

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

PLANNING AND ZONING BOARD		BOARD OF COUNTY COMMISSIONERS
July 1, 2015	Commissioner Cadwell (District 5)	Adoption: July 21, 2015

<p style="text-align: center;">FLU-2015-02-5 Stine Property</p> <p>The proposed small-scale amendment will designate property as Urban Low Future Land Use Category (FLUC) which was recently de-annexed from the Town of Lady Lake. The parcel is described as Alternate Key #1279160, which consists of 3.18 +/- acres.</p>	<p>Case Manager: Christine Rice Planner</p>	<p>Agenda Item #3</p>
--	--	------------------------------

Note: Pursuant to Section 14.02.04.C.7, Lake County Land Development Regulations (LDR), the cumulative annual effect of the acreage for all small-scale development amendments adopted by the County shall not exceed 80 acres. This is the second small-scale Comprehensive Plan Amendment that Lake County has processed this year; therefore, the total acreage for small-scale Comprehensive Plan Amendments this calendar year is 13.18 acres. The first small-scale Comprehensive Plan Amendment included 10 acres and the second small-scale Comprehensive Plan Amendment includes 3.18 acres.

- Item -

Applicant:	Lake County Economic Growth Department
Owner:	Richard and Christine Stine
Type:	Small-scale Comprehensive Plan Future Land Use Map Amendment
Creation or Revision:	Creation – Staff Initiated
Description:	Amend the Future Land Use Map for the parcel located near the Town of Lady Lake, south of Lake Griffin Road and east of Dulgar Road, which was de-annexed from the Town of Lady Lake. The parcel will be designated as Urban Low Future Land Use Category , which will allow a maximum of four (4) dwelling units per net acre.

- Summary of Staff Recommendation -

Staff recommends **APPROVAL** of the proposed amendment to the 2030 Future Land Use Map.

Analysis: The subject property is 3.18 +/- acres in size and is the location of a single family residence, located south of Lake Griffin Road and east of Dulgar Road near the Town of Lady Lake. The property is situated within the Town of Lady Lake Joint Planning Area and within the Interlocal Service Boundary Agreement (ISBA) area between Lake County and the Town of Lady Lake.

The subject property is surrounded by low density residential uses in all directions. Due to the property being recently de-annexed from the Town of Lady Lake, the property has become unincorporated land and therefore needs a Lake County Future Land Use designation.

An aerial map showing the land uses of the neighboring properties is provided below.

Exhibit #1 - Aerial Map



The proposed small-scale Comprehensive Plan Amendment will designate the subject property as Urban Low (FLUC). In addition, the proposed Urban Low FLUC is consistent with the proposed rezoning of the property to Rural Residential (R-1) and the current use of the property as a single family residence. This rezoning application is being processed simultaneously.

Policy I-1.3.2 Urban Low Density Future Land Use Category

The Urban Low Density Future Land Use Category provides for a range of residential development at a maximum density of four (4) dwelling units per net buildable acre in addition to civic, commercial, and office uses at an appropriate scale and intensity to serve this category. Limited light industrial uses may only be allowed as a conditional use, unless permitted as an Economic Development Overlay District use.

This category shall be located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities.

Within this category any residential development in excess of 10 dwelling units shall be required to provide a minimum 25% of the net buildable area of the entire site as common open space.

The maximum intensity in this category shall be 0.25, except for civic uses and Economic Development Overlay District uses, which shall be 0.35. The maximum Impervious Surface Ratio shall be 0.60.

TYPICAL USES INCLUDE:

- Residential;
- Nursing and personal care facilities;
- Civic uses;
- Residential professional offices;
- Passive parks;
- Religious organizations;
- Day care services;
- Schools;
- Commerce uses, including: services, retail trade, finance, insurance and real estate as allowed pursuant to Policy I-1.3.10 Commercial Activities within the Urban Future Land Use Series;
- Public order and safety, and;
- Economic Development Overlay District Uses for properties included within the Economic Development Overlay District (Map 20, Future Land Use Map Series), and subject to Objective I-6.5.

TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

- Active parks and recreation facilities;
- Light industrial such as manufacturing, wholesale trade, transportation, communications, electric, gas and sanitary services shall require a conditional use permit, unless the proposed use is permitted as an Economic Development Overlay District use. Light industrial conditional use activities are limited to those without off-site impacts and that takes place primarily within an enclosed building;
- Animal specialty services;
- Mining and resource extraction;
- Hospitals; and
- Utilities.

Exhibit #2 - Current Future Land Use Map

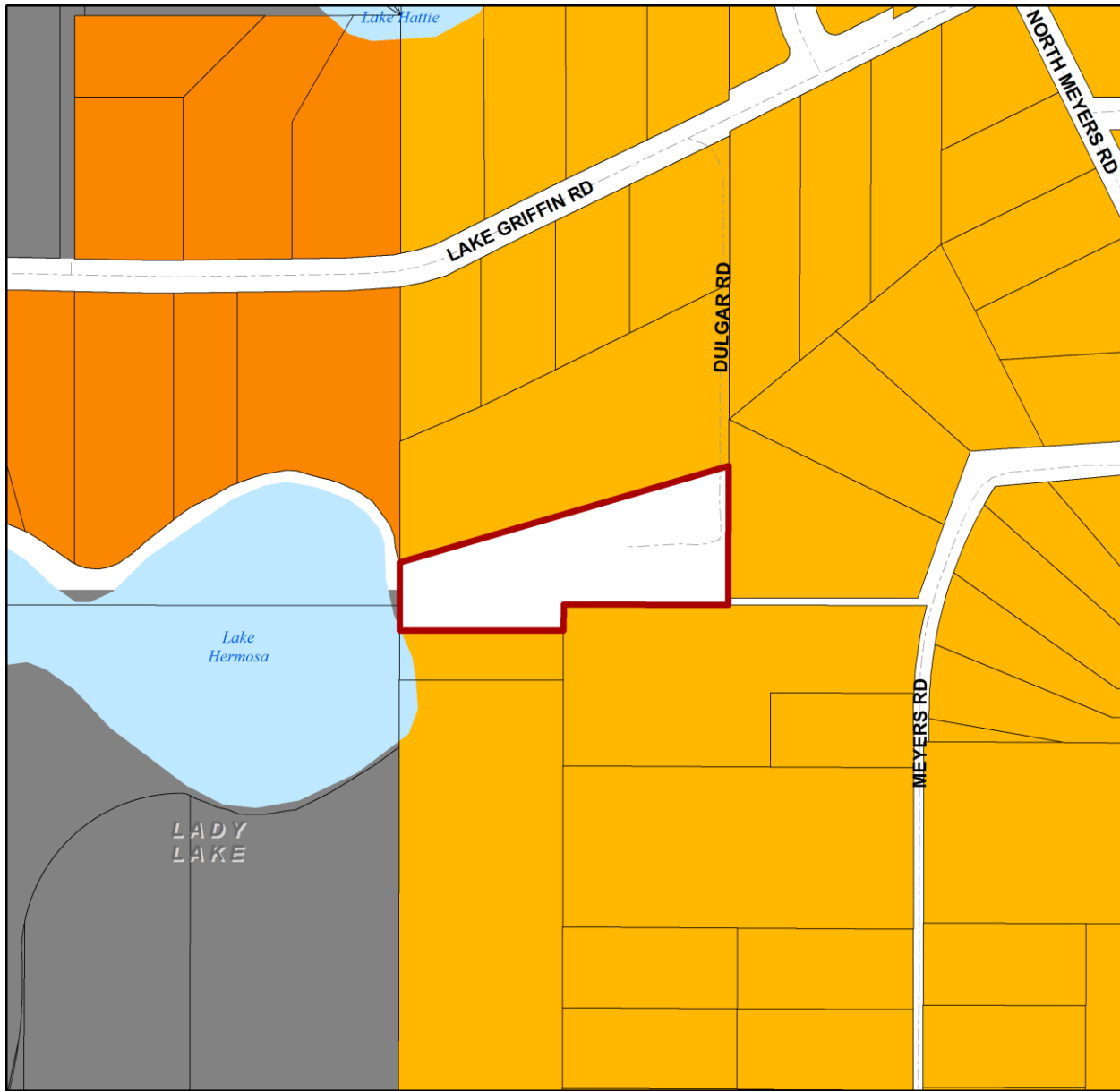
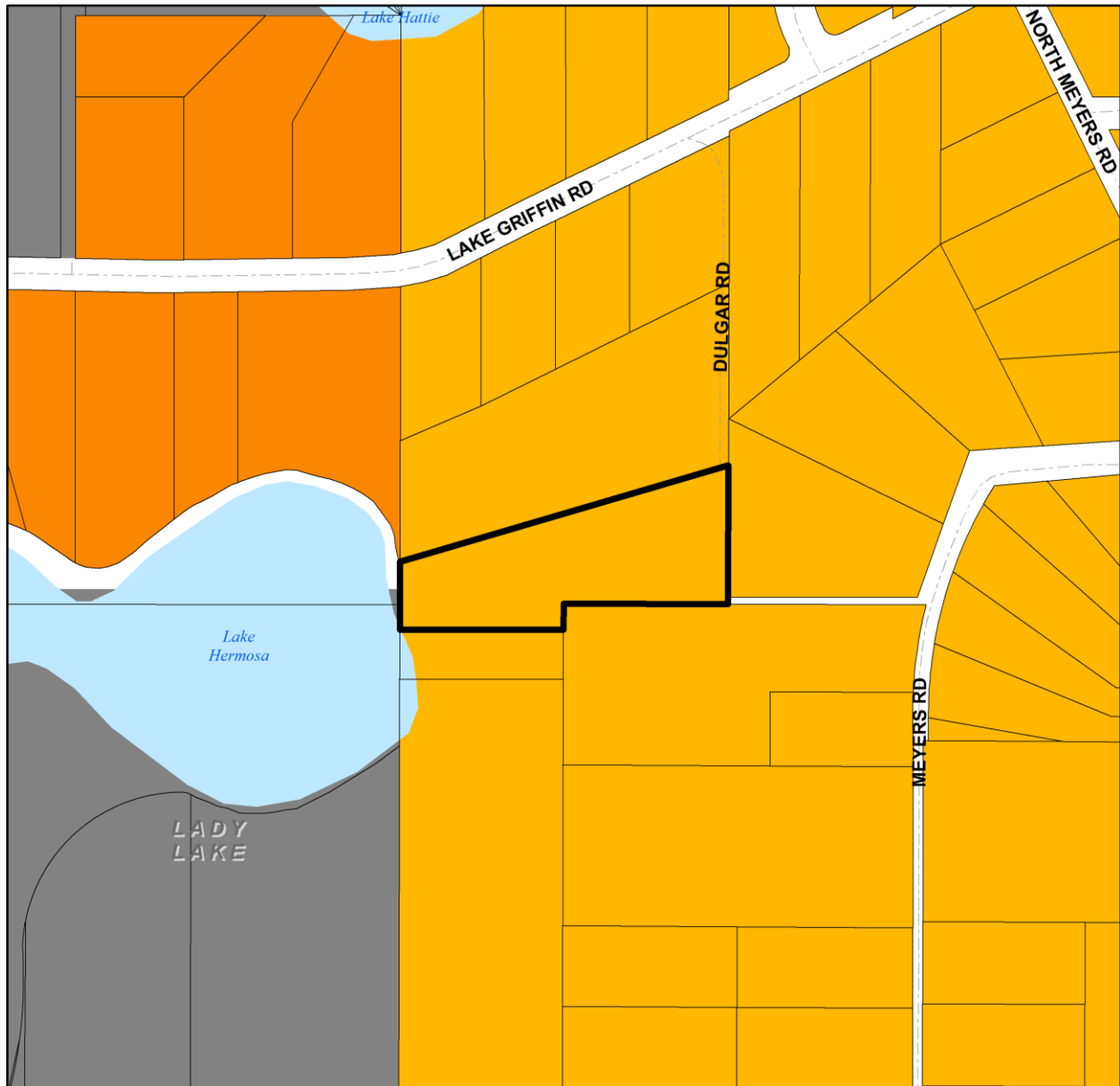


Exhibit #3 - Proposed Future Land Use Map



- Standards for Review -

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

The proposed map amendment is consistent with the Comprehensive Plan. The subject property's use as a single family residence is consistent with the Urban Low FLUC allowable uses, which include residential uses at a maximum of four (4) units per net acre.

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

The property is currently developed with a single family residence. The existing use of the property and the rezoning of the property to Rural Residential (R-1) are consistent with the proposed Urban Low FLUC designation. According to *Policy I-1.3.2 Urban Low Density Future Land Use Category residential* uses are a typical use for the Urban Low FLUC.

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

The proposed amendment to designate the property as Urban Low FLUC is consistent with the adjacent properties which have low density residential land uses and are designated as Urban Low FLUC.

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

The recent de-annexation of the property from the Town of Lady Lake by Lady Lake Ordinance 2014-11 has resulted in the need to designate the property a Future Land Use Category.

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 property is currently developed as a single family residence, and will continue to be utilized as such; therefore, the proposed map amendment will not increase the demand for public facilities, infrastructure or services.

Water/Sewage - The subject property has individual well and septic.

Schools -The rezoning of this property will result in negligible impacts on public facilities.

Fire and Emergency Services - The subject parcel is approximately one (1) mile from Lake County Fire Station 52 (closest fire station), located at 306 Hermosa Street, Lady Lake.

Transportation - No adverse transportation impacts are expected from this rezoning.

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

Although the subject property is wooded, it has been developed as a single family residence.

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

The application does not contain any evidence that the proposed amendment would adversely affect property values in the area.

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 proposed amendment would not be adverse to the existing development pattern of the area. The proposed Urban Low FLUC and the property's use as a single family residence are consistent with the development pattern within the surrounding area.

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 surrounding area is designated as Urban Low with residential uses; the subject parcel is developed with a single family residence and will continue to be utilized as such. The appropriate future land use category for this parcel is Urban Low and the designation of the parcel as Urban Low will provide consistency with the Comprehensive Plan, resulting in a logical development pattern.

- Conclusions -

The subject property is developed with a single family residence, located near the Town of Lady Lake area. The proposed map amendment would designate the property as the Urban Low Future Land Use Category. The Urban Low FLUC is consistent with the surrounding land use designations and is consistent with the property's current use. The proposed amendment is consistent with the goals and policies of the Comprehensive Pan.

- Staff Recommendation -

Staff recommends **APPROVAL** of the adoption of the proposed Comprehensive Plan Map Amendment.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15

**ADOPTION
ORDINANCE 2015 – XX
FLU-2015-02-5**

**Stine Comprehensive Plan Amendment
Lady Lake Area**

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 FOR PROPERTY DE-ANNEXED FROM THE TOWN OF LADY LAKE TO URBAN LOW FUTURE LAND USE CATEGEORY FOR THE PROPERTY LOCATED SOUTH OF LAKE GRIFFIN ROAD AND EAST OF DULGAR ROAD, IN THE LADY LAKE AREA, WITH ALTERNATE KEY NUMBER 1279160, AS SHOWN IN EXHIBIT A; PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION 163.3187, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

21 **WHEREAS**, pursuant to Chapters 163 and 125, Florida Statutes, on the 25th day of May,
22 2010, the Board of County Commissioners enacted Ordinance No. 2010-25, adopting the Lake
23 County 2030 Comprehensive Plan; and

24 **WHEREAS**, on the 23rd day of July, 2010, the State of Florida Department of Community
25 Affairs, now known as the Community Planning and Development Division of the Florida
26 Department of Economic Opportunity, published a Notice of Intent finding the Lake County
27 2030 Comprehensive Plan Amendment "In Compliance" with Chapter 163, Florida Statutes; and

28 **WHEREAS**, on the 22nd day of September, 2011, the Lake County 2030 Comprehensive
29 Plan became effective; and

30 **WHEREAS**, Section 163.3187, Florida Statutes, sets forth the process for adoption of
31 Small-Scale Comprehensive Plan Amendments; and

32 **WHEREAS**, on the 2nd day of January, 2015, the Town of Lady Lake de-annexed the
33 subject property with Ordinance No. 2014-11.

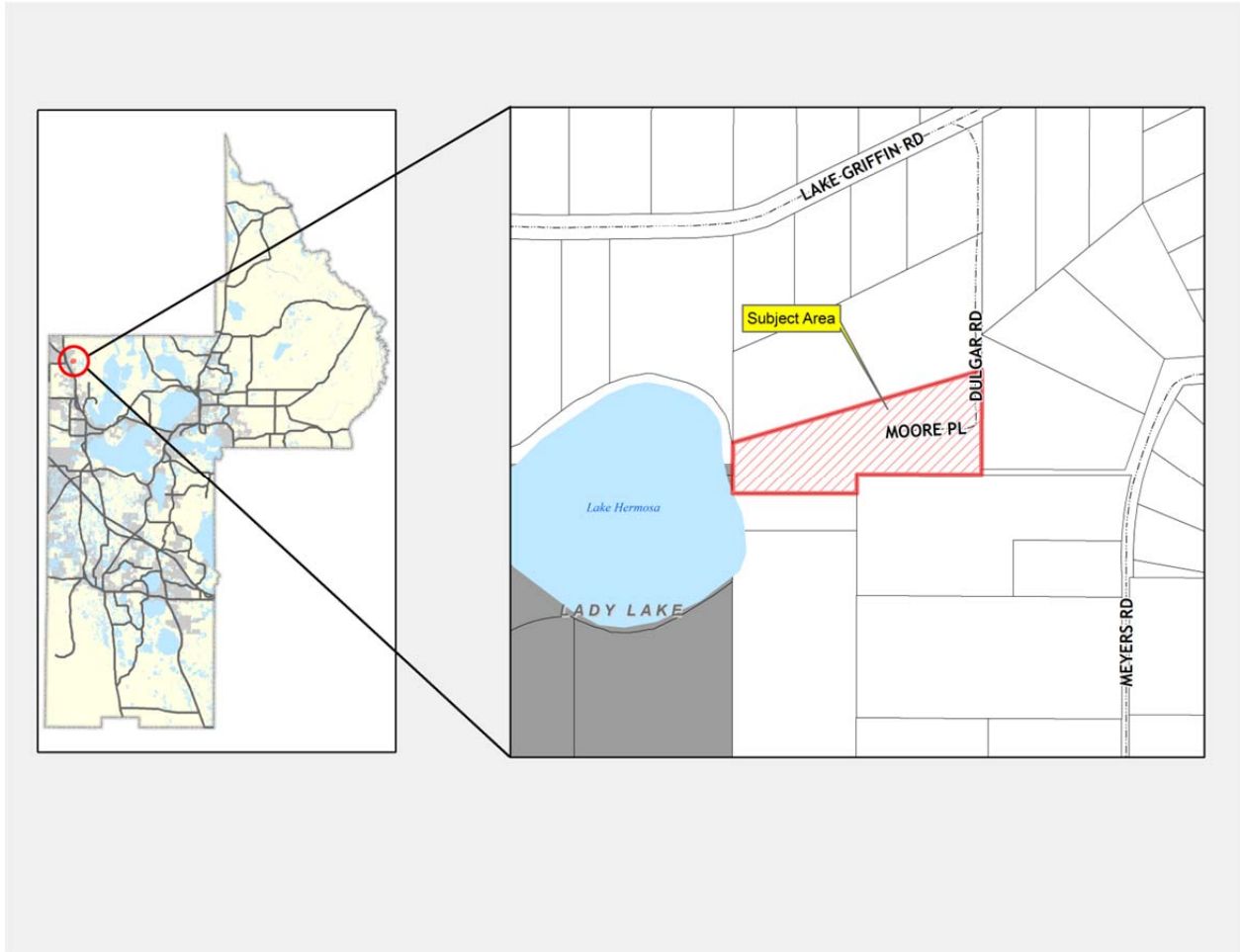
34 **WHEREAS**, on the 1st day of July, 2015, this Ordinance was heard at a public hearing
35 before the Lake County Planning & Zoning Board in its capacity as the Local Planning Agency;
36 and

37 **WHEREAS**, on the 21st day of July 2015, this Ordinance was heard at the public hearing
38 before the Lake County Board of County Commissioners for adoption; and

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

1
2
3
4
5

EXHIBIT A
FLU-2015-02-5
South of Lake Griffin Road and east of Dulgar Road



6

Attachment - 1



**TOWN OF LADY LAKE
409 FENNEL BOULEVARD
LADY LAKE FL 32159**

ORDINANCE NO. 2014-11

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LADY LAKE , FLORIDA, FOR THE VOLUNTARY CONTRACTION (DEANNEXATION) OF THE TOWN BOUNDARY BY DEANNEXING 3.18 ACRES MORE OR LESS OF REAL PROPERTY, GENERALLY LOCATED SOUTH OF LAKE GRIFFIN ROAD AND EAST OF DULGAR ROAD, MORE PARTICULARLY AND LEGALLY DESCRIBED IN EXHIBIT A, ATTACHED HERETO AND FULLY INCORPORATED HEREIN BY THIS REFERENCE; PROVIDING FOR REDEFINITION OF TOWN BOUNDARY TO CONTRACT THE SUBJECT PROPERTY FROM THE TOWN OF LADY LAKE; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Chapter 171, *Florida Statutes*, provides the exclusive method of municipal annexation or contraction in order to ensure sound urban development and efficient provision of urban services; and

WHEREAS, Richard and Christine Stine, own property identified by Lake County Tax Parcel ID Number: 06-18-24-039200022660 (approximately 3.18 acres), hereafter the "Subject Property", such property described in Exhibit A, attached hereto and incorporated herein by this reference, contiguous to the corporate limits of the Town of Lady Lake; and

WHEREAS, the Town of Lady Lake annexed the Subject Property by Ordinance No. 84-18-(120) on December 3, 1984 and also by Ordinance 90-28 on November 5, 1990; and

WHEREAS, the Town wishes to deannex the Subject Property as illustrated in Exhibit A, consistent with Chapter 171.052, F.S. Criteria for Contraction of Municipal Boundaries; and

WHEREAS, the Subject Property is not developed for urban purposes; and

WHEREAS, the Subject Property does not lie between the Town and an area to be served by the Town water or sewer service; and

WHEREAS, the Subject Property is not adjacent on at least 60 percent of the combined external boundaries to the municipal boundary and areas developed for urban purposes; and

WHEREAS, the Subject Property is better served by Lake County for zoning and land development regulation; and

WHEREAS, the contraction of the Subject Property will not result in a portion of the Town becoming noncontiguous with the rest of the municipality; and

Ordinance No. 2014-11

WHEREAS, in the best interest of the public health, safety, and welfare of the citizens of the Town of Lady Lake, the Town Commission of the Town of Lady Lake desires to contract the Subject Property from the municipal boundaries of the Town of Lady Lake; and

WHEREAS, upon adoption of this Ordinance, the municipal boundary lines of the Town of Lady Lake referenced in Town of Lady Lake Charter, Article II, Section 2.01, shall be redefined to exclude the subject real property.

NOW, THEREFORE, THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA HEREBY ORDAINS, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct and are fully incorporated herein by this reference.

Section 2. Contraction of Subject Properties. The Subject Property and adjacent as illustrated in Exhibit A shall be and is hereby de-annexed from the Town of Lady Lake, Florida. The Subject Property shall be excluded from the existing boundaries of the Town of Lady Lake, Florida, from the effective date of this ordinance.

Section 3. Town Boundaries Redefined; Town of Lady Lake Charter Amended. Pursuant to Section 166.031(3), *Florida Statutes*, and Section 171.091, *Florida Statutes*, the Town of Lady Lake Charter is hereby amended to redefine the corporate boundaries of the Town of Lady Lake to exclude the Subject Property described in Exhibit A of this Ordinance. The Town Clerk shall file the revised Town of Lady Lake Charter, Article II, Section 2.01, with the Department of State within thirty (30) days from the effective date of this Ordinance. The Town Clerk shall also file this Ordinance with the Clerk of the Circuit Court of Lake County, the County Manager of Lake County, and the Department of State within seven (7) days of the effective date.

Section 4. Repeal of Prior Inconsistent Ordinances and Resolutions. All ordinances and resolutions or parts of ordinances and resolutions in conflict herewith are hereby repealed to the extent of the conflict.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption by the Town Commission of the Town of Lady Lake, Florida, and pursuant to the Town Charter.

PASSED AND ORDAINED this 5th day of January, 2015, in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, upon the Second/Final Reading.

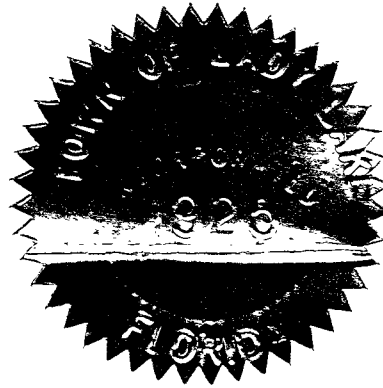
Ordinance No. 2014-11

TOWN OF LADY LAKE, FLORIDA

Ruth Kussard
Ruth Kussard, Mayor

ATTEST:

Kristen Kollgaard
Kristen Kollgaard, Town Clerk



APPROVED AS TO FORM:

Derek Schroth
Derek Schroth, Town Attorney

Ordinance No. 2014-11

EXHIBIT "A"

LEGAL DESCRIPTION: Section 16, Township 18 South, Range 24 East

BEG AT SE COR OF W 1/2 OF NW 1/4 OF SE 1/4, RUN N 00DEG 03MIN W 282 FT, S 73DEG 28MIN 46SEC W TO W LINE OF NW 1/4 OF SE 1/4 & PT A, RETURN TO POB, RUN W ALONG SAID S LINE OF NW 1/4 OF SE 1/4 TO E LINE OF W 1/2 OF NW 1/4 OF SE 1/4, S 50 FT, W TO W LINE OF NW 1/4 OF SE 1/4, N TO PT A ORB 2324 PG 2050

