
- Bulk petroleum storage;
- Concrete or asphalt batch plants;
- Power Plants
- Concrete or fiberglass product manufacturing
- Resource extraction;
- Incinerators;
- Fabrication facilities (with open air blasting or painting);
- Chemical formulation, storage, or processing facilities;
- Fiberglass product manufacturing

SERVICES AND FACILITIES:

- Levels of service shall be addressed through the respective Elements.

Policy 1-X.X Appropriate Locations for and Compatibility with Industrial Land Uses

Potentially incompatible land uses such as residential or commercial retail, shall not be established adjacent to Heavy Industrial Land Use designations. Proposed land use changes from industrial categories to other land use categories shall be evaluated for potential impacts to the long-term economic viability of industry. Adequate land shall be maintained for industrial uses to serve projected market demand in order to enhance job creation and economic development in Lake County.

OBJECTIVE 1.5 Public Benefit Future Land Use Series

The Public Benefit Land Use Series is established to identify land that benefit the public or general welfare such as conservation, recreation, and public facilities or infrastructure. Land within this series may be located in rural or urban areas, Property within this series is generally held by governmental entities, but may be privately owned if it serves a public benefit such as natural resource protection or community infrastructure. Future Land Use Categories within this series include Conservation, Recreation, and Public Service Facilities and Infrastructure.

Policy 1.5.1 Conservation (C) Future Land Use Category

This land use consists of property managed for the permanent protection of natural resources, including but not limited to open water bodies, wildlife habitat, wetlands, and aquifer recharge. Lands within the Conservation Land Use category shall be maintained in a natural state.

The Conservation Land Use category includes public resource lands such as federal, state, and locally managed parks, reserves, preserves, forests and wildlife management areas. Water management areas held by the St. Johns River Water Management District or Southwest Florida Water Management District for conservation purposes may also be included within this category.

The Conservation land use may include privately-owned property only if such land is protected in perpetuity by conservation easement held by a public agency or private non-profit conservation entity. At a minimum, this conservation easement shall contain provisions for the management of natural resources and environmentally-sensitive features specific to the subject property, restrict activities that are inconsistent with the protection of said resources, preclude future development, and provide for enforcement of the easement. Wetland or upland mitigation banks subject to the aforementioned conditions may be included in this category.

Permitted activities within the Conservation Land Use category shall be limited to resource-based passive recreation, including but not limited to hiking, horseback riding, wildlife observation, fishing, and hunting, subject to conditions set forth by the appropriate land management agency. Sustainable silviculture and limited grazing operations may be permitted within this category only if performed under the direction and oversight of a public land management agency such as the Florida Department of Environmental Protection or United States Forestry Service, or pursuant to a conservation easement that requires the use of Best Management Practices and limits such operations as consistent with purposes of the Conservation Land Use category.

USES:

- Local, state and federal public lands such as passive parks, preserves, reserves, forests, and wildlife management areas;
- Water management areas held by SJRWMD or SWFWMD;
- Private land protected in perpetuity by conservation easement held by a public agency or not-for-profit private conservation entity; and

Uses requiring a conditional use permit include nature centers, rustic cabins and similar facilities.

Policy 1.5.2 Public Service Facilities and Infrastructure ~~/Quasi-Public/Institutional~~ Future Land Use Category

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 FLUM in areas where public and quasi-public uses are established and in areas reserved for future public use. All uses, excluding schools and libraries, within this category require a Conditional Use Permit

USES:

- Government and civic buildings
- Public Safety facilities
- Recreation facilities
- Transportation facilities

~~•Public and private recreation, education and library facilities;~~

- Schools;
- Libraries
- Utilities

Uses requiring a conditional use permit include nature centers, rustic cabins and similar facilities.

- Landfills; and

~~• Public safety facilities~~

- Borrow pits. ~~and~~

~~•Utilities~~

~~•Water, sewer, telephone, electric, gas, communication, and transportation facilities.~~

Policy 1.5.3 Recreation (R) Future Land Use Category

This land use consists of County-wide public or private recreational facilities, park lands and open space preservation areas. Active or passive uses are appropriate within the Recreation Land Use category, subject to conditions established for the particular facility.

USES:

- Public and private recreation and open space;
- County parks, community parks; and
- Passive and active recreational facilities.

GOAL 2.0 SPECIAL COMMUNITIES

Lake County contains historically established communities with unique character that warrant special attention and planning approaches to ensure their distinctive qualities are retained. The County shall protect the integrity and long-term viability of these communities through

Comprehensive Plan policies and Land Development Regulations prepared specifically for these areas that address characteristics including but not limited to land use, scale, form, infrastructure, and amenities.

OBJECTIVE 2.1 Mount Plymouth-Sorrento Community Series

The County shall implement and enforce policies and programs designed to preserve and reinforce the positive qualities of the rural lifestyle and village charm presently enjoyed in the Mount Plymouth-Sorrento community, and thereby ensure that these qualities are available to future residents. This recognition should also protect the community from annexation.

Policy 2.1.1 Recognition of Mount Plymouth-Sorrento Community

The County shall develop and enforce Comprehensive Plan policies and Land Development Regulations for the Mount Plymouth-Sorrento Planning Area, established pursuant to Ordinance No. 2004-67, that recognize the Mount Plymouth-Sorrento Community as a part of Lake County with unique rural character and village charm. It shall be the policy of the County that this area requires approaches to land use intensities and densities, rural roadway corridor protection, the provision of services and facilities, environmental protection and the enforcement of Land Development Regulations consistent with the community's character.

Policy 2.1.2 Guiding Principles for Development

The County shall ensure that new development within the Mount Plymouth-Sorrento Community is of high quality while maintaining community character and protecting property rights. Consideration of proposals for future development and redevelopment within the Mount Plymouth-Sorrento Planning Area shall be guided by the following principles:

1. Provide a range of housing types for all ages, incomes, and lifestyles while focusing the highest density and intensity of new development within the Main Street Sub-Area;

2. Ensure compatibility with established neighborhoods and rural lifestyles;

3. Ensure compatibility with rural and transitional uses adjacent to the Planning Area

4. Provide for an integrated network of local two-lane streets, bicycle trails, and pedestrian paths to connect neighborhoods and provide access to the Main Street District and through the planning area; prohibit new gated communities;

5. Create a sense of place by implementing design standards, traditional village architectural guidelines, traffic calming, lighting and landscaping standards, liberal use of street trees, community parks, and open space that protect and enhance the character of the Mount Plymouth-Sorrento Community; and

6. Provide for environmentally-responsible development and design appropriate within the Wekiva Study Area.

Policy 2.1.3 Mount Plymouth-Sorrento Future Land Use Category

The County shall establish sub-areas for the Mount Plymouth-Sorrento Community. These sub-areas shall require specific regulations and design standards for new development and redevelopment, including but not limited to parking, lighting, signage, open space, architectural guidelines, building scale, and landscaping that will preserve the character of the Mount Plymouth-Sorrento Community and define the community. These sub-areas include Main Street, the Neighborhood Proper and the Rural Transitional sub-area described by the following three (3) policies.

Policy 2.1.4 Main Street Future Land Use Sub-Category

The County shall establish standards and guidelines for the Mount Plymouth-Sorrento Main Street sub-area to preserve a sense of place and shared identity for the Mount Plymouth-Sorrento Community.

The Main Street sub-area consists of a Main Street corridor and surrounding neighborhoods that provide a balanced mix of land uses. Retail, office, residential, and civic uses shall be planned at appropriate densities and intensities within the Main Street District. The mix of uses is intended to establish a diverse, sustainable community by meeting the housing and daily needs of people from all stages of life, incomes, and professions. A maximum density of 5.5 residential units an acre within the Main Street sub-area is proposed in locations both within and immediately adjacent to the Main Street corridor. The intent of the higher-density residential is to establish a market within walking distance to support the small shops within the Main Street sub-area. This density also opens up opportunities for alternative modes of transportation such as walking, biking, and public transportation. The housing surrounding the Main Street corridor includes the integration of new housing, along with the anticipated redevelopment and infill near existing housing.

Policies and regulations for the Main Street sub-area shall be developed to emulate a traditional rural community feel, including but not be limited to the follow requirements:

1. Require specific design standards affecting the size and architecture of residential and non residential structures, consistent with the Main Street sub-area;

2. Require specific additional standards for infill housing to preserve the character within the historic Sorrento neighborhood;

3. Require that building structures present a traditional storefront face and entrance to the Main Street, and provide wide sidewalks for pedestrian activity with street furniture for outdoor cafes and benches for rest and shading; and require the planting of canopy trees (such as Live Oaks, Sweet Gum, and Drake Elms) at regular intervals along Main Street, and lamps shall utilize full-cutoff lighting with traditional-style fixtures;

4. Require that all parking be located in the rear of building structures facing Main Street, with the exception of on-street angle or parallel parking;

5. Encourage upper-story residences or office space located above ground-level shops, and provide for multi-family homes, including town homes, duplexes, and condominiums within and near the Main Street corridor; and

6. Include the provision for an anchor store, such as a grocery, to be sized to serve the needs of the Mount Plymouth-Sorrento Planning Area and not to exceed 30,000 square feet of floor area. Such a store, if located within the Planning Area, must not be visible from Main Street, and shall be designed with architectural features compatible with the character of the Mount Plymouth-Sorrento Community.

Maximum buildings height is three (3) stories with varied rooflines unless such look is provided by adjacent buildings.

Provide for one or more areas within the Main Street sub-area that shall serve as a community park or civic space, which shall be designed with appropriate landscaping and amenities that enhance the public realm and community identity.

Policy 2.1.5 Neighborhood Proper Future Land Use Sub-Category

The County shall establish standards and guidelines for a Neighborhood Proper sub-area within the Mount Plymouth-Sorrento community. The sub-area is hereby defined to include property within the Mount Plymouth-Sorrento Planning Area outside of the Wekiva River Protection Area that is not located within the Main Street sub-area or the Rural Transitional District. Land proposed for urban development within the sub-area, unless otherwise vested, may be allowed to develop at a maximum residential density of two (2) dwelling units per net buildable acre, provided that development exceeding ten (10) acres in size shall be required to utilize PUD zoning and protect a minimum 50% of the net area as open space. Property within the Suburban Residential District having a zoning assignment prior to adoption of this policy that would otherwise allow for a density greater than two (2) dwelling units per net acre shall be exempt from this provision.

Policy 2.1.6 Rural Transitional Future Land Use Sub-Category

The County shall establish standards and guidelines for a Rural Transitional sub-area within the Mount Plymouth-Sorrento community. The Rural Transitional sub-area is hereby defined to include property within Sections 23, 24, 26 and 35 of Township 19 South, Range 27 East, with the exception of property within the Employment Center sub-area. The purpose of this district shall be to ensure compatibility with established rural residential neighborhoods in the Wolf Branch Road corridor, and to provide for the protection of environmentally sensitive lands. Lands within the Rural Transitional sub-area, unless otherwise vested, may be allowed to develop at a maximum residential density of one (1) dwelling units per net buildable acre, provided that development exceeding ten (10) acres in size shall be required to utilize PUD zoning and protect a minimum 50% of the net area as open space. Property within the Rural Transitional sub-area having a zoning assignment prior to adoption of this policy that would otherwise allow for a density greater than one (1) dwelling units per net acre shall be exempt from this provision.

Policy 2.1.7 Employment Center

The County shall coordinate with the City of Mt Dora to establish a Regional Professional Employment Center designated as Office in the vicinity of State Road 46 and Round Lake Road for the purpose of creating quality professional jobs within the east Lake County and convenient to the residential areas of both communities. The intent of this employment center shall be to promote orderly and logical development of land for office complexes and light, clean industrial development in an attractively designed, park-type setting, and to assure

appropriate design in order to maintain the integrity of existing or future nearby residential areas.

Policy 2.1.8 Gateway/Landmark Features

The County shall allow for the placement of gateway/landmark features to define the Mount Plymouth-Sorrento Community on County Road 437 (north and south entrance), County Road 435 (south entrance), Wolf Branch Road (west entrance), and on the segment of State Road 46 described as the Main Street District (east and west entrance). Gateway/landmark features shall be used to announce entrances and transitions to and through the Mount Plymouth-Sorrento Community and to facilitate community identity.

Policy 2.1.9 Environmental Design Standards

The County shall require compliance with environmental design standards established for the Wekiva Study Area within the Mount Plymouth Sorrento Planning Area. The County shall require environmentally-responsible development and design appropriate within the Wekiva Study Area, including but not limited to the protection of aquifer recharge areas, wetlands, karst features, wildlife, trees and native vegetation; the use of drought-tolerant landscaping; the use of reclaimed water for irrigation where appropriate, and the promotion of energy efficient "green-building".

Policy 2.1.10 Preservation of Tree Canopy

The County shall require that mature hardwood trees and tree canopies be protected within new development. All new development within the Mount Plymouth and Sorrento Planning Area shall be required to protect existing mature hardwood trees. A mature hardwood tree shall be defined as a tree with a caliper of 12", or more, diameter at breast height (DBH). Where mature hardwood trees stands exist, land use and design requirements are intended to minimize the impact to the existing tree canopy.

Policy 2.1.11 Protection of Dark Skies

By January 2008, Lake County shall adopt an exterior lighting ordinance for the Mount Plymouth-Sorrento Planning Area to preserve dark skies, based on recommendations of the International Dark Sky Association and exemplified by the City of Casselberry Exterior Lighting Ordinance (May 2002).

Policy 2.1.12 Signage and Advertisement

In order to enhance community character and limit the visual intrusion of commercial features, the county shall adopt land development regulations that limit the location, height, size, and illumination of signs and advertisement structures within the Mount Plymouth-Sorrento Planning Area.

Policy 2.1.13 Transportation Network in Mount Plymouth and Sorrento

A community priority is to preserve two lane roads while improving connectivity within and through the Mount Plymouth and Sorrento Community. In order to accomplish this effort and meet the needs of current and future residents, it is critical for the County to prohibit the development of

new gated communities and require new developments to reserve land for transportation routes that connect to existing and proposed roads in the proposed network. Provision should be made not only for roads but also bicycling, walking, equestrian, and golf cart trails.

A community transportation vision and preferred transportation network shall be established for the Planning Area that identifies the functional type, cross-sections for different streets, and recreational trail connectivity. Site development plans/plats prepared for each specific district shall incorporate the applicable transportation circulation vision street(s), trail(s), and their connection(s). This transportation network vision should anticipate the coordination and integration of roads with other modes of transportation where appropriate, i.e. bicycle, walking, equestrian, and golf cart trails to occur in the Planning Area.

In order to protect the long-term integrity of the Mount Plymouth-Sorrento Community within the Main Street District, it shall be the expressed intent of the County to maintain State Road 46 within the Planning Area as a two-lane facility, herein referred to as "Main Street", and to coordinate with the Florida Department of Transportation to achieve this purpose.

The County shall establish rural scenic road and Main Street District road guidelines that define the functional type and cross-sections for these roads. Further, in order to maintain the scenic quality of rural roadways and limit traffic through established residential areas, the County shall designate Wolf Branch Road and Adair Road within the boundaries of the Planning Area as local scenic roadways that shall be policy constrained to remain as two-lane facilities and be treated with traffic calming techniques (i.e. chicanes, bulb outs, and other traffic calming mechanisms). The County shall develop land use, landscaping, and design standards protective of the unique character of these roadway corridors.

Policy 2.1.14 Parking in the Mount Plymouth and Sorrento Community

In an effort to create a pedestrian realm and storefront activity on Main Street, parking lots shall be hidden behind the buildings that front Main Street. The Main Street sub-area shall emphasize the use of parking in the form of individual small lots of typically twenty-five (25) spaces or less. All parking lots shall be required to extensively use trees, landscaping, and utilize full-cutoff lighting with traditional-style fixtures. Design of the Main Street corridor shall accommodate on-street parallel or angled parking. Calculations for shared parking spaces are encouraged for lots that serve mixed-use buildings.

Parking standards for the Planning Area shall include adequate off street parking for residents within all residential subdivisions.

Policy 2.1.15 Traffic Calming

The use of traffic calming measures such as round-a-bouts, speed humps, bulb outs, chicanes, and similar measures shall be encouraged to facilitate the reduction of the speed of traffic within all districts within the Mount Plymouth and Sorrento Planning Area.

Policy 2.1.16 Mount Plymouth and Sorrento Finance Mechanism

The County shall explore a financing mechanism to fund plans, construction, maintenance, or improvements to the roads and community amenities.

OBJECTIVE 2.2 Sunnyside Community Category

The County shall implement and enforce policies and programs designed to preserve and reinforce the positive qualities of the rural lifestyle and charm presently enjoyed in the Sunnyside Community, and thereby ensure that these qualities are available to future residents.

Policy 2.2.1 Recognition of Sunnyside Community

The County shall develop and enforce Land Development Regulations for the Sunnyside Planning Area consistent with the Sunnyside Task Force Study Report adopted in June 2004, that recognizes the unique rural character and charm of the Sunnyside Community. It shall be the policy of the County that this area requires approaches to land use intensities and densities, rural roadway corridor protection and enhancement, the provision of services and facilities, and environmental protection consistent with the community's character. Land development regulations shall apply to new development and redevelopment within the Sunnyside Community and shall address both rural and urban development patterns. These regulations shall include but not to be limited to parking, lighting, signage, open space, architecture, building scale and landscaping.

Policy 2.2.2 Guiding Principles for Development

The County shall ensure that new development within the Sunnyside Community is of high quality while maintaining community character and protecting property rights. Consideration of proposals for future development and redevelopment within the Sunnyside Planning Area shall be guided by the following principles:

1. The Sunnyside Planning Area should include a variety of residential densities. There should be a transition between high intensity development and low intensity development, with higher intensity development occurring closer to US 441 and transitioning to lower intensity development occurring closer to Lake Harris.

2. Wetland areas shall be delineated as part of any development application. Wetlands within the property proposed for development shall be placed under a conservation easement and dedicated or deeded to an approved governmental or non-governmental conservation agency.

3. Utilities and government services should be provided in a planned, coordinated and efficient manner. Annexation/developer agreements shall reflect these requirements.

4. Centralized utilities shall be required for areas with a density exceeding one (1) dwelling unit per net acre.

5. Roads shall be upgraded prior to new development, including substantial redevelopment. New development shall provide for an integrated network of sidewalks, bus stops, local two-lane streets, bicycle trails, and pedestrian paths to connect neighborhoods.

Policy 2.2.3 Densities within the Sunnyside Community.

Within the Sunnyside Community, the County shall assign Medium High Density, Low Density, Rural Transition, and Rural Medium Density Future Land Use Categories to establish a density reducing gradient of residential development from US 441 to Lake Harris.

Policy 2.2.4 Sunnyside Commercial Uses

The County shall establish standards and guidelines for commercial and office uses to preserve a sense of place and identity for the Sunnyside Community. Significant buffers shall be required for commercial and office development adjacent to residential uses, consistent with findings of the Sunnyside Task Force.

Commercial and Office uses within the Sunnyside Community shall be restricted to the US 441 corridor. This area is located on the east side of Sleepy Hollow Road with landscape buffer requirements and on the east side of Fern Drive.

OBJECTIVE 2.3 Ferndale Community

Lake County shall implement and enforce policies and programs designed to preserve and reinforce the positive qualities of the rural lifestyle and charm presently enjoyed in the Ferndale community, and thereby ensure that these qualities are available to both present and future residents.. The County recognizes that it is the intent of the Ferndale Community to discourage annexations.

Policy 2.3.1 Annexation Agreements

Within 12 months of the effective date of the Comprehensive Plan, the County shall pursue Annexation Agreements with the Town of Montverde and City of Minneola in order to preserve the integrity of Ferndale as a rural community within unincorporated Lake County.

Policy 2.3.2 Recognition of the Ferndale Community

The County shall develop Land Development Regulations for the Ferndale Community, depicted on the Future Land Use Map that recognizes Ferndale as a part of Lake County with unique rural character. It shall be the policy of Lake County that this area requires approaches to land use, rural roadway corridor protection, environmental protection and the enforcement of Land Development Regulations consistent with the community's character.

Policy 2.3.3 Guiding Principles for Development

Lake County shall ensure that new development within Ferndale is of high quality, while maintaining community character and protecting property rights. Consideration of proposals for future development and redevelopment within Ferndale shall be guided by the following principles:

1. Maintain rural densities of development while providing for commercial, office and civic uses located within a central corridor district, appropriately scaled to serve the needs of the Ferndale community;
2. Ensure compatibility with established neighborhoods, rural uses and rural lifestyles;
3. Provide for an integrated network of local two-lane streets, bicycle trails, and pedestrian paths;
4. Create a sense of place by implementing design standards using traditional architectural guidelines, traffic calming, lighting and landscaping standards, liberal use of street trees, community parks, and open space that protect and enhance the character of Ferndale;
5. Provide for environmentally responsible development and design appropriate with the Green Mountain Scenic Byway Corridor and Lake Apopka Protection Area; and
6. Maintain Ferndale as an equestrian friendly community.

Policy 2.3.4 Residential Land Use

Within the Ferndale community, all residential development shall be consistent with the Rural Low Density Future Land Use category of one (1) dwelling unit per five (5) net buildable acres; provided that a legal lot of record existing on or before the effective date of this policy that is smaller than five (5) acres in size may be permitted one dwelling unit, consistent with all other provisions of this Comprehensive Plan and the Land Development Regulations. Within the Ferndale Center District, one (1) dwelling unit may coexist with a commercial or office use on a legal lot of record. This may be a detached single-family dwelling or an upper-story residence within the same structure.

Policy 2.3.5 Ferndale Center District

The County shall establish standards and guidelines for a Rural Support Corridor, herein referred to as the Ferndale Center District, to preserve a sense of place and shared identity for the Ferndale Community. Commercial and office development within the Ferndale Center District shall be designed and scaled to serve the Ferndale community. The Ferndale Center District is hereby defined to include only land within a parcel 320 feet from the centerline of County Road 455 from the intersection of County Road 561A to Trousdale Street. The purpose of this district shall be to provide for a mix of uses including commercial,

office, civic, and limited residential. Commercial and office uses shall not be permitted outside of the Center District. Land Development Regulations for the Ferndale Center District shall be developed to emulate a traditional rural community, including but not limited to the following requirements:

1. Require specific design standards affecting the size and architecture of residential and nonresidential structures, consistent with the Center District;
2. Require that building structures present a traditional storefront face and entrance to CR 455 or side streets, and provide wide sidewalks for pedestrian activity with street furniture for outdoor cafes and benches for rest and shading; require the planting of canopy trees at regular intervals along roads within the Center District, and require that lamps utilize full- cutoff lighting with traditional-style fixtures;
3. Require that all parking be located in the rear of building structures facing the main street corridor, with the exception of on-street angle or parallel parking;
4. Encourage upper-story residences or office space located above ground-level shops;
5. Provide for maximum building height of two (2) stories with varied rooflines unless such look is provided by adjacent buildings;
6. Provide for one or more areas within the Ferndale Center District that shall serve as a community park or civic space, which shall be designed with appropriate landscaping and amenities that enhance the public realm and community identity.

Policy 2.3.6 Development Plan Approval

In addition to Comprehensive Plan amendment standards of review, development applications in the Ferndale Center District shall be required to submit as a condition for approval:

1. A narrative describing how the proposed development will maintain and/or protect the existing rural and historic integrity of Ferndale;
2. An inventory and analysis of nearby existing and/or approved uses in order to demonstrate compatibility of the proposed development;
3. Transportation information describing the existing road network, the current conditions of the adjacent and feeder road(s), and projected additional traffic levels resulting from the proposed development; and
4. A graphic illustration of the existing development conditions in proximity to the proposed site.

Policy 2.3.7 Community Participation

Development approval for any project within the Ferndale Community in excess of 10 dwelling units or within the Ferndale Center District in excess of 2500 square feet shall require at least one (1) advertised public meeting with additional individual notice provided to all property owners within the Ferndale Community. This meeting shall be held at an accessible location within Ferndale and conducted prior to the first relevant public hearing. The intent of this public meeting will be to provide information and obtain community input.

Policy 2.3.8 Rural Conservation Subdivisions in the Ferndale Community

Within the Ferndale Community, development containing 10 or more dwelling units shall be processed using Planned Unit Development Zoning as a Rural Conservation Subdivision consistent with Policy 1.3.7. A minimum of 50% of the net buildable area of the entire site shall be dedicated as open space. It is the intent of this policy to encourage equestrian and similar uses.

Policy 2.3.9 Potable Water And Sanitary Sewer

New development within Ferndale and outside of the Ferndale Center District shall generally not be designed nor constructed with central water and/or sewer systems. Public and private central systems may be permitted in the future only if it is clearly and convincingly demonstrated that a potential or actual health problem exists for which there is no other feasible solution.

Policy 2.3.10 Development Entrances

Entrances to residential developments should compliment the rural and historic character of Ferndale by using architectural design and landscaping features that are natural, rustic, or equestrian in appearance. Solid fences and walled developments shall be prohibited within Ferndale.

Policy 2.3.11 Architectural Standards

Within 12 months of the effective date, Lake County shall adopt architectural design and landscape guidelines and regulations as appropriate for all commercial and rural support uses within the Ferndale Center District.

Policy 2.3.12 Agriculture

Lake County shall encourage sustainable agriculture that uses Best Management Practices within Ferndale. Consistent with this, the County shall recognize the primacy of agriculture within

Ferndale. This determination shall be construed in favor of existing agricultural operations relative to issues of compatibility with residential or commercial development, including but not limited to odor and noise. High intensity livestock operations such as feedlots shall be discouraged within Ferndale.

Policy 2.3.13 Gateway/Landmark Features

Lake County shall pursue the placement of gateway/landmark features to define the Ferndale community on C.R. 455 (north and south entrance) and C.R. 561A (west entrance). Gateway/landmark features shall be used to announce entrances and transitions to and through Ferndale, and to facilitate community identity.

Policy 2.3.14 Environmental Design Standards

The County shall require environmentally responsible development and design consistent with the protection of wetlands, natural upland habitat, wildlife, trees and native vegetation, and aquifer recharge in the Lake Apopka Basin. Development standards shall also be compatible with the Green Mountain Scenic Byway and overlay district. The filling of wetlands within Ferndale shall be prohibited, except as necessary to provide legal ingress and egress to buildable areas.

Policy 2.3.15 Viewscape

Lake County shall place high priority on the protection of viewscape from roadway corridors within Ferndale as a positive reinforcement of the rural and historic character of the area. These viewscapes include Sugarloaf Mountain, forested and agricultural lands, pastures, water views and rural estates. Within 12 months of the effective date of this plan, Lake County shall adopt Land Development Regulations to limit topographic cuts and fill. . The intent of these regulations is to limit site alterations that negatively impact unique vistas, including limitations on changes that would alter ridges and hillsides.

Building height shall be limited to three (3) habitable stories in order to maintain and protect the integrity of the natural rolling vistas and scenic viewscapes within Ferndale.

Communication Towers within Ferndale shall be housed within traditional structures, such as church steeples or flag poles, or otherwise disguised to protect viewscapes where possible.

Policy 2.3.16 Historic Structures and Sites

Lake County shall place high priority upon the preservation of historic structures and sites to preserve the identity and character of Ferndale. Lake County shall support and promote a survey within Ferndale to

identify historic structures and sites. The Ferndale cemetery and other appropriate archeological sites shall be protected as historic landmarks.

Policy 2.3.17 Preservation of Tree Canopy

Lake County shall require that mature native trees and tree canopies be protected within Ferndale. A mature tree shall be defined as a tree with a caliper of eight (8) inches, or more, diameter at breast height (DBH). Where mature native tree stands exist, land use and design requirements are intended to minimize the impact to the existing tree canopy. Within Ferndale, Lake County shall require the protection of mature native trees along roadways and within all new development. Lake County shall encourage tree trimming operations to adhere to National Tree Care Industry Association Standards in order to preserve existing tree canopies throughout Ferndale.

Policy 2.3.18 Underground Utilities

In order to protect community aesthetics and preserve the character of Ferndale, Lake County shall encourage the installation of underground utilities.

Policy 2.3.19 Protection of Dark Skies

The County shall encourage the Ferndale Community to participate in the development of lighting standards consistent with the Conservation Element to preserve dark skies, based on recommendations of the International Dark Sky Association and exemplified by the City of Casselberry Exterior Lighting Ordinance (May 2002).

Policy 2.3.20 Signage and Advertisement

Within 12 months of the effective date of this plan, Lake County shall adopt land development regulations that limit the location, height, size, and illumination of signs and advertisement structures within Ferndale in order to enhance community character and limit the visual intrusion of commercial features.

Fencing

The County shall require that fencing within Ferndale maintain a rustic, rural appearance. Examples of this include but are not limited to livestock fences, wood rail fences, board fences, and field fences. Barbed wire fences shall be discouraged except where necessary to contain livestock. Solid fences and walls shall be prohibited.

Policy 2.3.21 Transportation Network

It shall be a priority of Lake County to preserve two-lane roads within Ferndale while improving local connectivity. In order to protect the long-term integrity of Ferndale as a historic rural community, the County shall designate the Green Mountain Scenic Byway segment of C.R. 455 as a local scenic roadway. The County shall pursue the designation of C.R. 561A within the boundaries of Ferndale as a local scenic roadway. Local Scenic Roadways shall be constrained as two-lane roadways. The County shall develop landscaping and design standards protective of the unique character of these roadway corridors. If financially feasible, Lake County shall develop and implement plans for paved shoulders or trails suitable for bicycles along the Green Mountain Scenic Byway segment of County Road 455 along County Road 561A within the boundaries of Ferndale.

Policy 2.3.22 Economic Value of the Green Mountain Scenic Byway

Lake County shall recognize the state designated Green Mountain Scenic Byway as both a treasure to protect and an economic opportunity for Ferndale. As use of the byway by casual and recreational users grows, the County shall encourage the development of small retail or commercial businesses within the Ferndale Center District that are oriented towards the needs of Ferndale residents or the casual traveler. Lake County shall adopt Land Development Regulations for the Center District specifically intended to emphasize the rural atmosphere, history, and lifestyle of the Ferndale community and to ensure that all new development within the district shall be of a scale and form that is consistent with these values. These regulations shall be compatible with the Green Mountain Scenic Byway Roadside and Corridor Overlay Districts.

Policy 2.3.23 Traffic Calming

The use of traffic calming measures such as roundabouts, speed humps, bulb outs, chicanes, and similar measures shall be encouraged to facilitate the reduction of the speed of traffic within Ferndale.

Policy 2.3.24 Trails

Consistent with maintaining the rural character of Ferndale, Lake County shall work to establish an integrated network of trails within the community for pedestrian, biking, and equestrian use. It shall be the intent of the County to link this trail system with the Ferndale Preserve and proposed trails planned for the Hills of Minneola, Sugarloaf Mountain, the Lake Apopka North Shore Restoration Area, and The Green Mountain Scenic Byway.

Policy 2.3.25 Ferndale Finance Mechanism

Lake County shall explore funding mechanisms such as Community Redevelopment Area and Neighborhood Revitalization Strategy Area grants to fund plans, construction, maintenance, or improvements to the roads and community amenities.

GOAL 3.0 WEKIVA RIVER PROTECTION AREA AND WEKIVA STUDY AREA.

The Wekiva basin and springshed, including the Wekiva River and its tributaries, springs, aquifer recharge areas, wetland and upland habitats, sensitive natural habitats, wildlife, and wildlife corridors, are natural resources of irreplaceable value. Furthermore, the Wekiva basin and springshed are essential components of a larger ecosystem of public and private lands that extends into the Ocala National Forest. Lake County shall maintain the long-term viability of these natural resources through a comprehensive and holistic approach to land use, land preservation, water resource protection, and wildlife and habitat needs within the Wekiva basin, and Wekiva springshed

OBJECTIVE 3.1 Wekiva River Protection Area and Wekiva Study Area.

Lake County shall, through the implementation of the Comprehensive Plan, preserve and protect the Wekiva River Protection Area and Wekiva Study Area as natural resources of critical state and regional importance. The Wekiva River Protection Area and Wekiva Study Area are illustrated in Figure 1.

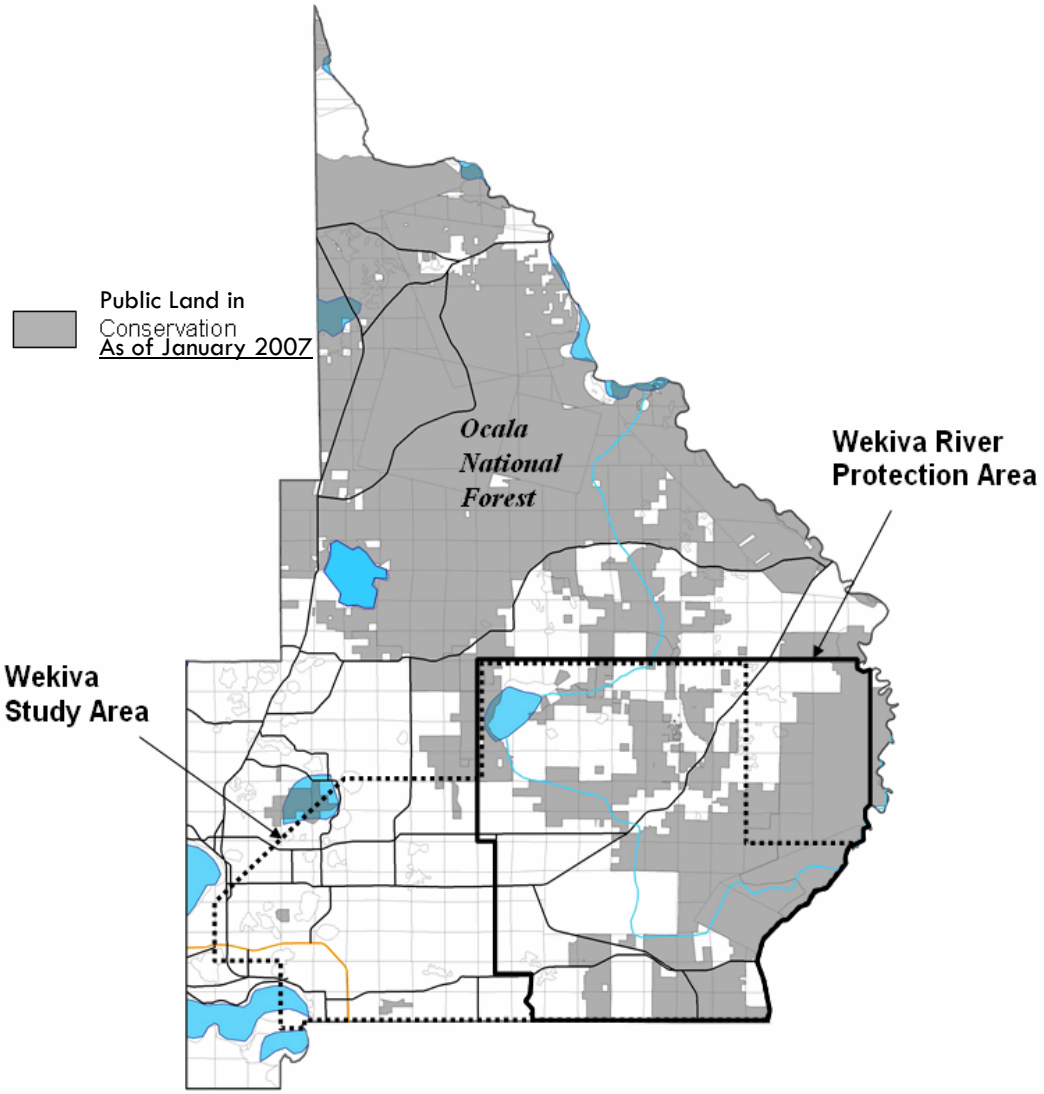

Figure 1 Wekiva Study Area & Wekiva River Protection Area

Policy 3.1.1 Definitions Applicable to Wekiva River Protection Area and Wekiva Study Area.

The purpose of this Policy is to eliminate ambiguity by providing a full definition of certain words and phrases which are used within the Wekiva River Protection Area and Wekiva Study Area. Should the definitions contained under this Policy conflict with the definitions contained elsewhere in the Lake County Comprehensive Plan or in the Lake County Code or in the Land Development Regulations, the following definitions shall apply to the Wekiva River Protection Area and Wekiva Study Area, as defined in Florida Statutes.

Open space – Open space within the Wekiva Study Area (WSA) and Wekiva River Protection Area shall be defined as the land area that remains undeveloped or minimally developed, such as trails and boardwalks, as part of a natural resource preserve or passive recreation area and shall include land preserved for conservation purposes. Within a development site, the

County shall require that a minimum quantity of buildable area remain preserved, which shall represent the minimum open space requirement. The minimum required open space shall exclude water bodies, wetlands, residential lots, street rights of way, parking lots, impervious surfaces, and active recreation areas. Minimum required open space may include permeable stormwater management areas if enhanced as amenities utilizing native vegetation. Golf courses shall be generally excluded with the exception that areas of a golf course outside of the regularly maintained fairways that are naturally vegetated and not subject to chemical application may be credited toward the minimum open space requirement. The minimum required quantity of open space within a development site shall be calculated over the net buildable area of a parcel, which is defined as the total area of a parcel less wetlands and water bodies. Non-buildable areas, including wetlands and water bodies, are recognized as protected features but shall not be credited toward the minimum open space requirement.

Receiving area – An area designated for potential development beyond its base density through the transfer of development rights from a designated sending area. Receiving Area Number One and Receiving Area Number Two located within the Wekiva River Protection Area are defined and described in the Future Land Use Element of the Lake County Comprehensive Plan.

Sending Area – An area designated as environmentally sensitive and therefore suitable for the reduction of development potential through the transfer of development rights to a designated receiving area. Sending Area Number One and Sending Area Number Two located within the Wekiva River Protection Area are defined and described in the Future Land Use Element of the Lake County Comprehensive Plan.

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

Section 30 to the northeast corner of Section 31, Township 22 South, Range 28 East; thence Southerly along the east line of said Section 31 to the southeast corner thereof, said corner lying on the south line of Township 22 South; thence Westerly along said south line of Township 22 South to the northeast corner of Section 2, Township 23 South, Range 27 East; thence Southerly along the east line of said Section 2 to the northeast corner of Section 11, Township 23 South, Range 27 East; thence Southerly along the east line of said Section 11 to the southeast corner thereof; thence Westerly along the south line of said Section 11 to the southeast corner of Section 10, Township 23 South, Range 27 East; thence Westerly along the south line of said Section 10 to the southeast corner of Section 9, Township 23 South, Range 27 East; thence Westerly along the south line of said Section 9 to the southeast corner of Section 8, Township 23 South, Range 27 East; thence Westerly along the south line of said Section 8 to the southeast corner of Section 7, Township 23 South, Range 27 East; thence Westerly along the south line of said Section 7 to the southwest corner thereof, said corner lying on the line of demarcation between Orange County and Lake County; thence generally Northerly and along said county line to the northeast corner of Section 12, Township 20 South, Range 26 East, said corner lying on the east line of Range 26 East; thence generally Northerly and along said east line of Range 26 East to the southeast corner of Section 24, Township 19 South, Range 26 East; thence Westerly along the south line of said Section 24 to the southeast corner of Section 23, Township 19 South, Range 26 East; thence Westerly along the south line of said Section 23 to the southwest corner thereof; thence Northerly along the west line of said Section 23 to the southwest corner of Section 14, Township 19 South, Range 26 East; thence Northerly along the west line of said Section 14 to the southwest corner of Section 11, Township 19 South, Range 26 East; thence generally Northeasterly to the southwest corner of Section 1, Township 19 South, Range 26 East; thence generally Northeasterly to the southwest corner of Section 31, Township 18 South, Range 27 East; thence generally Northeasterly to the southwest corner of Section 29, Township 18 South, Range 27 East; thence generally Northeasterly to the northwest corner of Section 28, Township 18 South, Range 27 East; thence Easterly along the north line of said Section 28 to the northwest corner of Section 27, Township 18 South, Range 27 East; thence Easterly along the north line of said Section 27 to the northwest corner of Section 26, Township 18 South, Range 27 East; thence Easterly along the north line of said Section 26 to the northwest corner of Section 25, Township 18 South, Range 27 East; thence Easterly along the north line of said Section 25 to an intersection with the west line of Range 28 East; thence Northerly along the west line of said Range 28 East, to the northwest corner of Section 6, Township 18 South, Range 28 East, and the Point of Beginning.

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

OBJECTIVE 3.2 Wekiva River Protection Area (WRPA).

The County shall regulate the use of land within the WRPA as defined by Florida Statutes, to implement protection policies and regulations that maintain rural density and character in the aggregate, concentrate development farthest from surface waters and wetlands of the Wekiva River System, minimize impacts on water quantity and quality, protecting native vegetation, wetlands, habitat, wildlife and wildlife corridors, and restrict open space areas to conservation and passive recreational uses.

Regardless of the land use designation or zoning classification assigned to any parcel of property located within the Wekiva River Protection Area, no development may be approved upon parcels so located unless the proposed development conforms to the provisions of the Wekiva River Protection Act and the requirements and performance standards adopted pursuant to this Plan. The following policies pertain to the Wekiva River Protection Area.

Policy 3.2.1 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.

Policy 3.2.2 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 the Future Land Use Map, providing that:

1. A plat of the property based upon the zoning classification in place immediately prior to March 12, 1990, 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.

2. A complete application for site plan approval was filed prior to December 21, 1989, the effective date of ordinance No. 1989-12, which imposed a moratorium on development permit applications within the Wekiva River Protection Area, was based upon the zoning classification in place immediately prior to March 12, 1990 and was approved by the County.

3. A complete application for preliminary plat approval was filed prior to December 21, 1989, the effective date of Ordinance No. 1989-12, which placed a moratorium on development applications within the Wekiva River Protection Area, and was based upon the zoning classification in place immediately prior to March 12, 1990. A final plat processed after a preliminary plat submitted prior to December 21, 1989, and subsequently approved by the Lake County Board of County Commissioners, shall be subject to the Lake County Code provisions in effect immediately prior to December 21, 1989.

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

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

Policy 3.2.3 Limit Density and Intensity of Land Use within the Wekiva River Protection Area.

Lake County shall set the following limitations on density within the Wekiva River Protection Area, which are deemed necessary in order to protect and enhance the natural resources contained therein. In order

to implement this policy, the overlay districts provided for in this section have been created to restrict permitted density.

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

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

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

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

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

      Land within the Wekiva River Protection Area, outside the Wekiva River Hydrologic Basin Protection Zones established pursuant to the Florida Statutes, not vested pursuant to the Policies above, and excluding the Receiving Areas described below, shall be allowed a maximum density of one (1) dwelling unit per twenty (20) net acres. This area is a portion of the "A-1-20" Wekiva River

Protection Area. Density may be increased to a maximum of one (1) dwelling unit per five (5) net acres through the application of the Development Point Rating System described below.

This area is hereby designated as Sending Area Number Two for transferable development rights as shown on Map I-4 of the Comprehensive Plan. Transferable development rights shall be calculated on the gross density permitted under the zoning classification for the particular sending parcel in place immediately prior to March 12, 1990.

c. Receiving Area Number One – "A-1-20", Wekiva River Protection Area.

Land within the Wekiva River Protection Area and contained in the area described below shall have a base density of one (1) dwelling unit per twenty (20) net acres. This area is a portion of the "A-1-20" Wekiva River Protection Area. Density may be increased to a maximum of one (1) dwelling unit per five (5) net acres through the application of the Development Point Rating System described below. Density may be also increased to a maximum of one (1) dwelling unit per one (1) net acre utilizing the Development Point Rating System in conjunction with the 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 Map I-4 of the Comprehensive Plan, and is described as follows:

Beginning at the Southwest corner of Township 18 South, Range 28 East, thence north along the west line of Twp 18 South, Range 28 East to the northwest corner of the South ½ of Section 30, Twp 18 S, R 28E; thence east along the north line of the south ½ of Section 30 to the northeast corner thereof; thence south along the east line of Section 30 to the southeast corner thereof; thence east along the north line of Section 32, Twp 18 S, Range 28E to the centerline of Ranch Road (4—6588); thence south along the centerline of Ranch Road to a point on the north line of the south ½ of Section 32; thence east along the north line of the south ½ of Section 32, and continuing east along the north line of the south ½ of Sections 33 and 34 to the northeast corner of the west ½ of the southwest ¼ of Section 34, Twp 18 S, R 28E., which point is on a line with the northerly extension of the centerline of Huff Road (4-5991); thence south along the east line of the west ½ of the southwest ¼ of Section 34 to SR 44A and its intersection with the centerline of Huff Road; thence continuing south and southwest along the centerline of Huff Road (4-5991) and west along the centerline of West Huff Road (4-5789) to the west line of Section 4, Twp 19 S, R 28E; thence south along the west line of Section 4 to the southwest corner thereof; thence west along the north line of Section 8, Twp 19 S, R 28E to the northwest corner of the east ½ of said Section 8; thence south along the west line of the east ½ of Section 8 to the south line of said Section 8; thence continuing south along the west line of the northeast ¼ of Section 17, Twp 19 S, R 28 E to the southwest corner of the northeast ¼ of Section 17; thence east along the south line of the northeast ¼ of Section 17 to the east line of Section 17; thence south along the east line of Section 17 to the southeast corner thereof; thence continuing south along the west line of Section 21, Twp 19S, R 28 E to the northwest corner of the south ½ of Section 21; thence east along the north line of the south ½ of Section 21 to the east line of Section 21; thence continuing east along the north line of the south ½ of Section 22, Twp 19 S, R 28 E to the east line of Section 22; thence south along the east line of Section

22 to the center line of SR 46; thence southwest and west along the centerline of SR 46 to the east line of Section 28, Twp 19 S, R 28 E; thence north along the east line of Section 28 to the northeast corner thereof; thence west along the north line of Section 28 and along the north line of Section 29, Twp 19 S, R 28E to the northwest corner of Section 29; thence north along the west line of Section 20, Twp 19 S, R 28 E to the northwest corner thereof; thence east along the south line of Section 17, Twp 19 S, Range 28 E to the southeast corner of the southwest ¼ of the southwest ¼ of Section 17; thence north along the east line of the southwest ¼ of the southwest ¼ Section 17 to the northeast corner of the southwest ¼ of the southwest ¼ of Section 17; thence west along the north line of the southwest ¼ of the Southwest ¼ of Section 17 to the west line of Section 17; thence north along the west line of Section 17 to the northeast corner of the south ½ of Section 18, Twp 19 S, R 28 E; thence west along the north line of the south ½ of Section 18 to the centerline of CR 437; thence north along the centerline of CR 437 to the south line of Twp 18 S, R 28 E; thence west along the south line of Twp 18 S, R 28 E to the point of beginning.

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

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

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

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

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

Policy 3.2.4 Development Point Rating System and Submittal Requirements for Development Permits within the Wekiva River Protection Area.

Where applicable, lands proposed to be developed within the Wekiva River Protection Area shall be evaluated according to the Development Point Rating System embodied in Tables 1 through 3, in order to be considered for an increase in density. The objectives of these criteria are to:

- Ensure environmental protection;
- Control urban sprawl;
- Maximize land use efficiency;
- Promote the efficient use of public facilities;
- Ensure that services required by development are in place or are programmed concurrent with development impacts; and
- Direct appropriate growth patterns within the Wekiva River Protection Area.

The achievement of density points shall not bind the Lake County Board of County Commissioners to grant an increase in density. The application of the Development Point Rating System criteria and the achievement of points are based upon the location of land within the Wekiva River Protection Area. Not all criteria will be specifically applicable to a parcel of land proposed for development. In addition, the Development Point Rating System will be used as a guide to evaluate all residential project densities during:

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

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

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

Table 1: Point System Rating Criteria

Point System Rating Criteria	**Points**
Submission of Project as a Planned Unit Development (5 points possible)	*5*
Project is contained wholly within TDR Receiving Area One (5 points possible)	*5*

Purchase of TDRs sufficient to reach density of one (1) dwelling unit per net acre (5 points possible)	5
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 ground water). Must demonstrate minimum interruption of surface and ground water flow regime (minimize ground water withdrawals and maximize recharge). (5 points possible)	5
j. Clustering of units to promote common open space, passive recreation, and preservation of environmentally sensitive areas.	10
k. If 70 points are attained, an additional 10 points may be granted.	10
If it can be demonstrated that the development tract or parcel does not have any pre-existing environmental constraints and therefore not afforded the ability to achieve points, the proposed development can receive 67 points. An example of this type of property would be one that has historically (greater than 10 years) been used for citrus production, has no wetlands and no natural upland communities remaining on-site.	
Contributes to the Expansion of an Existing or Proposed Wildlife Corridor (on or off-site). (10 points possible)	10
Provides Sufficient Habitat for Feeding, Nesting, Roosting, and Resting so as to Maintain Viable Populations of Species Designated as Endangered, Threatened, or Species of Special Concern Pursuant to the Florida Administrative Code (on or off-site). (5 points possible)	5

Provision of Affordable Housing. (5 points possible)	5
a. 15 percent of units for moderate, low, or very low income housing.	5
b. 5 percent of units for moderate, low, or very low-income housing.	2
Vehicular access to an Arterial Road with Level of Service (LOS) "C" Average Daily Trips (ADT) or better. Ten points can be granted for making improvements to bring up the ~~Level of Service to LOS "C"~~ LOS to "C." (10 points possible)	**10**
a. Directly Adjacent (existing or proposed)	10
b. Within 1 mile via collector (existing or proposed)	7
c. Greater than 1 mile via collector (existing or proposed)	5
d. Less than 2 miles via local road	2
Potable Water Supply. (10 points possible)	**10**
a. Within an Existing Public Supply System Franchise Area with excess capacity or the creation of a franchise.	10
b. Central system	7
c. Private well	0
Sanitary Sewer Service. (10 points possible)	**10**
a. Within an Existing Wastewater Treatment Franchise Area with excess capacity or the creation of a franchise.	10
b. Central System	7

c. Innovative septic system	5
d. Septic tank	0
Irrigation Water Supply. (10 points possible)	**10**
a. Grey water reuse (dual water system)	10
b. Surface water	5
c. Surficial aquifer	2
d. Potable Water	0
Fire Protection. (5 points possible)	**5**
a. Dedication of land and/or facilities sufficient to meet the requirements of the project.	5
b. Within a fire district having a rating of 7 or better and within 3 miles from a fire station.	3
c. Within a fire district having a rating of 7 or better and more than 3 miles from a fire station.	2
d. Within a fire district having a rating of 8 to 9 and within 3 miles from a fire station.	2
e. Within a fire district having a rating of 8 to 9.	1
Proximity to Public Schools (5 points possible)	**5**
a. Dedication of sufficient acreage to satisfy the requirements of the Lake	5

County School District (on or off-site).	
b. Within ½ mile radius of an existing school and linked by sidewalks and/or bicycle paths.	5
c. Within ½-mile radius of an existing school.	4
d. Within one mile radius of an existing school and linked by sidewalks and/or bicycle paths.	4
e. Within one-mile radius of an existing school.	1
Neighborhood Parks (5 points)	**5**
a. Within ½ mile radius of a developed park and linked by sidewalks and/or bicycle paths.	5
b. Dedication of parkland and provision of facilities that meet the County's Level of Service. Facility must be open to the general public.	5
c. Dedication of environmentally sensitive lands that is suited for passive recreation.	5
d. Within ½-mile radius of a developed park.	2
e. Within one mile radius of a developed park and linked by sidewalks and/or bicycle paths.	3
f. Within one-mile radius of a developed park.	1
Other (5 points possible)	**5**
The Board of County Commissioners may within its discretion, grant additional points up to a maximum of five (5) points, to developers who opt to provide facilities, land or funds for	

facilities not specifically identified in the criteria set out above. This provision may also include voluntary impact fees over and above those required by the Lake County Code.	

Table 2: 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

Table 3: Density Evaluation, A-1-20

Maximum Number of Units *	
Points Scored	Per Net Developable Acre
≥ 140	1 per 1 acres

130 – 139	1 per 1.5 acres
110 – 129	1 per 2 acres
100 – 109	1 per 3 acres
80 – 99	1 per 4 acres
60 – 79	1 per 5 acres*
50 – 59	1 per 10 acres
<~~49~~ 50	1 per 20 acres
* Note 1: The maximum density for Sending Area Two is 1 dwelling unit per 5 net acres.	

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

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

1. General Information:
   A. Legal Description and Location Map.
   B. Property survey showing the location of Wekiva River Hydrologic Basin Protection Zones.
   C. Soil Classifications.
   D. Surface and ground water hydrology and hydrogeology.
2. Wetlands and Uplands:
   A. Type and percent of biological communities existing on site and described using the Florida Land Use and Cover Classification System (FLUCCS).
   B. A typical vegetative inventory of the following:

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

C. A typical animal/wildlife inventory using methodology of the Florida Fish and Wildlife Conservation Commission.
1) Mammals
2) Birds
3) Reptiles and Amphibians
4) Fish
5) Invertebrates

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

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

F. Borrow and fill requirements.

3. Wildlife Corridors (U.S. Fish and Wildlife Criteria):
A. Pre and post-development acreage of corridors.
B. Impact of development on corridors.
C. Proposed management, monitoring and maintenance measures for protection of corridors.

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

5. Buffers:
A. Building setbacks from:
1) Wetlands
2) Uplands
3) Wildlife corridor
4) Publicly owned conservation/preservation lands
5) Wekiva River or other surface water bodies

B. Acreage of Buffers

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

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

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

6. Water Resource Management:
A. Complete statement and calculations of the following:

B. Water quality and quantity for both pre and post-development.
   1) hydrological and hydrogeologic evaluation of development including karst features and aquifer vulnerability
   2) plans for conservation of potable water such as reuse of waste water (treated effluent and/or grey water including use of natural vegetation to reduce irrigation needs)
   3) recharge and discharge areas/recharge mechanisms
   4) potential contamination and abatement procedures
   5) use of under drains/side drains
   6) degree of saline water in the Floridan Aquifer

7. Air Quality:
   A. Residential Emission Sources (fireplaces, type of heat-oil, gas, heat pump)
   B. Monitoring Plans/Mechanisms

8. Storm and Waste Water Management:
   A. Stormwater
      1) Calculations
      2) Retention/detention design
         a) Type of system (wet, dry, on-line, off-line, etc.)
         b) Pond/Swale
            (1) Volume
            (2) Elevations
            (3) Overflow mechanisms
            (4) flood elevations
            (5) discharge point (internal, to tributary of the Wekiva River, or to the Wekiva River)
         c) Culvert, pipe, channel hydraulics
         d) Soil borings
            (1) Energy dissipation/erosion and sediment control measures.
            (2) Grading/drainage plan
               (a) Materials Used (pervious/impervious)
               (b) Percent pervious/impervious surface
            (3) Monitoring plans/mechanisms
   B. Wastewater
      1) Collection
         a) Pump stations
            (1) wet well water level control elevations
            (2) emergency pump connection
            (3) backup pump (at least two pumps total in pump station)

(4) Elevation above 100-year flood elevation

b) Gravity lines

(1) slopes

(2) clearance from water lines

2) Treatment System

a) Type (septic-conventional/non-conventional, on-site-low pressure, etc., package plant on-site/off-site, regional plant-on-site/off-site

b) Siting

(1) relation to 100-year flood elevation

(2) adjacent property

c) Plant

(1) general process

(2) bypass

(3) Hydraulic profile

(4) Flow diagram

3) Effluent disposal method

a) Spray field

b) Percolation pond

c) Reuse

d) Wetland

(1) Location of disposal area

(2) Analysis

(a) soil report

1. soil type

2. ground water depth

3. K factor

4. Confining layers

(b) impact on ground water quality/quantity

4) Design

a) Application

b) Load/rest schedule

c) Pond on steep slope

(1) dam design for berms; seepage prevention

(2) rip rap for influent flow

d) pond bottom compared to soil profile

e) overflow

f) elevations

g) buffers

h) nearby potable wells

5) Monitoring wells

a) background – upstream

b) compliance downstream

9. Potable Water System:

A. Type (individual wells, package plant, regional plant)

B. Location (on-site, off-site)

C. Withdrawal rate/consumptive use

D. Treatment Methods

E. Impact on aquifers

Policy 3.2.5 Non-Exempt Parcels.

Parcels of lands within the Wekiva River Protection Area, not exempted due to a determination of vested rights, under single ownership and twenty (20) or forty (40) acres or less in total area, depending upon the land's location within the Wekiva River Protection Area, as of March 12, 1990, shall be allowed a maximum of one (1) dwelling unit provided that a minimum of 12,500 square feet is not classified as open water bodies and wetlands under the jurisdiction of Lake County or St. Johns River Water Management District, or within the Wekiva River Basin Riparian Habitat Protection Zone established pursuant to 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.

Policy 3.2.6 Wekiva System Buffers and Riparian Protection Zones.

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

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

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

Policy 3.2.7 Restrictions on Land Adjacent to Conservation or Preservation Area.

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

Policy 3.2.8 General Prohibitions:

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

Policy 3.2.9 Lakeshore and Waterfront Development.

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

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

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

C. Lake County shall require environmental surveys to be conducted in accordance with a County approved methodology to assess the impacts of waterfront development on ground and surface water quality, quantity, and hydrology; native and endangered vegetation and wildlife species; wetlands and associated uplands before granting approval of the proposed development.

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

E. Lake County shall require setbacks in conformance with Chapter 40C-41, F.A.C. and those of the Lake County Comprehensive Plan, and Land Development Regulations to ensure safety, protect environmental factors and conserve public shores as established by local, State and Federal agencies to protect environmental factors and conserve public and private waterfront areas.

Policy 3.2.10 Location of Commercial Development:

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

1. 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.

2. Commercial development within the Wekiva River Protection Area, except as provided above shall be discouraged. Such development, if permitted, shall be restricted to the following intersections:

   - SR 44 and CR 437;
   - CR 44A and CR 437;
   - SR 46 and CR 437, consistent with MPSC Policies;
   - SR 44 in the vicinity of the Royal Trails subdivision;
   - SR 46 and CR 435 consistent with MPSC Policies.

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

3. 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.

Policy 3.2.11 Location of School Facilities within the Wekiva River Protection Area.

Notwithstanding any other provision of this Comprehensive Plan, in order to limit the intensity of structures and facilities, new primary and secondary school sites shall only be allowed within the Receiving Area Number Two.

Policy 3.2.12 Industrial Development.

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

Policy 3.2.13 Maintenance of Open Space System.

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

A. Flood zones along streams or rivers, excluding wetlands, shall qualify for open space requirements. The use of flood prone areas for purposes compatible with the hydrological character of the area shall be regulated. Passive recreation is recognized as a beneficial use of flood prone areas.
B. Building within swamps and marshes is prohibited, except in accordance with the policies of this Comprehensive Plan, the Lake County Code, and in accordance with a wetland alteration/mitigation plan approved by Lake County.

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

D. Native vegetation within the 100-year flood plain in the Wekiva River Protection Area shall be preserved to the greatest extent possible. Clearing of native vegetation shall be limited to only those areas approved through a vegetation survey and protection plan approved by Lake County, with the exception of those areas devoted to bona fide agricultural uses as specified in this element and those activities necessary for normal yard maintenance..

Policy 3.2.14 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.

Policy 3.2.15 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, as defined by Section 570.02 F.S. and more specifically Section 193.461 F.S. conducted in compliance with appropriate BMPs, is recognized as a legitimate and productive use of lands within the Wekiva River Protection Area. All agricultural activities within the Wekiva River Protection Area shall comply with Best Management Practices (BMPs) developed by the U.S. Department of Agriculture Natural Resources Conservation Service and BMPs contained in the publication "Protecting Florida's Springs-Land Use Planning Strategies and Best Management Practices"(DCA/DEP).

Policy 3.2.16 Silviculture in Wekiva River Protection Area.

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

Policy 3.2.17 Surface and Subsurface Hydrology.

The hydrology of a site shall be utilized in determining land use as opposed to land use determining hydrology. This would entail discouraging any land use that would significantly alter surface and subsurface water levels and have an adverse effect on the environment. Any mitigation shall be subject to approval by Lake County.

Policy 3.2.18 Protection of the Water Quantity, Water Quality and Hydrology of the Wekiva River System.

Special consideration shall be given to the protection of the water quantity, water quality and hydrology of the Wekiva River System as defined in the Florida Statutes.

Policy 3.2.19 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.

Policy 3.2.20 Protection and Conservation of Wetlands and Wetlands Systems.

It is the intent of Lake County to protect and conserve wetlands and wetlands systems to the maximum extent possible. This shall be accomplished through policies and provisions of this Comprehensive Plan and Land Development Regulations.

Policy 3.2.21 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.

Policy 3.2.22 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 0~~Policy 2.2.16~~ and 0~~Policy 2.2.17~~ and those activities necessary for normal yard maintenance.

Policy 3.2.23 Protection of Aquatic and Wetland-dependent Wildlife Species Associated with the Wekiva River System.

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

Policy 3.2.24 Mining and Borrow 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.

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

OBJECTIVE 3.3 Preserve Environmentally Sensitive Areas.

Lake County shall seek to preserve those environmentally sensitive areas identified in environmental studies prepared by government agencies, or approved by the Board of County Commissioners, in order to safeguard Lake County's resources for present and future residents and particularly those areas within the Wekiva River Protection Area.

Policy 3.3.1 Encourage Acquisition of Environmentally Sensitive Areas.

Lake County shall support and actively encourage acquisition of Environmentally Sensitive Areas by donation or purchase by Federal, State or units of local government and non-profit groups that would preserve them in their natural state. The County shall utilize revenue bonds from the Lake County Land Acquisition program and partner to the greatest extent possible with the aforementioned entities to acquire, or assist in the acquisition of, environmentally sensitive land for permanent preservation.

Policy 3.3.2 Wild and Scenic River Designation:

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

Policy 3.3.3 Provision of Active Recreation Facilities.

Within the Wekiva River Protection Area, Lake County shall provide recreational areas in such a manner that active recreation facilities will be located only in urban areas.

Policy 3.3.4 Water Conservation Practices.

Lake County shall discourage wasteful practices that would deplete supplies of potable water and shall promote water conservation practices.

Policy 3.3.5 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 environmentally necessary, as determined by the County. The development of a regional water supply system is encouraged in order to augment the feasibility and desirability of providing central water supply facilities consistent with policies in the Potable

Water Sub-element for service to occur within the Mount Plymouth-Sorrento Community when densities are such that centralized services are feasible.

Policy 3.3.6 Protection of Ground and Surface Waters.

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

Policy 3.3.7 Sewage Treatment and Disposal Facilities.

Lake County shall encourage the development of sewage handling and disposal facilities that utilize the best available technology in order to minimize any detrimental effect to the environment.

Policy 3.3.8 Provision of Central Sewer 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 environmentally necessary, as determined by the County. The development of a regional sewage treatment system is encouraged in order to augment the feasibility and desirability of providing central sewage treatment facilities consistent with policies in the Sanitary Sewer Sub-element for service to occur within the Mount Plymouth-Sorrento Community when densities are such that centralized services are feasible.

OBJECTIVE 3.4 Wekiva Study Area (WSA).

The County shall regulate the use of land within the Wekiva Study Area, as defined by Florida Statutes, through land use strategies that protect and preserve the function of natural resources within the Wekiva Study Area, including but not limited to springs, springsheds, karst features, most-effective recharge areas, sensitive natural habitats, wetlands, wildlife, and wildlife corridors. It is the intent of this section to supplement the provisions contained in this Comprehensive Plan relative to portions of the Wekiva Study Area that include the Wekiva River Protection Area.

Regardless of the land use designation or zoning classification assigned to any parcel of property located within the Wekiva Study Area, no development may be approved upon parcels so located unless the proposed development conforms to the provisions of the Wekiva Parkway and Protection Act and the requirements and performance standards adopted pursuant to this Plan. The following policies pertain to the Wekiva Study Area.

Policy 3.4.1 Surveys and Studies.

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

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

2. A Site specific hydrogeologic and geotechnical report shall be submitted to determine the hydrogeologic character of a site. At a minimum this report shall be prepared by a qualified Professional Geologist or Engineer qualified in the field of hydrogeology and shall identify all surface

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

The information contained in the hydrogeologic report shall be used to establish the location of karst features and establish setbacks from the delineated karst feature consistent with FLU Element Policy 3.4.9~~Policy 2.4.9~~, in addition to the use of karst features, buffers, open space and other best management practices to minimize development impacts. Site stormwater and effluent disposal systems will only be allowed in locations with the least potential for nutrients and pollutants entering the aquifer.

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

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

Policy 3.4.2 Land Use Strategy within the Wekiva Study Area (WSA) and Outside the Wekiva River Protection Area (WRPA).

The Wekiva Parkway and Protection Act recognizes both clustering and low-density rural development as strategies applicable to the protection of natural resources within the WSA. Consistent with this, and in order to provide for responsible growth management boundaries that respect the integrity of urban and rural areas, the County shall adopt the following overlay districts and provisions within that portion of the WSA located outside the WRPA. No provision contained herein shall be construed as a right to develop at the maximum density or intensity described or a guarantee that a requested zoning or land use shall be granted. Additional conditions to ensure the protection of natural resources and community character may be incorporated into the Land Development Regulations.

1. Wekiva Traditional Rural District

The Wekiva Traditional Rural Overlay District is hereby established and as identified in Figure 2. It is the intent of this district to promote the viability of rural communities and protect natural resources of the WSA through the continued pursuit of low-impact rural activity. Land within the Wekiva Traditional Rural District may be allowed to develop at a maximum residential density of one (1) dwelling unit per five (5) net acres, or alternatively at a maximum residential density of one (1) dwelling unit per three (3) net acres with PUD zoning and provided that 35% or more of

the net buildable area of the site is dedicated as open space in perpetuity through a conservation easement or similar recorded and legally binding instrument. Non-residential uses within this district shall protect a minimum of 35% of the net buildable area of the site as open space.

2. Wekiva Transitional District

The Wekiva Transitional Overlay District is hereby established and identified in Figure 2. It is the intent of this district to promote the use of clustering while providing for transitional densities and intensities between designated rural lands and the urban areas associated with Mount Dora, Eustis and Mount Plymouth-Sorrento. Residential development consistent with the Wekiva Traditional Rural District may be permitted within this district. Alternatively, within the Wekiva Transitional District the County may consider a Future Land Use Map Amendment submitted for the development of land utilizing PUD zoning and not to exceed a residential density of one (1) dwelling unit per one (1) net buildable acre, provided that any such development exceeding ten acres in size dedicates 50% or more of the net buildable area of the site as open space in perpetuity through a conservation easement or other similar recorded and legally binding instrument, and further provided that all other requirements of the Comprehensive Plan and Land Development Regulations are satisfied. Non-residential uses within this district shall protect a minimum of 35% of the net buildable area of the site as open space.

3. Municipal Joint Planning Areas and Mount Plymouth-Sorrento

The County shall coordinate with the municipalities of Mount Dora and Eustis regarding the distribution of density and intensity and the protection of open space within their respective Joint Planning Areas (JPAs), consistent with adopted Joint Planning Agreements as they may be amended from time to time. Development of property within the Mount Plymouth-Sorrento Planning Area outside of the WRPA shall comply with policies established within this Comprehensive Plan and the Land Development Regulations for the Mount Plymouth-Sorrento Community. A Main Street district not to exceed 1.5 square miles in size shall be defined, which shall be considered the urban core of the Mount Plymouth-Sorrento community most appropriate for in-fill and providing for a mix of uses including retail, office, civic, and residential. Outside of the Main Street district, new residential urban development shall be required to protect a minimum 50% of the net buildable area of the site as open space, and new non-residential development shall be required to protect a minimum of 35% of the net buildable area of the site as open space.

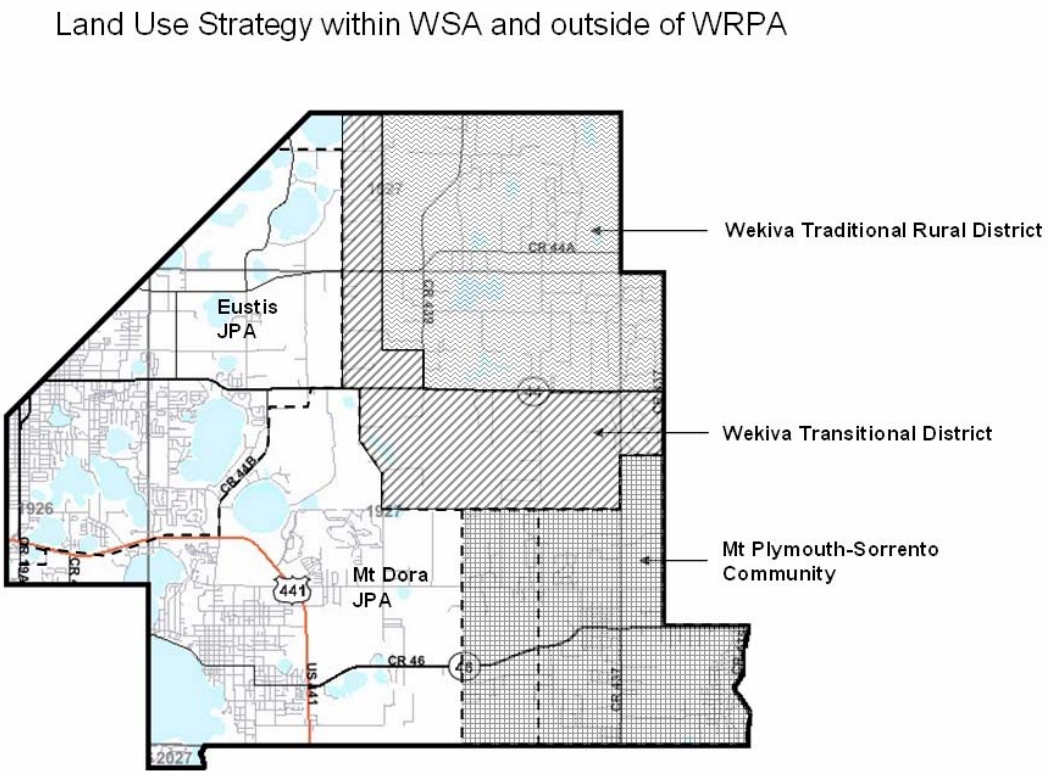

Figure 2 Wekiva Study Area Districts Outside of the WRPA.

Policy 3.4.3 Open Space Requirements within the Wekiva Study Area (WSA).

In order to protect sensitive natural resources, including but not limited to: aquifer recharge, karst features, native vegetation, habitat, and wildlife; the County shall require that new development within the WSA preserve and dedicate open space in perpetuity subject to the following requirements:

1. Clustering of units shall be required, where the term clustering means that the built areas of the development site are well defined and compact, thereby enabling the creation of contiguous expanses of common open space and the protection of environmentally sensitive areas. Development shall be clustered away from the most environmentally sensitive areas on site and away from contiguous conservation land. Providing for environmental clustering, development shall also be clustered away from contiguous rural residential property of five (5) acres or greater. Open space created through clustering shall be connected to the greatest extent possible to adjacent open space areas and public conservation lands to create contiguous networks and corridors of larger open space. Clustering shall be implemented through the use of PUD zoning, subject to all other policies and Land Development Regulations.

2. Within the WSA and outside of the WRPA, minimum open space requirements shall be consistent with Policy 1-25.2. Within the WSA and inside of the WRPA, if a proposed

development seeks to increase density through the WRPA points system, PUD zoning shall be required and a minimum 50% of the net area shall be protected as open space; and

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

Policy 3.4.4 Priority for Preservation within the Wekiva Study Area (WSA).

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

Policy 3.4.5 Dedication of Open Space within the Wekiva Study Area (WSA).

Open space required within the WSA shall be protected as follows:

1. Open space shall be designated to remain undeveloped and protected in perpetuity through the use of conservation easements, plat restrictions, or similar legally recorded and binding instruments that run with the land and establish the conditions and restrictions on the use of the open space area.

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

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

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

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

Policy 3.4.6 Development Design Standards.

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

- Clustering of dwelling units on smaller lots and concentration of accessory and non-residential development on site to create contiguous tracts of common open space to preserve and

protect wildlife, natural habitat, karst features, and aquifer recharge, pursuant to Policy 1-25.2 and Policy 1-25.3; and

- Preservation of wildlife, natural habitat, and karst features on site; and
- Maintain, enhance, and protect corridors for wildlife movement in coordination with adjacent properties; and
- Protection of open space in perpetuity by easement, plat, or similar recorded binding instrument; and
- Minimal site disturbance and alteration of terrain, through use of design techniques that protect native vegetation and minimize earth movement such as reduced pavement widths, stem-wall construction, swales, and native landscaping; and
- Use of native plants and "right plant-right place" landscaping techniques that provide compatibility with the natural environment shall be encouraged, and limiting lawn and landscaped areas requiring irrigation or regular chemical applications to no more than 50% of all pervious areas, including residential lots; and
- Central water and sewer facilities that can be connected to a regional system when available for all new development within the WSA with a density in excess of one unit per net buildable acre, as described in the public facilities element; and
- Installation of reclaimed water lines within service areas in order to ensure the present or future capability to receive treated reuse water; and
- Best management practices according to the principles and practices of the Florida Yard and Neighbors Program.

Policy 3.4.7 Protection of Karst Features.

The County shall require that new development be designed to avoid and protect karst features with the intent of maintaining their natural function, integrity and structure. Karst features with an aquifer connection shall be considered for potential acquisition by the County with priority given to those areas where protection would render a property undevelopable.

Policy 3.4.8 Identification of Karst Features.

The County shall require that karst features are accurately identified on development proposals, and protected during construction and after development by the following:

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

Policy 3.4.9 Setbacks from Karst Features.

Development shall be setback from karst features and spring runs as specified below. The setback shall consist of a buffer that retains all natural vegetation within the setback area.

Feature	Minimum setback
Springs	300 feet
Spring runs	100 feet
Karst features	100 feet

If a lot of record, existing on the effective date of this policy, is too small to comply with the setback requirements above, structures and pervious surfaces shall be located at the maximum distance possible from the karst feature(s), and a swale and berm shall be built between the developed area and karst feature to direct drainage away from the feature.

Policy 3.4.10 Development BMPs for Ground Water Protection.

In order to minimize the contribution of nutrients and pollutants to ground water and to foster stewardship of the Wekiva springshed, special design and best management practices shall be instituted for development within the Wekiva Study Area (WSA):

1. Development shall use joint or shared access to the maximum extent feasible in order to minimize impervious surfaces.
2. Nonresidential development shall minimize the size of contiguous impervious areas and shall use shared parking to the maximum extent feasible in order to minimize impervious surfaces. All parking lots with 100 or more spaces shall be designed with a minimum of 20% of the parking spaces as pervious area.
3. Design of parking lots, sidewalks, buildings, and other impervious surfaces shall minimize connections between impervious surfaces through techniques that shall be depicted on the development site plan, such as:
   - Directing flows from roof drains to vegetated areas or to rain barrels or cisterns for reuse;
   - Directing flows from paved areas to vegetated areas;
   - Locating impervious surfaces to drain to vegetated buffers or natural areas; and
   - Breaking up flow directions from large paved surfaces.
4. The use of porous pavement materials, pervious concrete, and pervious asphalt shall be encouraged to minimize the amount of impervious surface.

5. Drainage for streets and roads within new development shall be through roadside swales and berms. Curb and gutter design should not be approved, except where safety issues exist. Infill and redevelopment within existing urban areas with existing curb and gutter are exempt from these requirements. Where curb and gutter is approved, and to the extent feasible, the curb and gutter shall be designed to provide adequate curb cuts to allow run-off to be directed to roadside landscaped swales for infiltration and treatment prior to discharge.
6. Development shall be designed to minimize site disturbance using techniques including but not limited to:
   - Limiting clearing to the minimum area necessary for development;
   - Avoid or minimize the removal of existing noninvasive trees and vegetation;
   - Minimize soil compaction to the footprint of development; and
   - Minimize connected impervious surfaces to reduce water runoff flows and increase opportunities for infiltration.

OBJECTIVE 3.5 Wekiva-Ocala Protection Area

The County shall regulate the use of land within the Wekiva-Ocala Protection Area, depicted on Future Land Use Map as Rural Protection Area 1, with an emphasis on sustaining rural land use patterns and the preservation of natural habitat, wildlife populations, and opportunities for passive recreation.

Policy 3.5.1 Development within the Wekiva-Ocala Protection Area.

Lake County shall protect the Wekiva-Ocala Protection Area through application of the Low Density Rural Future Land Use category. The County may require PUD zoning and clustering for any proposed development within the Wekiva-Ocala Protection Area, to ensure the protection of natural resources including, but not limited to: habitat, wildlife, wildlife corridors, or to provide for resource management such as prescribed burning. In order to protect natural resources, including, but not limited to, aquifer recharge, karst features, native vegetation, habitat, and wildlife, the County shall require that new development within the Wekiva-Ocala Protection Area, preserve and dedicate the required open space in perpetuity subject to the following requirements:

- Clustering development, such as the creation of smaller lots for dwelling units in a PUD, to create contiguous tracts of common open space for the protection of natural habitat, wildlife, and wildlife corridors;
- Maintain, enhance, and protect corridors for wildlife movement in coordination with adjacent properties;
- Protection of open space in perpetuity by easement, plat, or similar recorded binding instrument;
- Minimization of site disturbance and alteration of terrain, through use of design techniques that protect native vegetation and minimize earth movement such as reduced pavement widths, stem-wall construction, swales, and native landscaping;

- Use of native or non-invasive drought tolerant plants and "right plant-right place" landscaping techniques, which provide compatibility with the natural environment and minimize the use of chemicals, pesticides, and water for irrigation;

- Protection of karst features, sensitive natural habitat, and minimum required open spaces consistent with Wekiva Study Area requirements contained within this element; and

- The Land Development Regulations of Lake County shall be updated to implement the aforementioned standards.

Policy 3.5.2 Development within the Ocala National Forest.

In order to protect natural resources of the Ocala National Forest, it shall be the policy of Lake County to limit future development on private land within boundaries of the forest to the Rural Low Density Future Land Use Category with the exception of the Astor community. Lake County shall review all proposals for the development of private land within the boundaries of the Ocala National Forest for potential impact to forest resources.

Policy 3.5.3 Coordination of Land Use with Objectives of the Wekiva-Ocala Greenway Project.

Lake County in cooperation with the Department of Environmental Protection and the Florida Fish and Wildlife Conservation Commission shall initiate a study to identify essential ecological corridors within northeast Lake County and the Florida Division of State Lands Wekiva-Ocala Greenway project area. The study shall identify areas that are necessary to establish a viable and permanent landscape linkage between the Wekiva basin and Ocala National Forest. This study shall consider habitat connectivity, corridors for wildlife movement and the relationship between public and private lands within the project area with the intent of developing a comprehensive land use and conservation strategy for ensuring long-term protection of the greater Wekiva-Ocala ecosystem. Lake County shall prioritize the acquisition of lands identified in the study to preserve landscape linkages. Development on property containing identified linkages shall strictly comply with clustering to minimize impacts on the resource.

Policy 3.5.4 Land Preservation with the Wekiva-Ocala Protection Area.

Lake County shall support, assist and actively encourage public land acquisition and conservation easements as appropriate in order to protect environmentally-sensitive areas and wildlife corridors within the Wekiva-Ocala Protection Area and Florida Division of State Lands Wekiva-Ocala Greenway project. The County shall utilize revenue bonds from the Lake County Land Acquisition program and partner to the greatest extent possible with federal, state and local governments and agencies, and with private non-profit conservation organizations as appropriate, to achieve this purpose.

Policy 3.5.5 Agriculture within the Wekiva-Ocala Protection Area.

The county shall support the use of land within the Wekiva-Ocala Protection Area for sustainable agriculture, such as silviculture, that is compatible with natural resource protection. The County shall require compliance with the most current revision of "Silviculture Best

Management Practices" developed by the Florida Department of Agriculture and Consumer Services, Division of Forestry and "Protecting Florida's Springs-Land Use Planning Strategies and Best Management Practices" (DCA/DEP).

GOAL 4.0 GREEN SWAMP PROTECTION AREA

The Green Swamp Protection Area encompassing the Green Swamp Area of Critical State Concern, including its wetlands, forests, prairie, and wildlife, is a natural resource of irreplaceable value to the people of Lake County and State of Florida. Furthermore, due to its high groundwater elevation, the Green Swamp serves as a recharge area for the Floridan Aquifer and therefore plays a critical role in protecting Central Florida's water supply. Lake County shall maintain the long-term viability of these natural resources through a comprehensive and holistic approach to land use, water resource protection, and wildlife and habitat needs within the Green Swamp.

OBJECTIVE 4.1 Green Swamp

Lake County shall, through the implementation of this Comprehensive Plan, preserve and protect the Green Swamp as a natural resource of critical state and regional importance.

Policy 4.1.1 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 depicted on the Future Land Use Map and is legally described within Rule Chapter 28-28, FAC. The Green Swamp Area of Critical State Concern consists of all that certain lot, piece, or parcel of land situated, lying, and being in Lake County, in the State of Florida, being more particularly described as follows:

Beginning at a point in Section 34, Township 24 South, Range 24 East, which point is the southwest corner of said Section 34, and running thence:

(1) In Lake County, north along the west boundary line of Sections 34, 27 and 22 in Township 24 South, Range 24 East, a distance of three (3) miles; thence

(2) Turning and running east along the north boundary line of Section 22 in Township 24 South, Range 24 East, to the point of intersection of the north boundary line of said Section 22 and the westerly right-of way line of the Seaboard Coast Line Railroad; thence

(3) Northwesterly along the westerly right-of-way line of the Seaboard Coast Line Railroad to a point in the north boundary line of Section 4, in Township 24 South, Range 24 East, a distance of 3.5 miles, more or less; thence

(4) Turning and running west along the boundary between Townships 23 and 24 South, which boundary is the south boundary line of Sections 33 and 32 in Township 23 South, Range 24 East; thence

(5) Turning and running north along the west boundary of Section 32 in Township 23 South, Range 24 East, a distance of one mile; thence

(6) Turning and running east along the north boundary line of Sections 32 and 33 in Township 23 South, Range 24 East to a point in the westerly right-of-way line of the Seaboard Coast Line Railroad; thence

(7) Turning and running northwesterly along the westerly right-of-way line of Seaboard Coast Line Railroad to a point, which point is in the boundary between Ranges 23 East and 24 East, which point is also in the west boundary of Section 31 in Township 22 South, Range 24 East, a distance of six miles more or less; thence

(8) Turning and running north along the boundary between Range 23 East and Range 24 East to a point in the southerly right-of-way line of the Seaboard Coast Line Railroad, a distance of 3.25 miles, more or less; thence

(9) Turning and running east along the south right-of-way line of said Seaboard Coast Line Railroad to a point in the east boundary line of Section 16 in Township 22 South, Range 24 East; thence

(10) Turning and running south along the east boundary line of Section 16, in Township 22 South, Range 24 East, a distance of one-half mile; thence

(11) Turning and running east along the north boundary line of Section 22 in Township 22 South, Range 24 East, a distance of one mile; thence

(12) Turning and running south along the east boundary line of Section 22 in Township 22 South, Range 24 East, a distance of one mile; thence

(13) Turning and running east along the north boundary line of Sections 26 and 25 Township 22 South, Range 24 East and Section 30 in Township 22 South, Range 25 East, a distance of three miles; thence

(14) Turning and running north along the west boundary of Section 20, Township 22 South, Range 25 East to a point in the south right-of-way line of State Road 50, a distance of one-half mile, more or less; thence

(15) Turning and running east along the south right-of-way line of State Road 50 to a point in Section 23, Township 22 South, Range 25 East, which point is the point of intersection of State Road 50 and the east boundary of the canal which connects Lake Minnehaha and Lake Minneola; thence

(16) Turning and running south along the eastern bank of said canal and continuing south along the eastern shore of Lake Palatlakaha to a point in the westerly right-of-way line of State Road 561, a distance of one-half mile, more or less; thence

(17) Southerly along the westerly right-of-way line of State Road 561 to a point in Section 11, Township 23 South, Range 25 East, which point is the point of intersection of State Road 561, a distance of one-half mile, more or less; thence

(18) Turning and running west along the north right-of-way line of State Road 565B to a point in the west boundary line of Section 11 in Township 23 South, Range 25 East, a distance of one-quarter mile, more or less; thence

(19) South along the west boundary line of Sections 11 and 14 Township 23 South, Range 25 East, a distance of 1.5 miles, more or less; thence

(20) East along the south boundary line of Sections 14 and 13 in Township 23 South, Range 25 East, a distance of two miles; thence

(21) North along the west boundary line of Section 18 and 7 in Township 23 South, Range 26 East, to a point in the north right-of-way line of Hull Road, which is depicted on the February 1969 edition of the Florida State Road Department General Highway Map of Lake County as

a graded and drained road skirting the south end of Lake Susan while running approximately along the north boundary line of Section 12 in Township 23 South, Range 25 East; thence

(22) Turning and running west along the north right-of-way line of Hull Road a distance of one-half mile, more or less, to a point in Section 12, Township 23 South, Range 25 East, which point is the intersection of the north right-of-way line of Hull Road with the east right-of-way line of Lake Shore Road, which is depicted on the February 1969 edition of the Florida State Road Department General Highway Map of Lake County as a paved road running west and then north of Lake Susan; thence

(23) Turning and running north, then easterly, along the easterly, then southerly, right-of-way line of Lake Shore Road a distance of 1.5 miles, more or less, to a point in Section 6, Township 23 South, Range 26 East, which point is the intersection of the southerly right-of-way line of Lake Shore Road, with the west right-of-way line of Lake Louisa Road, which is depicted on the February 1969 edition of the Florida State Road Department General Highway Map of Lake County as a bituminous road running in a north-south direction to the east of Lake Susan and skirting the northeast shoreline of Lake Louisa; thence

(24) Turning and running south, then southeasterly, along the westerly right-of-way line of Lake Louisa Road to a point in Section 16, Township 23 South, Range 26 East, which point is the intersection of the westerly right-of-way line of Lake Louisa Road with the west right-of-way line of United States Route 27 (State Road 25), a distance of four miles, more or less; thence

(25) South along the west right-of-way line of United States Route 27 to a point of intersection of the south boundary of Lake County and the north boundary of Polk County; thence

(26) Turning and running west, then north, then west, then south, then west along the south boundary of Lake County, to the point of beginning.

Specifically excluding and exempting Lake Louisa State Park.

Policy 4.1.2 Development within the GSACSC

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

Policy 4.1.3 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, rural transitional 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.

Policy 4.1.4 Conformance with the Principals for Guiding development 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 below.

Policy 4.1.5 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 below.

Policy 4.1.6 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 below.

Policy 4.1.7 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; and facilitate orderly and well planned growth:

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.

~~1.~~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.

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.

3. 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.

4. 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.

5. 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 their successor agencies.

6. 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.

7. 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 Florida Department of Environmental Protection rules and regulations.

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

9. 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 4.2 Development within the GSACSC Relative to the Protection of Natural Resources

Lake County shall protect its water resources in view of the benefits that can be derived by present and future residents of Lake County. Protection of water resources in the GSACSC is required by the Principles for Guiding Development for the GSACSC.

Policy 4.2.1 Minimization of Adverse Impact to the Floridan Aquifer in the GSACSC

Lake County shall minimize the adverse impacts of development on resources of the Floridan Aquifer.

Policy 4.2.2 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 such as the GSACSC.

Policy 4.2.3 Protection of the Amount of Water Available for Aquifer recharge

Lake County shall protect the water available for aquifer recharge.

Policy 4.2.4 Protection of the Water Supply

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

Policy 4.2.5 Prevention of Salt-water Intrusion into the Floridan Aquifer

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

Policy 4.2.6 Maintenance of the Potentiometric High of the Floridian Aquifer

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

Policy 4.2.7 Minimization of Adverse Impacts to Wetlands Caused by Development Activities

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

Policy 4.2.8 Protection of the Functions of Wetlands

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

Policy 4.2.9 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.

OBJECTIVE 4.3 Development within the GSACSC Relative to Public Facilities

Lake County shall protect surface and groundwater resources relative to the provision of public facilities. Protection of water resources in the GSACSC is required by the Principles for Guiding Development for the GSACSC.

Policy 4.3.1 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.

Policy 4.3.2 Ensure the 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 the policies of 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 this Comprehensive Plan.

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 within 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.

Policy 4.3.3 Minimization of Threats to Life and Property

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, the County shall enforce regulation consistent with the Principles for Guiding Development for the GSACSC.

Policy 4.3.4 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.

OBJECTIVE 4.4 Future Land Use within the GSACSC

Lake County shall continue to protect natural resources of the GSACSC through application of four future land use categories specific to the GSACSC: Ridge, Transition, Rural/Conservation, and Core/Conservation. These limitations on density and intensity are deemed necessary in order to protect and enhance the natural resources contained therein.

Policy 4.4.1 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.

Policy 4.4.2 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.

Policy 4.4.3 Consistency with other Management Plans

Lake County shall coordinate with other local, regional, and state agencies to ensure that policies as established in this Comprehensive Plan are consistent with other management plans.

Policy 4.4.4 Ridge Future Land Use Category

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

Uses:

- All land uses are allowed within the Ridge Land Use category except the following land uses:

- Residential development over 4 DU/AC of uplands

- Commercial development greater than 5000 square feet

- Corridor commercial

- Industrial developments, excluding manufacturing uses allowed in commercial designations

- Mining

- Golf courses may be permitted on a case by case basis, consistent with the Green Swamp Principles for Guiding Development

- Power plants

- Incinerators
- Class I, Class II, and Class III sanitary landfills as identified in Chapter 17-701 F.A.C.
- Airports as defined in Chapter 9J-5.003(3) F.A.C.

Policy 4.4.5 Transitional Land Future Use Category.

The Transitional land use category shall allow development to occur at one unit per five acres. In addition, density may transfer 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 ratio 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.

Uses:

All land uses are allowed within the Transitional Land Use category except the following:

- Residential development over 1 DU/5 AC of uplands
- Commercial development greater than 5000 square feet
- Corridor commercial
- Industrial developments, excluding manufacturing uses allowed in commercial designations
- Mining

- Golf courses may be permitted on a case by case basis, consistent with the Green Swamp Principles for Guiding Development

- Power plants

- Incinerators

- Class I, Class II, and Class III sanitary landfills as identified in Chapter 17-701 F.A.C.

- Airports as defined in Chapter 9J-5.003(3) F.A.C.

Permit and 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.

Policy 4.4.6 Rural/Conservation Future Land Use Category

The Rural/Conservation land use category shall allow development to occur at one (1) dwelling unit per 10 acres of uplands. Density may be transferred to the upland portions of the site at a ratio of one (1) dwelling unit per 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.

Uses:

- All land uses are allowed within the Rural/Conservation Land Use category except the following land uses:
- Residential development over 1 DU/10 AC of uplands
- Commercial development
- Industrial developments, excluding manufacturing uses allowed in commercial designations
- Mining
- Active Tourist Attraction Based Recreation facilities which include such uses as water slide parks, RV parks, stadiums, racetracks, Jai-Alai frontons, arenas, amusement parks, zoological/botanical gardens and parks, and aquariums
- Other active facility based recreation unless provided solely for the purposes of serving the residents within the GSACSC
- Golf courses
- Power plants
- Incinerators
- Class I, Class II, and Class III sanitary landfills as identified in Chapter 17-701 F.A.C.
- Airports as defined in Chapter 9J-5.003(3) F.A.C.

Permit and lot approval limits within the Rural/Conservation Land Use Category:

Within the Rural/Conservation land use category, the County shall not approve more than 60 lots per year for platting and shall not issue more than 50 building permits per year.

Policy 4.4.7 Core/Conservation Future 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.

Uses:

- All land uses are allowed within the Core/Conservation Land Use category except the following land uses:
- Residential development over 1 DU/20 acres of uplands
- Commercial development
- Industrial developments, excluding manufacturing uses allowed in commercial designations
- Mining
- Roadway construction utilizing public funds except paving which may be provided to assure access for emergency vehicles necessary for the protection of the resident's health, safety and welfare
- Active Tourist Attraction Based Recreation facilities which include such uses as water slide parks, RV parks, stadiums, racetracks, Jai-Alai frontons, arenas, amusement parks, zoological/botanical gardens and parks, and aquariums
- Other active facility based recreation unless provided solely for the purposes of serving the residents within the GSACSC
- Golf courses
- Power plants
- Incinerators
- Class I, Class II, and Class III sanitary landfills as identified in Chapter 17-701 F.A.C.
- Airports as defined in Chapter 9J-5.003(3) F.A.C.

Permit and lot approval limits within the Core/Conservation Land Use Category:

Within the Core/Conservation land use category, the County shall not approve more than 35 lots per year for platting and shall not issue more than 50 building permits per year.

Policy 4.4.8 Urban 22 Future Land Use Category

This land use shall consist solely of the entitlements on the property within the Southlake Development a/k/a Cagan's Crossing, approved as a Florida Quality Development as amended, and as permitted by and in accordance with the provisions of the Lake County Board of County Commissioners on June 18, 1991 by PUD Ordinance #62-90 granting PUD Zoning, as amended.

OBJECTIVE 4.5 Specific Regulated Activities and Uses within the GSACSC

Lake County shall regulate specific and uses within the GSACSC.

Policy 4.5.1 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.

Policy 4.5.2 Location of Schools within the GSACSC

Notwithstanding any other provision of this Comprehensive Plan, in order to appropriately locate schools in the vicinity of population centers and limit the intensity of structures and facilities, school facilities within the GSACSC shall only be permitted within the Ridge land use category.

Policy 4.5.3 Water Quality and Quantity within the GSACSC

Within the GSACSC, development shall not alter the quantity or quality of surface water runoff from the project area or alter the quantity or quality of groundwater recharge from the project area.

Policy 4.5.4 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.

Policy 4.5.5 River and Stream Crossings

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

Policy 4.5.6 Silviculture and Agricultural Activities

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

Policy 4.5.7 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 Department of Environmental Protection, the appropriate Water Management District (WMD), the Army Corps of Engineers, or Lake County, if applicable. In the event of a disagreement regarding the jurisdictional line, the Natural Resources and 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 Natural Resources and 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 to also be the same as the ordinary high water line of a surface water, the Department of Health 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.

1. 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 Department of Health. The Lake County Department of Health 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 64, FAC, and the standards described herein. The Lake County Department of Health 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.

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

Policy 4.5.8 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.

Policy 4.5.9 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 five (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.

Policy 4.5.10 New Road Construction in the Core/Conservation Area

In the Core/Conservation land use category, the County shall not construct nor use public funds for the construction of new roads. 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.

Policy 4.5.11 Prohibition of New Mines in the GSACSC

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

Policy 4.5.12 Prohibition of Industrial Uses in the GSACSC

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

GOAL 5.0 LAKE APOPKA PROTECTION AREA

The Lake Apopka Protection Area (LAPA) shall encompass the Lake Apopka Basin, including its waters, wetlands, floodplain, and pastures. The LAPA is a natural resource of unique value to the people of Lake County.

OBJECTIVE 5.1 Lake Apopka Protection Area

Lake County shall, through the implementation of this Comprehensive Plan, preserve and protect the Lake Apopka Basin as a natural resource of regional significance.

Policy 5.1.1 Boundary of the Lake Apopka Protection Area

The Lake Apopka Protection Area shall be described as follows:

From the Lake County Line, Hartwood Marsh Road west to U.S. Highway 27, north to State Road 50, east to Citrus Tower Boulevard, north to Old Highway 50, east on Old Highway 50 to Turkey Farms Road, north on Turkey Farms Road to Grassy Lake Road, Grassy Lake Road to County Road 561A, west to County Road 561, north on County Road 561 to County Road 48, east on County Road 48 to County Road 448, north to Duda Road, east to the Lake County Line.

Policy 5.1.2 Shoreline Treatment and Development

Lake County shall adopt Land Development Regulations that set forth specific measures for shoreline treatment and development criteria within the LAPA for the purpose of creating uniform protection standards to support the restoration of Lake Apopka's water quality. These regulations shall ensure that all proposed development is consistent with the overall goal to balance economic development and resource protection with sound land management practices. Public access to Lake Apopka shall be encouraged. Regulatory agencies shall be encouraged to extend incentives to landowners that voluntarily restore lakefronts.

Policy 5.1.3 Lake Apopka Loop Trail

Lake County shall support the adoption and development of the Lake Apopka Loop Trail System and connections to existing trails and recreational facilities.

Policy 5.1.4 Permitted Uses within the LAPA.

The following uses may be allowed in the LAPA:

- Agricultural practices that do not contribute to contamination of surface or groundwater from fertilizers or pesticides and are conducted in accordance with Best Management Practices.

- Residential, Commercial, and Office Uses within designated areas provided that development is clustered on the landward portion of the property, and away from environmentally-sensitive features and habitat.

- Light industry within designated areas, provided that the specific activity will not contribute to degradation of natural resources of the Lake Apopka Basin.

Policy 5.1.5 Agricultural Uses in the LAPA

The County shall support the use of land within the Lake Apopka Basin for sustainable agriculture, such as silviculture, that is compatible with natural resource protection. The County shall require compliance with the most current revision of "Silviculture Best Management Practices" developed by the Florida Department of Agriculture and Consumer Services, Division of Forestry and "Protecting Florida's Springs-Land Use Planning Strategies and Best Management Practices" (DCA/DEP).

Policy 5.1.6 Resource Protection Standards in the LAPA.

Lake County shall adopt resource protection standards in the Land Development Regulations that require at a minimum:

- A fifty (50) foot natural upland buffer consisting of native vegetation between any development and wetlands. No structures shall be allowed in the buffer. Best Management Practices shall be required in the buffer to ensure that no pesticides or fertilizers are used in the buffer;

- Access and clearing standards shall be established in the Land Development Regulations;

- Areas located on wetlands or water bodies that are developed for the purpose of providing public access shall utilize elevated walkways and boat docks to minimize foot traffic through the environmentally sensitive lakeshore area;

- All exotic and nuisance species shall be removed and replaced with native vegetation.; and

- Public access shall be encouraged.

Policy 5.1.7 Water and Wastewater Standards.

Connection to regional water and sewer service shall be mandatory within the Urban Land Use Series. Lake County shall adopt design standards in the Land Development Regulations for septic systems and central water/wastewater systems. For central systems, only low rate effluent disposal shall be allowed in areas where there is likelihood for nutrients to reach Lake Apopka or connected waterways.

Policy 5.1.8 Stormwater Standards.

All new developments within the LAPA must design their stormwater management to comply with those requirements specified by St. Johns River Water Management District Regulations.

Stormwater swales shall be provided between all development and the lake. Direct discharge to Lake Apopka or connected surface water is prohibited.

Policy 5.1.9 Development Design Standards

The County may require PUD zoning and clustering for any proposed development within the LAPA, to ensure the protection of natural resources. The County shall require that new development within the LAPA preserve and dedicate open space in perpetuity and achieve the following:

- Clustering development, such as the creation of smaller lots for dwelling units in a PUD, to create contiguous tracts of common open space for the protection of natural habitat, wildlife, and wildlife corridors;

- Maintain, enhance, and protect corridors for wildlife movement in coordination with adjacent properties;

- Protection of open space in perpetuity by easement, plat, or similar recorded binding instrument;

- Minimization of site disturbance and alteration of terrain, through use of design techniques that protect native vegetation and minimize earth movement such as reduced pavement widths, stem-wall construction, swales, and native landscaping;

- Use of native or non-invasive drought tolerant plants and "right plant-right place" landscaping techniques, which provide compatibility with the natural environment and minimize the use of chemicals, pesticides, and water for irrigation; and

- The practice of locating a boat dock per house shall be discouraged. The use of community docking structures shall be encouraged.

The Land Development Regulations of Lake County shall be updated to implement the aforementioned standards.

GOAL 6.0 EMERALDA MARSH PROTECTION AREA

The Emeralda Marsh, including its waters, wetlands, floodplain, and pasture, is a natural resource of unique value to the people of Lake County and has been federally designated as a National Natural Landmark. Comprised of public and private lands nested between Lake Yale and Lake Griffin, the Emeralda Marsh area supports a unique mosaic of wildlife habitat, functions as an important bird rookery, and provides regional ecosystem connectivity to the Oklawaha River system and Ocala National Forest.

OBJECTIVE 6.1 Emeralda Marsh

Lake County shall, through the implementation of this Comprehensive Plan, preserve and protect the Emeralda Marsh area as a natural resource of regional significance.

Policy 6.1.1 Recognition of Emeralda Marsh Protection Area

The County hereby establishes the Emeralda Marsh Protection Area (EMPA) as depicted on the Future Land Use Map Rural Protection Area 2. It is the intent of this designation to ensure long-term ecological integrity of the Emeralda Marsh area through the promotion of land conservation efforts, responsible agriculture practices, and the protection of low density rural land use.

Policy 6.1.2 Coordinate with state and local conservation agencies

The County shall coordinate with state and local conservation agencies, including but not limited to the SJRWMD and Lake County Water Authority, regarding natural resource issues that affect the health of the Emeralda Marsh ecosystem. These efforts shall include coordination on water quality, water supply, flood control measures, and the relationship between such activities and the sustainability of wildlife and waterfowl habitat, as well as public access and management of preserve lands including Sawgrass Island Preserve and conservation lands held by the SJRWMD.

Policy 6.1.3 Support of Agriculture

The County shall support agriculture within the EMPA and coordinate with existing landowners regarding the implementation of best management practices to reduce fertilizer and pesticide use. The County shall explore protective conservation easements that support sustainable agriculture consistent with natural resource protection.

Policy 6.1.4 Support Land Acquisition within the EMPA

The County, through its bonded natural lands acquisition program and in coordination with state programs such as the Florida Communities Trust, shall support ongoing efforts to protect environmentally-sensitive lands within the EMPA for permanent preservation through fee-simple purchase or less-than-fee conservation easements.

Policy 6.1.5 Protection of Wetlands

Wetland impacts, including the depositing of fill in wetlands, shall be prohibited within the EMPA except as necessary to provide for legal ingress or egress to upland areas. In such circumstances, structural enhancements shall be required to maintain wetland connectivity and natural flow regimes.

Policy 6.1.6 Infrastructure Planning

In order to protect rural character, the County shall limit the capacity of roads within the EMPA to no more than two-travel lanes.

Policy 6.1.7 Open Space and Clustering

The County shall require clustering for all new development within the EMPA, where the term clustering means that the built area of a development site is well defined and compact to enable the creation of contiguous expanses of common open space and the protection of environmentally sensitive areas. Within the EMPA, clustering shall be used to provide upland connectivity between wetlands, to protect corridors for wildlife movement, and to maximize buffers and open space adjacent to public conservation land. At a minimum, 25% of the net buildable area of the development site shall be protected as common open space through the use of PUD zoning._Open space created through clustering shall connect to the greatest extent possible with adjacent open space areas and public

conservation land. At least 50% of the required open space on a development site shall be configured as a single contiguous tract.

Policy 6.1.8 Dedication of Open Space within the EMPA

Open space required within the EMPA shall be protected as follows:

1. Open space shall be designated to remain undeveloped and protected in perpetuity through the use of conservation easements, plat restrictions, or similar legally recorded and binding instruments that run with the land and establish the conditions and restrictions on the use of the open space area.

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

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

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

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

Policy 6.1.9 Development Design Standards

New residential development utilizing PUD zoning within the EMPA shall implement conservation subdivision design standards including:

1. Clustering of dwelling units on smaller lots to create contiguous tracts of common open space for the protection of wildlife and natural habitat;

2. Maintaining, enhancing, and protecting corridors for wildlife movement in coordination with adjacent property owners;

3. Protection of open space in perpetuity by easement, plat, or similar recorded binding instrument;

4. Minimal site disturbance and alteration of terrain, through use of design techniques that protect native vegetation and minimize earth movement such as reduced pavement widths, stem-wall construction, swales, and native landscaping; and

5. Use of Florida Friendly landscaping, and limiting lawn and landscaped areas requiring irrigation to no more than 50% of all pervious areas, including residential lots.

GOAL 7.0 IMPLEMENTATION

The County shall Ensure that the Future Land Use Element is implemented and that the character and location of land uses promote: conservation of natural and cultural resources; provision of public facilities and services concurrent with the impacts from development; maximization of economic benefits for existing and future citizens; compliance with adopted minimum levels of service standards; and the minimization of detrimental impacts to health, safety, and welfare caused by environmental degradation, nuisances, and incompatible land uses.

OBJECTIVE 7.1 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.

Policy 7.1.1 Enforce Regulatory Standards on All Development

The County shall maintain the viability of established and future residential neighborhoods by continuing to enforce LDRs 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

Policy 7.1.2 Minimize Impacts of Active Uses on Residential Areas

The County shall adopt standards in the Land Development Regulations for active uses to minimize adverse impacts on residential areas. These standards may include, but are not limited to, landscape buffering, fencing, parking and loading, requiring refuse containers, signage, lighting, and storage areas.

Policy 7.1.3 Ensure Roadway Compatibility

The County shall encourage the viability of residential neighborhoods 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 minimum setbacks and vegetated buffers between new roads and the property line of existing residential development;

- 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;

- Creating standards, in the Land Development Regulations, 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; and

- Ensuring that Land Development Regulations shall incorporate professionally recognized practices related to Transit Oriented Design (TODs).

Policy 7.1.4 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.

Policy 7.1.5 Regulate Higher Density Residential and Age Restricted Communities

The County shall encourage higher density (Urban Land Use Series) and age restricted housing near commercial centers, bus transit routes and community facilities.

Policy 7.1.6 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, F.A.C.., subject to and consistent with other provisions of this Comprehensive Plan.

Policy 7.1.7 Ensure Provision of Transitional Land Uses

The County shall evaluate Plan amendment and zoning requests 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.

Policy 7.1.8 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.

Policy 7.1.9 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.

OBJECTIVE 7.2 Protect Rural Lifestyles

The County shall institute policies and programs designed to preserve and reinforce the positive qualities of the rural lifestyle enjoyed by those living in rural areas. The following policies pertain to the Rural Land Use Series, WRPA and GSACSC.

Policy 7.2.1 Recognition of Rural Areas

The County shall, through Comprehensive Plan policies and Land Development Regulations, recognize those parts of the County within the Rural Land Use Series, WRPA and GSACSC as areas with specific rural character where established rural development patterns shall be retained. These areas require special protection from the intrusion of urban uses, densities and intensities. It shall be the policy of the County that properties within these areas require approaches to land use intensities and densities, rural roadway corridor protection, the provision

of services, environmental protection and LDR enforcement consistent with the rural character of such areas.

Policy 7.2.2 Annexation within Rural Areas

The County shall coordinate with its municipalities to the greatest extent possible to maintain the integrity of rural areas through joint planning and to ensure consistent standards for compatibility of proposed development adjacent to rural lands. If a municipality annexes property located within the Rural Land Use Series, WRPA or GSACSC, and takes action to amend the future land use, rezone, or in any way change the allowable use of the subject property in a manner that is inconsistent with the protection of rural density and character, the County shall retain the right to object to said action.

Policy 7.2.3 Conservation Subdivision Design

Lake County shall require clustering and use of other Conservation Subdivisions techniques, as a tool to preserve the value of rural land within certain land use categories and overlay districts. The LDRs shall be updated by January 1, 2008 to provide design criteria and guidelines for the development of Conservation Subdivisions in the Rural Future Land Use Series. These design criteria and guidelines shall adhere 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;

- Preserve open space permanently in rural residential areas;

- Preserve natural amenity areas;

- Preserve evening dark skies through lighting ordinances;

- Enhance the rural character of the area;

- Ensure that development along roadway corridors improves or protects the visual character of the corridor; and

- Implement water conservation techniques such as Florida Friendly landscaping, limiting turf grass and the size of areas requiring irrigation, and providing for the use of reclaimed water.

- 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. 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, and provisions for continuous maintenance of the open space.

- The conservation subdivision 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.

Policy 7.2.4 Non-Residential Rural Design Standards

The County shall adopt design standards within the LDRs for non-residential development located within and adjacent to the Rural Land Use Series, WRPA and GSACSC. Such standards are intended to ensure the protection of rural character, and may include but are not limited to building size, location, architecture, parking, lighting, and landscaping.

Policy 7.2.5 Protection of Rural ~~View Shed~~Viewscapes

Lake County shall adopt LDRs that protect forested areas, native vegetation, and natural topography within the Rural Land Use Series, WRPA and GSACSC in order to maintain and protect the integrity of natural vistas and scenic ~~view shed~~viewscapes. The County shall enforce such regulations to the extent feasible, recognizing the rights of bona fide agricultural activities established in statute.

Policy 7.2.6 Rural Roadways and Overlays

In order to prevent urban sprawl and maintain rural character, the County shall discourage the expansion of roadways within the Rural Land Use Series, WRPA and GSACSC. As defined within the Transportation Element, certain roads shall be designated as Scenic Rural Roadways, and shall be constrained by policy to remain as two-travel lanes. The County shall adopt LDRs relating to access, land use, building setbacks, landscaping, lighting and other factors associated with protecting the rural character of these corridors.

Policy 7.2.7 Protection of Natural Resources within Rural Areas

The County shall continue to provide for low-impact development within rural areas, and as appropriate shall encourage the use of Conservation Subdivision techniques at rural densities in order to enhance the protection of common open space, rural ~~view shed~~viewscapes, and wildlife corridors. The County shall protect water resources within rural areas by permitting rural residential development that minimizes water consumption and maximizes aquifer recharge; relying on small individual residential wells that disperse the potentially adverse effects of groundwater draw-down; and relying on properly installed and periodically inspected septic systems on larger lots as the primary system of wastewater disposal.

Policy 7.2.8 Rural Lighting Standards

In order to preserve the rural character and values attributed to rural lands, the County shall amend the LDRs by December 31, 2007 to include rural lighting standards that address artificial outdoor illumination and limits the emission of undesirable light into the night sky, glare to on-

coming traffic, light intrusion onto adjacent properties, and light pollution in general which may have a detrimental effect on communities, wildlife, and rural ambiance.

Policy 7.2.9 Agricultural Primacy

The County shall encourage the continuation of agriculture within the Rural Land Use Series, WRPA, and GSACSC. Agricultural uses on lands that have an agricultural exemption from the Lake County Property Appraiser will be considered to have "primacy" in the area. Primacy means that conflicts between such agricultural lands and other non-agricultural uses, all other factors being equal, will be resolved in favor of the agricultural interests. Agricultural operations shall utilize best management practices to reduce conflicts to the greatest extent possible.

Policy 7.2.10 Agricultural Buffers

The County shall adopt LDRs that require adequate buffering and/or setbacks between agriculture and residential uses in order to protect such agricultural uses from adverse impacts associated with encroachment of residential areas or a nuisance perception created by agricultural operations. Buffers shall be used to minimize or eliminate incompatibility between agricultural and residential uses so that the long-term continuance of both is not threatened by one or the other. Buffers shall be provided to screen each land use from intrusions relating to the application of fertilizers, pesticides, noise, glare, odor, dust, trespassing, pets, vehicles and smoke. Agricultural buffers shall be a minimum of fifty (50) feet wide and utilize natural material to the greatest extent possible.

Policy 7.2.11 Designation of Rural Protection Areas

It shall be the express intent of the County to recognize the long-term preservation of four (4) Rural Protection Areas designated on the Future Land Use Map as a fundamental component of its growth management plan. The County shall limit residential future land use within these Rural Protection Areas to the Rural Low Density (1du/5 net buildable acres) and Rural Medium Density (1 du/3 net buildable acres) Future Land Use Categories. The County shall evaluate and analyze sending and receiving areas appropriate for transfer of development rights to areas outside of the Rural Protection Areas by January 1, 2009. The Rural Protection Areas shall have the following principles:

- Transfer of Development Rights (TDR) or other flexible methods of land development transfer that would direct development towards existing urban areas. The TDR process may include methods of transfer from County to municipalities facilitated through JPAs;
- Conservation easements
- "~~View shed~~Viewscape" easements;
- Protection of existing topography;
- Rural supportive design standards;
- The continued designation of scenic roadways; and
- Emphasis on protecting wildlife corridors and greenways.

OBJECTIVE 7.3 Coordinate Land Use with Environmental Protection

The County shall ensure that natural resources are protected for the enjoyment of all citizens through provisions of this Comprehensive Plan and the LDRs.

Policy 7.3.1 Designation of Conservation and Recreation Future Land Use

The County shall ensure the long-term preservation of environmentally sensitive areas and ecosystems and provide opportunities for passive recreation through the assignment of land to the Conservation and Recreation Future Land Use Categories.

Policy 7.3.2 Consistency with Conservation Element

The County shall require that proposals for a change in the use of land or development of property conform to all applicable goals, objectives, and policies of the Conservation Element before such proposal can be considered to be consistent with the Future Land Use Element. Prior to obtaining approval for a change in the use of land or development of property, the location and significance of all environmental features and constraints shall be identified, including but not limited to topography, wetlands, vegetation, wildlife, habitat, flood hazards, the 100 year floodplain, soils, springsheds, karst features, and adjacent conservation lands and environmentally sensitive lands. The County shall require that all such features and constraints be included within applications and site plans submitted as part of the development review process.

Policy 7.3.3 Protect Floodplains

The County shall protect floodplains, as identified by the Federal Emergency Management Agency as amended, or as identified by Lake County, through the LDRs that accomplish the following:

- Restrict uses which are dangerous to health, safety and property, and minimize public/private losses due to flood conditions;
- Prohibit land filling and grade changes where such activity will cause erosion or inhibit flood waters;
- Require development to comply with the requirements and rules of the National Flood Insurance Program and Florida Department of Health; and
- Require 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.

Policy 7.3.4 Protect Wetlands and Implement Wetland Classification Program

Within 12 months of the effective date of this Comprehensive Plan, the County shall implement a wetlands classification program and adopt regulations within the LDRs that accomplish the following:

- Regulate development activities according to wetland significance;

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

- Require, 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; and

- Provide~~s~~ for development flexibility through mitigation/compensation measures where more beneficial environmental results may be achieved.

The County shall require dedication to the County and/or other agency of all post-development wetlands as conservation easements.

The County shall revise Conservation Element policies and LDRs as appropriate to implement this policy.

Policy 7.3.5 Require Conservation Easements

The County shall require conservation easements in accordance with the Florida Statutes, or dedication of post-development flood prone and wetland areas as a limitation to any future encroachment or development of environmentally-sensitive areas. Further, the county shall require that areas designated as open space within a conservation subdivision, including but not limited to upland habitat, karst features, and aquifer recharge, be permanently protected by conservation easement or dedicated to the County, a conservation agency and/or non-profit conservation entity.

COMMENTS AND PROPOSED CHANGES – AGRICULTURAL LAND RETENTION POLICIES

The following draft objective and policies were created to address the need to protect and preserve agricultural uses and lands as directed by the BCC. Staff recommends adding these to the FLUE.

Objective 1.X Retention and Preservation of Agricultural Lands

Lake County shall become proactive in developing partnerships with the agriculture industry, property owners, and local, regional and state organizations for the purpose of developing a better understanding of how local government can ensure the continued viability of agriculture as a key component of the local economy.

Policy 1.X.X Implement the Agricultural Land Retention Study

Lake County shall initiate an Agricultural Lands Retention Study (ALRS) to identify agricultural lands suitable for protection and preservation. The study shall also identify: property owner incentives for the preservation of identified lands; barriers to the conduct of agricultural activities due to local regulations or planning practices; and scenarios that describe the types and

characteristics of agricultural uses and practices that Lake County should expect in the 21st Century.

Policy 1. X.X Implement the Agricultural Land Retention Study

Lake County shall consider the findings of the ALRS and facilitate the implementation of strategies identified in the ALRS that are determined to be appropriate. Lake County shall adopt amendments to the Comprehensive Plan and adopt land development regulations that implement the ALRS.

Policy 1. X.X Conversion of Agricultural Lands to Other Uses.

Agricultural lands identified in the ALRS shall be protected from premature conversion to other uses by providing incentives that encourage the voluntary elimination of the property rights necessary to preserve the lands for agricultural uses.

Policy 1. X.X Agricultural Easements

Lake County shall consider the use of agricultural easements and less-than-fee acquisition as means of preserving agricultural enterprises.

OBJECTIVE 7.4 NONCONFORMITIES

The County shall reduce or eliminate existing non-complying land uses and structures to the greatest reasonable and practical extent without intruding on the constitutional rights of the affected land owners.

Policy 7.4.1 Reduce Nonconforming Uses and Antiquated Plats

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

Policy 7.4.2 Inventory Antiquated Plats, Parcels of Record

The County shall resolve land use compatibility, environmental concerns and infrastructure issues related to antiquated plats. By January 1, 2008, the County will inventory specific antiquated plats for identifying unique solutions regarding parcels of record.

Policy 7.4.3 Vested Rights Provisions.

By January 1, 2008, Lake County shall enact a vested rights ordinance to ensure that existing rights of property owners are preserved in accord with the Constitutions of the State of Florida and the United States. Property ownership patterns as of the adoption date of the Plan shall be the basis for all determinations of vesting. The details of this ordinance shall be guided by principles of statutory vesting and common law vesting.

1. Statutory vesting is defined in Subsection 163.3167(8), Florida Statutes, and gives the property owner the right to complete any development that has been authorized as a Development of Regional Impact pursuant to Chapter 380, or has been issued a final local development order and development has commenced and is continuing in good faith.

2. Common law vesting is generally found to exist when an applicant proves, that the owner of a project or parcel of land, acting in good faith upon some act or omission of the County, has made a substantial change in position or has incurred such extensive obligations or expenses that it would be inequitable and unjust to destroy the right to develop or to continue development of the property.

Policy 7.4.4 Existing Lot Exception for Density.

The following exception to the densities established by this Plan shall apply to single lots of record which were established on or before March 2, 1993, and which are not contiguous to other lots or parcels under the same ownership. An exception for density shall be made for any such lot described above so that one single family dwelling unit may be built. On lots which are contiguous to other lots or parcels under the same ownership, the owner is entitled to build only one single family dwelling unit on such contiguous lots, up to the density allowed by the Future Land Use Plan for the immediate area in question. Therefore, these exceptions relate to density only. Development undertaken pursuant to this policy shall be consistent with, and is subject to, the other provisions of the Plan, including, but not limited to, concurrency and protection of natural resources.

Additionally, the County shall establish a variance process in the Land Development Regulations that provides for a variance, for good cause and based on hardship, from the aggregation of lots based on property ownership. There shall be one variance policy based on ownership patterns as of March 2, 1993, and it shall not apply to unrecorded subdivisions that have not been recognized by the Lake County Board of County Commissioners, as are listed below. The County shall not allow a variance if fifteen percent or more of a platted subdivision, or phase of a platted subdivision, whichever is more appropriate, is under common ownership as of March 2, 1993. Variances under this policy shall not apply in the Core/Conservation or Rural/Conservation portion of the Green Swamp Area of Critical State Concern or within the Wekiva River Protection Area boundaries.

List of Recognized Unrecorded Subdivisions

1. H.O. Peters and Associates
2. Villa City Shores
3. Sunnyside Shores
4. Western Shores
5. Banning Beach
6. Belmont Heights Unit 2
7. Robbins Heights

8. Astor Forest Campsites

9. Blue Creek Point

10. Ravenswood

11. Pittman

12. St. Johns Waterfront Est. 1st Add.

13. Deerhaven

14. Grovewood

15. Villa City

16. Forest Acres

17. River Road Acres

18. Oak Ridge

19. Forest Ridge

20. Forest Park

Good cause shall include, at a minimum:

1. Demonstration that historic patterns of development have occurred in a given area of the County, and because two (2) or more lots in this area were under common ownership as of the date of adoption of the Comprehensive Plan, historic development patterns could not continue and inconsistent development patterns would be created;

2. Demonstration that adequate infrastructure is available and that such development would be consistent with existing surrounding residential land uses; or

3. Demonstration that property ownership patterns for lots under single ownership in a given area of the County, as of March 2, 1993, are consistent with the non-aggregated lots, and because two (2) or more lots in this area were under common ownership as of the date of adoption of the Comprehensive Plan, inconsistent development patterns would be created.

For lots located in a platted subdivision or a phase of a platted subdivision, whichever is more appropriate, for which building permits have been issued, the median buildable lot size of the platted subdivision or phase of the platted subdivision shall be used as minimum criteria for granting a variance. For the purpose of this policy, a buildable lot shall include lots for which a building permit could be issued by the County without granting a variance from the aggregation requirement established in this policy. In the event a variance is requested from the aggregation requirement of this policy for a lot located in a platted subdivision or a phase of a platted subdivision, the following minimum criteria shall apply to the lot for which a variance is being requested:

1. The lot shall not have received an agricultural classification, pursuant to Section 193.461, Florida Statutes, in 1993, based on the 1993 tax role;

2. The lot shall be required to front on a publicly maintained road;

3. The lot shall not be wholly contained within the 100-Year Flood Plain; and

4. The lot shall contain a minimum of 10,890 square feet of upland area, excluding wetlands and open water bodies, when the use of a septic tank is proposed and a minimum of 21,780 square feet of upland area, excluding wetlands and open water bodies, when the use of a private water system, pursuant to Chapter 64, Florida Administrative Code, is proposed.

For lots not located in a platted subdivision, the average lot size within a one-quarter mile radius shall be used as minimum criteria for granting a variance. In the event a variance is requested from the aggregation requirement of this policy for a lot not located within a platted subdivision, the following minimum criteria shall apply to the lot for which a variance is being requested:

1. The lot shall be required to front on a publicly maintained road;

2. The lot shall not be wholly contained within the 100-Year Flood Plain; and

3. The lot shall contain a minimum of 21,780 square feet of upland area, excluding wetlands and open water bodies.

OBJECTIVE 7.5 OVERLAY DISTRICTS

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

Policy 7.5.1 Historic Overlay District

The Historic Overlay Districts are intended to recognize and protect the unique character of existing, historic communities within Lake County. The County shall develop Comprehensive Plan policies and Land Development Regulations through a community based process that protects the unique character of existing, historic communities.

Lake County will prepare appropriate Land Development Regulations for a Historic Overlay District based on a specific and viable request from residents of the area to be encompassed within the Historic Overlay District. Policies and regulations for the Historic Overlay District shall be prepared and implemented through either of the following two processes:

- The County may conduct one or more advertised public workshops to obtain input regarding the proposed Historic Overlay District; or

- The County may appoint a citizen advisory committee consisting of residents within the Historic Overlay District subject to requirements of the Florida Sunshine law. The citizen advisory committee shall participate in the process of recommending policies and regulations to the County and serve as the principal means of communication with residents and property owners within the Historic Overlay District.

The Historic Overlay District shall address means and methods of preserving historic qualities and characteristics through architectural, landscape, site or community design standards and guidelines. An historic overlay district may not be used as grounds to expand historically recognized, or platted, subdivisions within rural parts of the county.

Policy 7.5.2 Green Mountain Scenic Byway Roadside Overlay District and Corridor Overlay District.

By January 1, 2008, the County shall develop LDR provisions relating to the Green Mountain Scenic Byway Roadside Overlay District and Corridor Overlay District for County Roads 455 and Old Highway 50, consistent with the Green Mountain Scenic Byway Corridor Management Committee's Goals, Objectives, and Strategies to protect and enhance the intrinsic resources and rural character of the area.

The Roadside Overlay classification shall extend 320 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 Roadside Overlay District shall regulate land development along County Road 455 and Old Highway 50 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.

The Corridor Overlay District shall correspond to the Corridor Limits as delineated on the map entitled Green Mountain Scenic Byway, Route and Corridor Limits produced for and contained within the Green Mountain Scenic Byway Corridor Management Plan.

The intent of the Corridor Overlay District is to preserve, maintain, protect and enhance the cultural, historical, archaeological, recreational, natural, and scenic resources of the Green Mountain Scenic Byway Corridor. These resources include the St Johns River Water Management District's North Shore Restoration Area and the shoreline of Lake Apopka located to the east and north of the Scenic Byway, the skyline of the Lake Wales Ridge located to the west of the Scenic Byway, the Ferndale Preserve, the recorded and currently unrecorded archaeological sites along the shores of Lake Apopka, and the unique use of the Scenic Byway as a recreational resource by touring and competitive cyclists.

The Corridor Overlay District shall regulate land development within the delineated Green Mountain Scenic Byway Corridor by, at a minimum, establishing standards for:

- Protection of Federal and State listed species of plants, animals and the habitat for those species;

- Grading on the Lake Wales Ridge skyline and preservation and enhancement of the ~~view shed~~viewscape;

- Preservation of the rural character of Ferndale;

- Identification and preservation of cultural, historic and archaeological resources; and

- Maintenance and enhancement of the Scenic Byway as a recreational resource by touring and competitive cyclists.

Policy 7.5.3 Gateway State Road Overlay District

By January 1, 2008, the County shall enact LDRs establishing an overlay zoning classification for State Roads that extend into adjacent counties to maintain visual quality and to provide a sense of place. The overlay corridor classification shall extend 320 feet on each side of the right-of-way center. 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;
- Location of equipment storage; and
- Location and design of retention ponds.

Policy 7.5.4 Neighborhood Revitalization Strategy Area Overlays

When appropriate, the County shall apply for Neighborhood Revitalization Strategy Area (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.

Policy 7.5.5 Special Area Plans

The Special Area Plan (SAP) is intended to be a "master plan" for large tracts of land included under a single Future Land Use Category such as Traditional Neighborhood or Workplace. The purpose of the plan is to provide a framework within which affected property owner(s), citizens, agencies, and local governments can jointly participate in a process that defines the specific characteristics of development consistent with the assigned future land use.

The SAP shall include provisions for:

- A cohesive and functional transportation network;
- Adequate public facilities and services;
- Compatible and complementary land uses;
- Development phasing architecture; and
- Landscape design.

These provisions shall be developed through a public process coordinated by the County and involving the participation of affected stakeholders, citizens, agencies and local governments.

Special Area Plans may be developed solely by Lake County, by the owners of lands within a proposed SAP, or by a combination of these parties. All SAPs must be approved by the Board of County Commissioners prior to implementation.

Policy 7.5.6 Military Operations Area

The U.S. Navy Pinecastle Range Complex (Range) Military Operations Area (MOA) is the special use airspace designated by the Federal Aviation Administration utilized by the U.S. Military for training and exercises overlying parts of northern Lake County and administered by the U.S.

Naval Air Station in Jacksonville, Florida. Airspace contained within the Range consists of the Palatka 1 and Palatka 2 Military Operations Areas and Restricted Areas 2906, 2907A, 2907B, 2910, 2910 A, and 2910B. Lake County shall protect the mission and the long-term viability of this military installation through the management of underlying land uses.

7.5.6.1 Land Use Compatibility with the MOA

Ensure that future development within areas underlying the MOA will not negatively impact the current and long-term viability and use of this installation and will protect the public health, safety and welfare by ensuring land use activities are compatible with the testing and training mission of the U.S. Armed Forces by allowing only compatible land uses within this area.

7.5.6.2 Area of Influence

The County hereby establishes those portions of Lake County underlying the Range including areas within the Ocala National Forest, as an Overlay District in the Future Land Use Map Series. The Pinecastle MOA Overlay District (Pinecastle MOA) shall be depicted in the Future Land Use Map Series. The Pinecastle MOA is the area of the County within which review comments on proposed Comprehensive Plan amendments, proposed Land Development Regulations changes, development orders and permits will be sought from the Military. Within the Pinecastle MOA, the County will apply growth management policies and regulatory techniques to guide land use activities and construction in a manner compatible with the long-term viability of the facility and the protection of public health and safety.

7.5.6.3 Residential Density Increases

The County finds that existing development density and intensity is compatible with the testing and training mission of the Range and MOA. Increases in residential development within the MOA bombing ranges and approach zones shall be considered incompatible with the mission of the Range unless determined to be compatible by the representative of the Range.

7.5.6.4 Building Heights

Within the Pinecastle MOA, building heights shall not exceed 35 feet above ground level.

7.5.6.5 Cell Towers

Within the Pine Castle MOA, cell towers shall be limited to monopoles. Applications for cell tower approval shall include written evidence from the Range that the location, height and operation of the tower does not adversely affect the operations and mission of the Range prior to application to Lake County. A cell tower shall not be approved by the County if the Range certifies that the tower would constitute an unacceptable encroachment and interference with safe operations related to the mission of the facility.

7.5.6.6 Lighting Standards

Within the Pinecastle MOA, all artificial lighting equipment, including but not limited to flood lights and searchlights, whether temporary or permanent installations, shall comply with the lighting standards of the Land Development Regulations. Lights shall be fully shielded with positive optical control so that all light emitted by the fixture, either directly from the lamp or indirectly from the

fixture, is projected below a horizontal plane extending from the bottom of the light fixture. No building permit shall be granted within the Pinecastle MOA unless this requirement is met. In addition, lights or illumination used in conjunction with street, parking, signs or use of land and structures shall be arranged and operated in such a manner that it is not misleading or dangerous to aircraft operating within the MOA or under operational control of the Range. The purpose of these lighting standards is to reduce distractions to training pilots.

7.5.6.7 Real Estate Disclosure

A Military Influence Area Notice Acknowledgement (MIANA) disclosing the fact that a parcel is located within the Pinecastle MOA shall be affixed to all subdivision plats, planned unit developments and other zoning and subdivision actions and recorded in the Public Records of Lake County.

7.5.6.8 Planning Coordination

Lake County shall seek to achieve a high degree of intergovernmental coordination and communication to ensure that planning programs work in concert to promote the continued existence of the Range and avoid incompatible land use activities.

7.5.6.9 Planning and Zoning Board Membership

The County finds that it is important to ensure close coordination with U.S. Military and that this coordination can be fostered through the inclusion of a representative of the Range as an ex officio, non-voting member of the Local Planning Agency and Zoning Board. The County shall request that the Commanding Officer, Naval Air Station Jacksonville designate a representative to serve in this capacity. The designated representative shall be notified of all meetings and provided with copies of agenda packages related to the Pinecastle MOA, as well as any special planning studies, such as the Evaluation and Appraisal Report.

7.5.6.10 Review of Proposed Actions

The County shall refer to the Range representative for review and comment prior to final action by the County, all proposed Comprehensive Plan amendments, proposed land development regulations, rezonings, waivers, exceptions, variances and similar applications which, if approved, would affect the intensity, density, or use of land within the Pinecastle MOA as specified in 163.3175(3), as may be amended.

OBJECTIVE 7.6 Developments of Regional Impact

The County recognizes that, by definition, Developments of Regional Impacts (DRIs) constitute a size and intensity of land use that require special attention to growth management, the protection of natural resources, and the provision of infrastructure and services necessary in order to preserve the quality of life within Lake County. The following policies shall apply to DRIs.

Policy 7.6.1 Location of DRIs

In order to prevent urban sprawl, provide for growth in proximity to existing infrastructure and services, and ensure the long-term protection of rural areas, the county shall guide new DRIs to

municipalities and to the Urban Land Use Series as designated within the Future Land Use Element. Due to the inherent scale and intensity of a DRI, a proposal for a DRI within an area assigned to the Rural Land Use Series shall be inconsistent with the goals, objectives, and policies of this Comprehensive Plan relative to the protection of rural areas and the prevention of urban sprawl. The burden of proof shall rest upon the applicant to overcome said presumptions and demonstrate a compelling need for the proposed DRI and any associated future land use change.

Policy 7.6.2 Integration of the DRI Process with Local Comprehensive Planning

In order to better integrate the DRI process with county planning activities and ensure consistency with growth management objectives of this Comprehensive Plan, the Local Planning Agency shall be notified of any Development of Regional Impact under consideration within or affecting Lake County when said DRI comes to the attention of the County.

The Local Planning Agency as a body shall be updated on activities involving county staff with respect to anticipated future land use map amendments (pre-application checklist) associated with Developments of Regional Impact.

OBJECTIVE 7.7 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.

Policy 7.7.1 Establish a Schedule for the Phasing of Large-Scale Residential Development

By January 2008, the County shall establish a schedule for the phasing of large-scale residential development to ensure the coordination of community needs including but not limited to education, jobs and housing.

Policy 7.7.2 Cumulative traffic analysis

Cumulative traffic analysis shall be conducted for a proposed Future Land Use Map amendment and must consider other proposed FLUM amendments.

Policy 7.7.3 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.

Policy 7.7.4 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.

Policy 7.7.5 Provide Facilities and Infrastructure as a Condition of Approval (COA)

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 Capital Improvement Plan and if adopted levels of service can be maintained.

Policy 7.7.6 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.

Policy 7.7.7 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.

Policy 7.7.8 Sufficient land for public facility improvements

Sufficient land shall be available to accommodate public facility improvements proposed within the Comprehensive Plan and programmed in the Capital Improvement Program.

Policy 7.7.9 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 facilities.

Policy 7.7.10 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.

Lake County shall, when an application to change the Comprehensive Plan, zoning, or a request for variance is determined to be sufficient for review, post the information to the County Website.[b2]

Policy 7.7.11 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.

Policy 7.7.12 Location Criteria for Public and Institutional Facilities

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 one mile) of surrounding neighborhoods. Land development regulations relating to provisions for sidewalks, trails, and other appropriate design features within one mile of public schools shall support a pedestrian-friendly and bicycle-friendly environment.

OBJECTIVE 7.8 Community Enhancement Areas

The County shall guide and assist unincorporated communities to develop action plans to improve their quality of life through the Community Enhancement Area (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.

Policy 7.8.1 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 infrastructure, housing, community appearance and amenities, human services, and financing mechanisms.

Community Enhancement Area 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; and
- Geographic coordination of delivery of services when there is community involvement and need.

Policy 7.8.2 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.

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

COMMENTS AND PROPOSED CHANGES TO POLICY

K. Schue Comment 1: Policy 9.3.2. Community Enhancement Area Designation Process

Why is there a separate committee for CEA's? Explain or delete the last sentence.

Staff Recommendation 1: CEAs by their nature are community based and must represent the consensus of the community. A committee is the best way to convey this consensus. **[CONTINUED]**

Policy 7.8.3 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.

COMMENTS AND PROPOSED CHANGES TO POLICY 9.3.3

K. Schue Comment 1: Policy 9.3.3 Community Enhancement Area Overlay District

Delete this policy. A CEA should not be used as a mechanism to change the Comp Plan or FLUM. This policy seems to have been written to divest the LPA of its planning role and process new future land use changes.

Staff Recommendation 1: Delete policy. **[CONTINUED]**

OBJECTIVE 7.9 Intergovernmental Coordination

The County shall coordinate with other local governments and 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 level of service standards, the County shall initiate further coordination efforts, if necessary, to ensure compliance with adopted level of service standards.

Policy 7.9.1 Adopt Joint Planning Areas

The County shall pursue Joint Planning Areas (JPAs) with each of the municipalities in Lake County and with adjacent counties to address, at minimum, future annexations, provision of services and facilities and land use compatibility.

7.9.1.1 JPA with the City of Clermont

The County shall enforce the 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 it 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.

7.9.1.2 JPA with the City of Mount Dora

The County shall enforce the 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 it 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.

7.9.1.3 JPA with the City of Lady Lake

The County shall enforce the 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 it 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.

7.9.1.4 JPA with the City of Groveland

The County shall enforce the adopted joint planning agreement with the City of Groveland 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 it 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.

7.9.1.5 JPA with the Town of Montverde

The County shall enforce the adopted joint planning agreement with the Town of Montverde 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 it 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.

Policy 7.9.2 Evaluate JPA Effectiveness

The County shall evaluate 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.

Policy 7.9.3 Intergovernmental Agreements with Adjacent Counties

The County shall endeavor to develop and maintain intergovernmental agreements and/or joint planning agreements with adjacent counties to provide for the following:

- Coordination of land use density and intensity and transportation facilities along the County boundary;

- Improved opportunities to review and comment on proposed Developments of Regional Impacts, Comprehensive Plan amendments, Planned Developments, preliminary site plans and capital projects in proximity to its border;

- Sharing of planning, development and capital improvement data;

- Exchange of plans, studies, ordinances and land development regulations that may affect either government; and

- Distribution of information concerning the level of service standards for public facilities/services.

Policy 7.9.4 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.

Policy 7.9.5 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, walkways and bikeways, shall be made for proposed school sites prior to any development to ensure the safe and efficient transport of students.

Policy 7.9.6 Develop and Implement Resource Management Plans

The County shall coordinate with federal, state, regional, and local agencies 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 federal and state agencies for review and comment on projects located within the Wekiva River Protection Area, Wekiva Study Area, and GSACSC or adjacent to publicly 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 Water Management Districts, 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 implementation of efforts associated with the Wekiva River system as a Wild and Scenic River.

Policy 7.9.7 Coordinate With Utility Providers

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

Policy 7.9.8 Coordinate Levels of Service

The County will, to the best of its ability, ensure that its levels of service for public and private 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 7.10 Utilities

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

Policy 7.10.1 Location of Private or public electric utilities

Private or public electric utilities needed to support adopted Future Land Use and zoning may be permitted in all land use designations. All substations adjacent to 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.

Policy 7.10.2 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 categories.

Policy 7.10.3 Provision of Central Services in the Rural Land Use Series

Consistent with the reduced need for services and facilities within the Rural Land Use Series, the County shall:

Rely primarily upon individual on-site waste water treatment and disposal systems and wells as the method of disposal of wastewater and providing potable water within the Rural Land Use Series;

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; and

Require that new development outside of the Urban Land Use Series shall not be designed nor constructed with public central water and/or sewer systems. Public and private central systems may be permitted in the future in clustered developments and if it is clearly and convincingly demonstrated by the proponents of the system expansion that a health or environmental problem exists in a built but underserved area for which there is no other feasible solution. The provision of central utilities shall not be used as sole justification for a future land use amendment.

Policy 7.10.4 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.

Policy 7.10.5 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 and other mechanisms to fund drainage improvements when appropriate.

OBJECTIVE 7.11 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.

Policy 7.11.1 Affordable Housing incentives

By January 1, 2008, the County shall establish policies and provisions relating to affordable housing opportunities within the Urban Land Use Series that include provisions for:

- Permitting development up to twelve (12) dwelling units per net buildable acre under both conventional and PUD zoning classifications;

- 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.

Policy 7.11.2 Protection of Private Property Rights

The County shall comply with all constitutional and statutory requirements governing the protection of property rights when enacting its LDRs.

OBJECTIVE 7.12 Comprehensive 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.

Policy 7.12.1 Framework for Review

All applications for a Comprehensive 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, 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.

The Land Development Regulations shall contain provisions that establish an amendment application process which shall, at a minimum, require:

- A standardized application and report format for all Future Land Use Map amendments, including the provision of the staff report to the Local Planning Agency a minimum of seven (7) days prior to the public hearing on the application;

- The application shall comply with all policies of the Comprehensive Plan;

- The evaluation of the application to be governed by the general regulatory guidelines and development policies of the Comprehensive Plan; and

- Provisions for intergovernmental coordination.

Policy 7.12.2 Mandatory Consistency with the Comprehensive Plan

Any proposed amendment to the Future Land Use Map or Comprehensive Plan must undergo an assessment of consistency with all applicable goals, objectives and policies of this Plan. The above standards shall be evaluated by means of the preparation of needs analysis statement, economic impact statements, environmental impact statements and land use compatibility analyses. If an amendment to the Future Land Use Map or Comprehensive Plan is adopted, the above referenced documentation shall be submitted as supporting information for compliance review.

Policy 7.12.3 Services and Facilities/Concurrency

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

Policy 7.12.4 Alternative Land Use Designation

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.

Policy 7.12.5 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 and easements, within any area subject to special provisions of law or upon request of the State or Federal agency.

Policy 7.12.6 Standards for Amending the Comprehensive Plan

The County shall include within its Land Development Regulations provisions governing amendments to the County's Comprehensive Plan. At a minimum, the LDRs shall include the following standards of review:

- Demonstration that additional urban lands are needed to accommodate population or employment projections consistent with the Comprehensive Plan;
- Demonstration of need shall include the proposed use of land and a conceptual site plan;
- Demonstration that facilities and services are available within the levels of service adopted throughout the Comprehensive Plan, including but not limited to water, sewer, traffic, parks and recreational facilities and schools;
- Demonstration that the amendment will not fiscally burden County services;
- Demonstration that the amendment would not negatively impact natural resources, including but not limited to wetlands, uplands, habitat, wildlife corridors, wildlife, groundwater and surface water, recharge and karst features and further

demonstration that the integrity of interconnected ecosystems of local, state, regional and federal significance will be preserved;

- Demonstration that historic and cultural resources will not be negatively impacted;

- Demonstration that the proposed development is contiguous to existing urban development patterns outside of the Rural Land Use Series so as to discourage urban sprawl; and

- Demonstration that the proposed amendment provides an appropriate transition of land uses adjacent to the rural area, and that the amendment shall create a final area of transition between the rural area and existing urban development to constrain future intrusion into the rural area. Adequate transition shall be required to maintain compatibility with adjacent, existing communities.