

**LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS  
COMPREHENSIVE PLAN AMENDMENT**

<b>PLANNING AND ZONING BOARD</b>		<b>BOARD OF COUNTY COMMISSIONERS</b>
<b>January 7, 2014</b>		Transmittal: January 28, 2014 Adoption: TBD

<p><b>LPA 14/1-2T</b> Text amendment to increase the maximum impervious surface ratio (ISR ) for Rural Support uses within Rural Support Corridors in the Rural Transition and Wekiva River Protection Area A-1-20 Sending Area Future Land Use Categories, to reflect an ISR consistent with other nonresidential uses allowed in these categories for Rural Support Corridors.</p>	<p><b>Case Manager:</b> Anita Greiner, Chief Planner Planning &amp; Community Design Division on behalf of Brian T. Sheahan</p>	<p><b>Agenda Item #5</b></p>
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- Item -

**Type:** County-initiated Comprehensive Plan Text Amendment

**Creation or Revision:** Revision

**Description:** Text Amendment. This request amends Future Land Use Policy I-1.4.5 *Rural Transition Future Land Use Category* and Policy I-3.2.2 *Wekiva River Protection Area (WRPA) A-1-20 Sending Area Future Land Use Category* to provide for the maximum permitted impervious surface ratio (ISR) for rural support uses within Rural Support Corridors (RSC) to be consistent with that permitted for agricultural, civic and recreational uses, as was intended by the Board when similar changes were approved for the Rural Future Land Use Category in January 2013. Policy I-1.4.7.2 *Rural Support Corridors* is also amended to clarify that it is the policy’s intent to provide the same ISR allowance as the underlying future land use category.

**- Summary of Staff Recommendation -**

Staff recommends **APPROVAL** of the request to adopt the Comprehensive Plan Future Land Use Element Text Amendments.

Planning & Zoning Board:

**- Summary -**

**Analysis:** In January 2013, a Comprehensive Plan amendment was adopted by the Board to allow additional commercial square footage and to increase the impervious surface ratio (ISR) to 30% for uses within the Rural Support Corridors within the Rural Future Land Use Category. The intent was that this increase in ISR would be applicable to all Rural Support Corridors, regardless of the future land use category; however, the prior Comprehensive Plan amendment did not accomplish this goal. This amendment proposes to amend Policy I-1.4.5 *Rural Transition Future Land Use Category* and Policy I-3.2.2 *Wekiva River Protection Area (WRPA) A-1-20 Sending Area Future Land Use Category* where Rural Support Corridors exist in order to increase the allowed ISR to 50% and 30%, respectively, for consistency with that allowed for agricultural, civic and recreational uses in those categories. This change affects the Pine Lakes and Altoona Rural Support Corridors.

Further, this amendment proposes to amend Policy I-1.4.7.2 *Rural Support Corridors* in order to clarify that the policy's intent is to provide the same ISR as the underlying future land use category allows for agricultural, civic and recreational uses.

**- Standards for Review –**

**A. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.**

The proposed amendment would be consistent with the purpose and intent of the Comprehensive Plan as previously determined by the Board.

**B. Whether the proposed amendment is in conflict with any applicable provisions of these regulations.**

The proposed amendment would not be in conflict with the Comprehensive Plan. The amendment will provide greater opportunities for development in Rural Support Corridors that will serve the needs of their respective rural communities and provide consistent standards for all corridors. This amendment would allow local access to goods and services at the size and scope necessary to meet the rural community's needs.

**C. Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.**

The proposed amendment is consistent with the existing and proposed uses as the ISR in the Rural Support Corridors will be the same as allowed in the underlying FLUC for agricultural, civic and recreational uses.

**D. Whether there have been changed conditions that justify an amendment.**

Impervious Surface Ratio (ISR)

Policies I-1.4.5 *Rural Transition Future Land Use Category* and Policy I-3.2.2 *Wekiva River Protection Area (WRPA) A-1-20 Sending Area Future Land Use Category* allow a 50% and 30% ISR, respectively, for agricultural, civic and recreational uses.

The proposed Comprehensive Plan amendment is intended, in part, to provide sufficient area for required parking. Rural support uses would generally require more parking as they are more intense than other uses typically associated with rural uses. An ISR of 20% is difficult to achieve in the development of a small general store. This amendment would simply make the ISR consistent for nonresidential uses within the affected future land use categories; impacts are minimal.

**E. Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.**

The amendment will not result in any additional demand on public facilities. Stormwater impacts resulting from the increase in impervious area would be addressed prior to site plan approval, through the development review process.

**F. Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.**

The amendment will not result in a significant impact on the natural environment.

**G. Whether, and the extent to which, the proposed amendment would affect the property values in the area.**

There is no indication that there will be any adverse effects on the property values.

**H. Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.**

This amendment would affect two Rural Support Corridors. The storm water impacts of Rural Support uses and institutional/civic uses are essentially the same or proportional. Policy I-1.4.5 *Rural Transition Future Land Use Category* allows a higher ratio (50%) of impervious surface for agricultural, civic and recreational uses; the proposed ordinance would allow equal treatment of development within Rural Support Corridors for civic, recreational and agricultural uses. This will allow an orderly and logical development pattern as previously determined by the Board.

**I. Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and interest of these regulations.**

The amendment is consistent with the interest of the public and these regulations.

**– Conclusions –**

The amendments recommended above will address the specific needs of the Pine Lakes and Altoona Communities, as is currently allowed for the general needs of the other communities served by a Rural Support Corridor. Amending the Comprehensive Plan policies to facilitate development of Rural Support Corridor uses, by allowing more impervious surface than currently allowed under the Plan, meets the intent of the Lake County 2030 Comprehensive Plan.

**– Staff Recommendation –**

**APPROVAL** of the proposed amendments.

**Planning & Zoning Board Recommendation:**



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**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, AMENDING THE LAKE COUNTY 2030 COMPREHENSIVE PLAN; AMENDING *POLICY I-1.4.5, RURAL TRANSITION FUTURE LAND USE CATEGORY* TO PERMIT RURAL SUPPORT USES WITHIN RURAL SUPPORT CORRIDORS HAVE THE SAME IMPERVIOUS SURFACE RATIO AS CIVIC USES, AGRICULTURAL USES AND RECREATIONAL USES; AMENDING *POLICY I-1.4.7.2, RURAL SUPPORT CORRIDORS* TO PERMIT RURAL SUPPORT USES TO DEVELOP AT THE SAME IMPERVIOUS SURFACE RATIO AS ALLOWED BY THE UNDERLYING FUTURE LAND USE CATEGORY FOR AGRICULTURAL, CIVIC AND RECREATIONAL USES; AMENDING *POLICY I-3.2.2, WEKIVA RIVER PROTECTION AREA A-1-20 SENDING AREA FUTURE LAND USE CATEGORY* TO PERMIT RURAL SUPPORT USES WITHIN RURAL SUPPORT CORRIDORS TO HAVE THE SAME IMPERVIOUS SURFACE RATIO AS CIVIC USES, AGRICULTURAL USES AND RECREATIONAL USES; PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 163, Florida Statutes, Part II, governs growth policy, county and municipal planning, and land development regulation in the State of Florida; and

**WHEREAS**, Chapter 125, Florida Statutes, Section 125.01(1)(g), authorized the Board of County Commissioners of Lake County to "Prepare and enforce comprehensive plans for the development of the county"; and

**WHEREAS**, pursuant to Chapters 163 and 125, Florida Statutes, on the 25<sup>th</sup> day of May, 2010, the Board of County Commissioners enacted Ordinance No. 2010-25, adopting the Lake County 2030 Comprehensive Plan; and

**WHEREAS**, on the 23<sup>rd</sup> day of July, 2010, the State of Florida Department of Community Affairs, now known as the Community Planning and Development Division of the Florida Department of Economic Opportunity, published a Notice of Intent finding the Lake County 2030 Comprehensive Plan Amendment "In Compliance" with Chapter 163, Florida Statutes; and

**WHEREAS**, on the 22<sup>nd</sup> day of September, 2011, the Lake County 2030 Comprehensive Plan became effective; and

**WHEREAS**, Section 163.3184, Florida Statutes, sets forth the process for adoption of Comprehensive Plan Amendments; and

**WHEREAS**, on the 7th day of January 2014, this Ordinance was heard at a public hearing before the Lake County Planning & Zoning Board in its capacity as the Local Planning Agency; and

**WHEREAS**, on the \_\_\_\_ day of \_\_\_\_\_ 2014, this Ordinance was heard at a public hearing before the Lake County Board of County Commissioners for transmittal to the Florida







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**Section 2. Advertisement.** This Ordinance was advertised pursuant to Chapter 163, Florida Statutes, Section 163.3184(11).

**Section 3. Severability.** If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**Section 4. Filing with the Department of State.** The Clerk shall be and is hereby directed forthwith to send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

**Section 5. Effective Date.** This Ordinance shall become effective as provided for by law.

ENACTED this \_\_\_\_ day of \_\_\_\_\_, 2014.

FILED with the Secretary of State \_\_\_\_\_, 2014.

BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA

\_\_\_\_\_  
Jimmy Conner , Chairman

ATTEST:

\_\_\_\_\_  
Neil Kelly, Clerk of the  
Board of County Commissioners,  
Lake County, Florida

Approved as to form and legality:

\_\_\_\_\_  
Sanford A. Minkoff  
County Attorney