


**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, 2013</b>	<b>District #5 Commissioner Cadwell</b>	Transmittal: January 28, 2014 Adoption: TBA
<p><b>LPA# 14/1/2-5 Lake Yale Rural Support Intersection</b> Add a Rural Support Intersection at the intersection of CR 452 and Felkins Road, SW of Lake Yale, and amend Policy I-1.4.7.1 to permit the proposed Rural Support Intersection.</p>	<p><b>Case Manager:</b> Anita W. Greiner, Chief Planner on behalf of Brian T. Sheahan, AICP</p>	<b>Agenda Item #6</b>

**- Item -**

<b>Type:</b>	County-initiated Comprehensive Plan Map and Text Amendment
<b>Creation or Revision:</b>	Creation and Revision
<b>Description:</b>	<p>Map Amendment. This request amends the Future Land Use Map on parcels located at the intersection of <b>two collector roads, CR 452 and Felkins Road</b>, southwest of Lake Yale by adding a <b>Rural Support Intersection</b>, which allows commercial structures and uses, limited to a maximum aggregate floor area ratio of 0.055 within each property zoned for rural support, with no single structure exceeding 5,000 square feet (SF).</p> <p>Text Amendment. This request also amends Policy I-1.4.7.1 of the Lake County Comprehensive Plan, entitled "Rural Support Intersections", to exempt a parcel within the proposed Lake Yale Rural Support Intersection from the 330 ft. by 330 ft. area requirement for Rural Support Intersections, to reduce the spatial separation requirement between Rural Support Intersections and other Rural Support Intersections or Rural Support Corridors from five to three miles, and to add the new Lake Yale Rural Support Intersection to Table FLUE 1 – Rural Support Intersections – under Policy I-1.4.7.1.</p>

**- Summary of Staff Recommendation -**

Staff recommends **APPROVAL** of the request to amend the 2030 Comprehensive Plan and Future Land Use Map.

**Analysis:** In April 1988, the Board of County Commissioners determined that the subject intersection met the minimum criteria for neighborhood commercial type uses (commercial services

of less than 5,000 SF) through the approval of Ordinance 21-88. This ordinance contemplated a small convenience store and gas station consisting of 4,000 SF in keeping with the 5,000 SF threshold allowed for commercial uses intended to serve the general needs of the community in the immediate area. The passage of the Comprehensive Plan in 1991 and 1994 did not affect this determination as it allowed Neighborhood Commercial uses of up to 5,000 SF at the intersection of two collector roads and the zoning ordinance remained consistent with the Comprehensive Plan. In September 2011, the 2030 Comprehensive Plan became effective and incorporated a different methodology for siting neighborhood commercial uses through the use of future land use categories and overlays in the form of Support Corridors and Intersections. The subject intersection meets the intent of Policy I-1.4.7 *Rural Support*, which allows narrowly defined commercial and office uses that support the resident population of areas within the Rural Future Land Use Series, but not the separation criteria of the existing policy (Policy I-1.4.7.1 *Rural Support Intersections*).

There are currently no existing businesses at the intersection. The nearest existing commercial stores are in the Grand Island area along CR 44, roughly 3.5 miles away. To the east is an existing RV Resort and Mobile Home Park (Here & There Palm Shores), and Sandpiper Mobile Home Park. To the south is the Quail Ridge Subdivision. The west is characterized by rural and rural residential development.

The subject parcels are outlined in red on the map below, the yellow square indicates the proposed Rural Support Intersection boundary (Exhibit #1). As can be seen in the exhibit, there is an irregularly shaped parcel to the south of the intersection. Currently, *Sub-Policy I-1.4.7.1 Rural Support Intersections* does not provide for land to be included beyond 330 feet measured perpendicular to the road from the edge of the right-of-way extending a distance of 330 feet along the right-of-way from the nearest corner of the intersection; this amendment would amend *Sub-Policy I-1.4.7.1 Rural Support Intersections*, to allow the southernmost parcel (Alternate Key #1702488) within the proposed Rural Support Intersection to be brought into the Rural Support Intersection in its entirety to ensure sufficient buildable area is provided.

Exhibit #1



The proposed designation of a Rural Support Intersection will not cause any additional demand on the roads, schools, police, sewage facilities, water supply, drainage, solid waste, parks and recreation, and fire and emergency medical facilities as the maximum floor area for all affected parcels is 25,000 square feet and two of the parcels are already developed for residential and RV purposes.

### **Current Conditions**

Prior to the adoption of the 2030 Comprehensive Plan, the parcels were within a Neighborhood Activity Center, which allowed up to 5,000 SF of neighborhood convenience uses.

The **Rural** FLUC (*Comprehensive Plan Policy I-1.4.4, Rural FLUC*) allows a maximum density of one (1) dwelling unit per five (5) net acres. **Typical uses allowed** in this category are agriculture and forestry, residential, passive parks, equestrian related uses, K-12 schools, religious organizations, and Rural Support Uses as provided for in the Comprehensive Plan. Typical uses that require a Conditional Use Permit are mining and resource extraction, active parks and recreation facilities, nursing and personal care facilities, day care services, outdoor Sports and recreation clubs, civic uses, animal specialty services, unpaved airstrips, and public order and safety.

### **Designation as a Rural Support Intersection**

If the intersection is designated as a **Rural Support Intersection**, rural support land uses, such as, professional offices, personal services, convenience retail, agricultural-related retail sales of goods and services, or similar uses could be allowed. Structures used for commercial purposes within a Rural Support Intersection are limited to a maximum aggregate floor area ratio of 0.055 within each property zoned for rural support and no single structure can exceed 5,000 square feet. A new Rural Support Intersection can only be located at the intersection of two roads classified as arterials or collectors; both CR 452 and Felkins Road are designated as collector roads. The Rural FLUC allows Rural Support Uses.

The designation of a Rural Support Intersection is an overlay, it will not create any nonconforming uses and is not in conflict with the existing rural, rural residential and RV uses on the adjacent properties.

Rural Support Intersections are intended to address the needs for specific commercial and office uses that support the residents of areas within the Rural Future Land Use Series. The uses are limited in scale and scope to serve the basic and special needs of rural areas and to ensure compatibility with the character of rural areas, and the maximum building size is limited to 5,000 SF regardless of parcel size.

### **- 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 Comprehensive Plan Policy I-1.4.7 *Rural Support*, which allows rural support uses that are intended to address the need for narrowly defined commercial and office uses that support the resident population of areas within the Rural Future Land Use Series. The subject area is characterized by large mobile home and RV communities with few commercial uses to meet their daily needs, requiring longer commutes to obtain goods and services. Rural Support land uses include several uses

that would be beneficial to the surrounding community in the form of professional offices, personal services, convenience retail, agricultural-related retail sales of goods and services, and similar uses.

An amendment to *Comprehensive Plan Sub-Policy I-1.4.7.1 Rural Support Intersections* is required as the subject intersection is located roughly 3.2 miles away from the Emeralda Marsh Area Rural Support Intersection. This policy currently requires that new Rural Support Intersections be separated by no less than five (5) miles from another Rural Support Intersection and therefore the proposed Lake Yale Intersection does not meet this requirement. This amendment seeks to reduce this requirement to three (3) miles to reduce the distance that rural residents have to travel for basic needs and necessities. This change would be consistent with Policy VIII-1.2.2 Encourage Trip Capturing Development, which encourages development that promote shorter trip lengths and generate fewer vehicles miles traveled. This policy further states:

*“In areas of the County with an imbalance of employment, commercial development, or housing, the County shall encourage development which will complement the existing pattern of development and capture trips from nearby areas thereby reducing overall Vehicle Miles Traveled. Such balancing shall consider both built and approved but un-built projects to incorporate future conditions into the needs analysis.”*

Providing the opportunity for limited development of retail goods, services, and offices is in keeping with this policy.

**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 purpose and intent of the Comprehensive Plan as stated in Policy I-1.4.7, “Rural Support”. The intersection is proposed to be located at the junction of CR 452 and Felkins Road, two collector roads, and is not located adjacent to public conservation land as required by *Comprehensive Plan Policy I-1.4.7, Rural Support* and *Sub-Policy I-1.4.7.1, Rural Support Intersections*. The amendment would amend Policy I-1.4.7.1 to allow the southernmost parcel within the proposed Rural Support Intersection to be brought into the Rural Support Intersection in its entirety, and to reduce the spatial separation requirement between Rural Support Intersections and other Rural Support Intersections or Rural Support Corridors from five to three miles.

**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 land uses as it would provide convenience retail and services to the residential and institutional uses in the area. The support uses would provide for the needs of the residents in this area, as required in *Comprehensive Plan Policy I-1.4.7, Rural Support*.

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

There are no changed conditions. However, the Board has indicated, based on public

comments, that there is a need for limited commercial services in this area.

- 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 proposed designation of a Rural Support Intersection will not cause any effect on the existing level of service on roads, schools, police, sewage facilities, water supply, drainage, solid waste, parks and recreation, and fire and emergency medical facilities.

- 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. No sensitive environmental resources have been noted within the affected area, and any sensitive resources will be addressed through the development review process and required to meet all Comprehensive Plan and Land Development Regulation requirements to protect the 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.**

The intersection of CR 452 and Felkins Road is located in a rural area of the County with the FLUC designation of Rural and is appropriate for the designation of a Rural Support Intersection, in compliance with *Comprehensive Plan Sub-Policy 1-1.4.7.1 Rural Support Intersections*, which directs these intersections to junctions of roads designated as arterials and collectors. *Policy 1-1.4.7 Rural Support*, allows Rural Support uses to address the need of residents in rural areas, which the proposed amendment will allow. This Policy also requires compatibility of the specific commercial or office uses to be addressed, such as, but not limited to signage, lighting, parking, landscaping and buffering; these items are addressed through the Land Development Regulations and site plan approval. The Rural FLUC, which surrounds the subject intersection, allows rural support uses.

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

The amendment is consistent with the interest of the public and these regulations. The amendment to place a Rural Support Intersection at CR 452 and Felkins Road will allow compatible rural support uses such as professional offices, personal services, convenience

retail, agricultural-related retail sales of goods and services, or other similar uses to be available to meet the needs of the community, in compliance with *Comprehensive Plan Policy I-1.4.7, Rural Support and Sub-Policy I-1.4.7.1 Rural Support Intersections*.

**– Conclusion –**

The designation of the Rural Support Intersection at the intersection of CR 452 and Felkins Road and reducing the separation requirement for Rural Support Intersections from five (5) miles to three (3) miles would create orderly, compatible, and logical land uses in that area. The proposed amendment meets the intent of the 2030 Comprehensive Plan, which intends for such intersections to be located in rural areas to provide a need for the residents in the area.

**– Staff Recommendation –**

**APPROVAL** of the proposed amendment to designate a Rural Support Intersection at the intersection of CR 452 and Felkins Road, including the south parcel in its entirety (AK#1702488) and reducing the separation requirement for Rural Support Intersections from five (5) miles to three (3) miles.

**Planning & Zoning Board Recommendation:**

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**TRANSMITTAL ONLY  
ORDINANCE 2014 –  
LPA#14/1/2-5**

**Intersection of CR 452 and Felkins Road, southwest of Lake Yale**

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**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, AMENDING THE LAKE COUNTY 2030 COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP TO ADD A RURAL SUPPORT INTERSECTION ON THE PARCELS LOCATED AT THE INTERSECTION OF CR 452 AND FELKINS ROAD, SOUTHWEST OF LAKE YALE, WITHIN SECTION 24, TOWNSHIP 18, AND RANGE 25, AS SHOWN IN EXHIBIT A; AMENDING THE COMPREHENSIVE PLAN, SUB-POLICY I-1.4.7.1 RURAL SUPPORT INTERSECTIONS TO ALLOW A PARCEL DESCRIBED AS ALTERNATE KEY NUMBER 1702488 TO BE INCLUDED IN ITS ENTIRETY WITHIN THE LAKE YALE RURAL SUPPORT INTERSECTION, TO REDUCE THE MINIMUM DISTANCE BETWEEN RURAL SUPPORT INTERSECTIONS TO THREE (3) MILES, AND TO ADD THE LAKE YALE RURAL SUPPORT INTERSECTION TO *TABLE FLUE 1 – RURAL SUPPORT INTERSECTIONS*; PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; 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), authorizes 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 28th day of January, 2014, this Ordinance was heard at the public hearing before the Lake County Board of County Commissioners for transmittal to the Department of Economic Opportunity in its capacity as the State Land Planning Agency; and

**WHEREAS**, it serves the health, safety and general welfare of the residents of Lake County to adopt the amendment to the Lake County Comprehensive Plan Future Land Use Map;

**NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County, Florida, that:

**Section 1. Comprehensive Plan Future Land Use Map Amendment.**

The 2030 Future Land Use Map is hereby amended to add a Rural Support Intersection at the intersection of CR 452 and Felkins Road, southwest of Lake Yale, lying within Section 25, Township 18, and Range 25, as shown in Exhibit A.

**Section 2. Comprehensive Plan Text Amendment.**

*Sub-policy I-1.4.7.1, Rural Support Intersections* shall be amended as follows:

\* \* \*

**I-1.4.7.1 Rural Support Intersections**

Intersections appropriate for Rural Support uses shall be limited to specific locations identified within the Comprehensive Plan and depicted on the Future Land Use Map. Where located, a Rural Support Intersection shall be defined to exist within a distance of 330 feet measured perpendicular to the road from the edge of the right of way extending a distance of 330 feet along the right of way from the nearest corner of the intersection, **excepting a parcel described with Alternate Key #1702488 located at the Lake Yale Rural Support Intersection, which shall be included in its entirety due to its irregular shape.** Structures used for commercial purposes shall be limited to a maximum aggregate floor area ratio of 0.055 within each property zoned for Rural Support and no single structure shall exceed 5,000 square feet. A new Rural Support Intersection may only be located at the junction of two roads classified as arterials or collectors. No new Rural Support Intersections shall be located less than **three (3) five (5)** miles from another Rural Support Intersection or a Rural Support Corridor.

The following Rural Support Intersections are recognized:

**Table FLUE 1 - Rural Support Intersections**

Rural Support Intersection	Location
<i>Lake Mack</i>	<i>Intersection of County Road 42 and Lake Mack Drive (south of County Road 42 only)</i>
<i>Emeralda Marsh area</i>	<i>Intersection of County Road 452 and Emeraldal Island/Em En El Grove Road</i>
<i>West Lake County</i>	<i>Intersection of County Road 33 and Austin Merritt/Bridges Road</i>
<i>Cassia*</i>	<i>Intersection of State Road 44 and Brantley Branch Road *Located within the Wekiva River Protection Area</i>
<i>Yalaha</i>	<i>Intersection of County Road 48 and Lakeshore Drive</i>
<i>Eustis-Sorrento</i>	<i>Intersection of State Road 44 and County Road 437</i>
<b><u>Lake Yale</u></b>	<b><u>Intersection of County Road 452 and Felkins Road</u></b>

\* \* \*

**Section 3. Advertisement.** This Ordinance was advertised pursuant to Chapter 163, Florida Statutes, Section 163.3184(11).

**Section 4. 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.



1        **Section 5. Filing with the Department of State.** The Clerk shall be and is hereby directed forthwith  
 2 to send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance with  
 3 Section 125.66, Florida Statutes.

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 5        **Section 6. Effective Date.** This Ordinance shall become effective as provided for by law.

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

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

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 13 ATTEST:

BOARD OF COUNTY COMMISSIONERS  
 LAKE COUNTY, FLORIDA

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 18 Neil Kelly, Clerk of the Board of  
 19 County Commissioners,  
 20 Lake County, Florida

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Jimmy Conner, Chairman

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 23 Approved as to form and legality:

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 28 Sanford A. Minkoff, County Attorney

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**EXHIBIT A**  
**LPA#14/1/2-5**  
**Intersection of CR 452 and Felkins Road, southwest of Lake Yale**

