


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

<b>PLANNING AND ZONING BOARD</b>	 <b>LAKE COUNTY</b> FLORIDA	<b>BOARD OF COUNTY COMMISSIONERS</b>
<b>July 10, 2014</b>	<b>District #5 Commissioner Cadwell</b>	Adoption: July 22, 2014

<b>LPA# 14/8/1-5</b>	<b>Case Manager Team:</b>	<b>Agenda Item #2</b>
The proposed small-scale amendment changes the Future Land Use from Public Service Facilities and Infrastructure to Rural on the parcel owned by David and Kandee Bassett and described as Alternate Key #1237459, which consists of 5+/- acres.	Jennifer M. Cotch, Senior Planner	

- Item -

<b>Applicant:</b>	Greg Beliveau, LPG Urban & Regional Planners
<b>Type:</b>	Small-Scale Comprehensive Plan Future Land Use Map Amendment
<b>Creation or Revision:</b>	Revision
<b>Description:</b>	Map Amendment. This request amends the Future Land Use Map for the parcel located east of Smitty Road, in the Lady Lake area, <u>from</u> <b>Public Service Facilities and Infrastructure Future Land Use Category</b> , which consists of land uses such as civic uses, transportation facilities, schools and other uses to promote public order and safety, <u>to</u> <b>Rural Future Land Use Category</b> , which consists of land uses such as residential, agriculture and equestrian related uses, which is consistent with the current land use, a single-family residence.

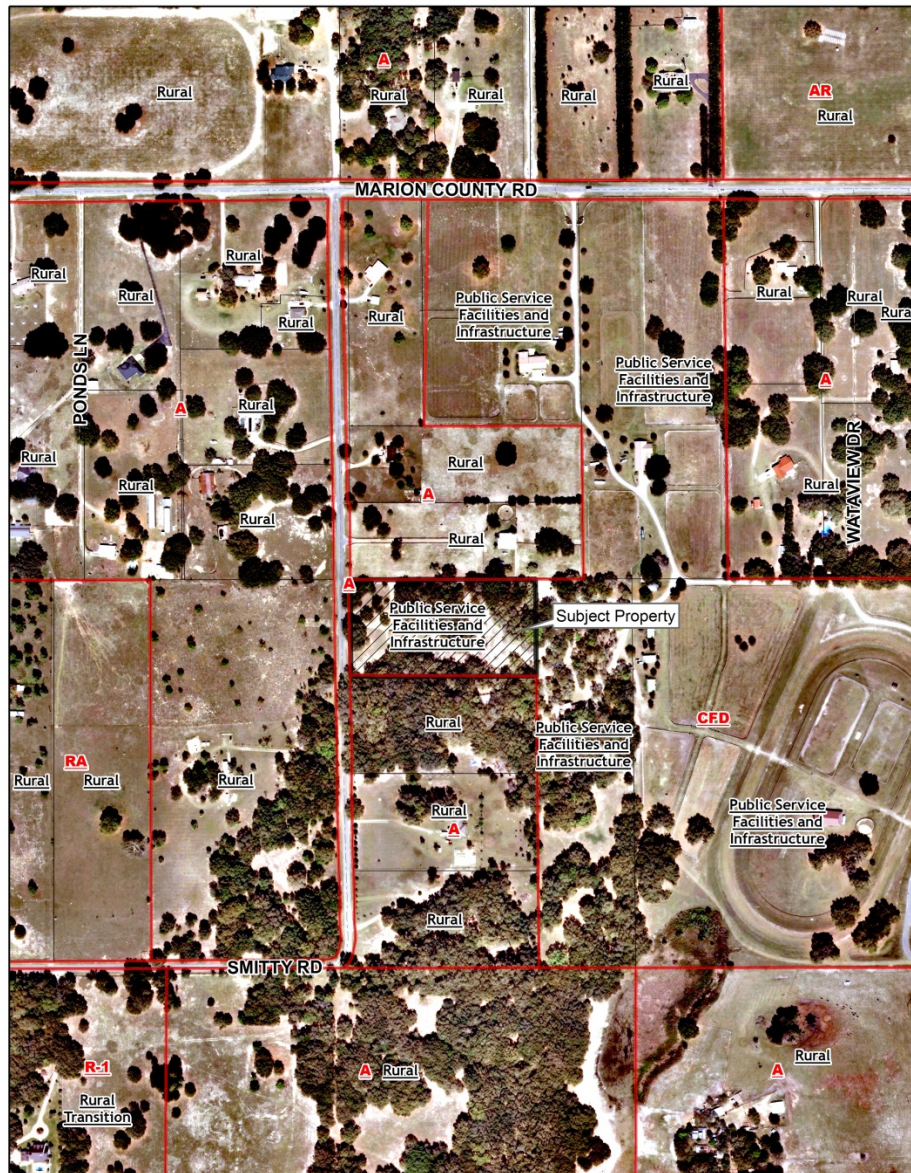
**- Summary of Staff Recommendation -**

Staff recommends <b>APPROVAL</b> of the request to adopt the proposed Amendment to the 2030 Future Land Use Map.
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**Analysis:** The subject property consists of 5+/- acres in size and is developed with a single-family home, located along Smitty Road in the Lady Lake area.

The property is located east of Smitty Road and south of Marion County Road in the Lady Lake area. The property is surrounded by residential development and equestrian uses. The surrounding properties are zoned Agriculture (A) and Community Facility District (CFD) and are designated with the Rural or Public Service Facilities and Infrastructure Future Land Use Categories. An aerial map which shows the zonings and future land use categories, is provided below, Exhibit #1.

**Exhibit #1 – Aerial Map**



The subject property and the surrounding 344+/- acres to the east and one parcel to the north were given a Public Service Facilities and Infrastructure Future Land Use designation upon adoption of the previous Comprehensive Plan; the properties were rezoned from Agriculture (A) to Community Facility District (CFD) by Ordinance 2012-65, which allows an equestrian center to include a training facility, museum, educational facility, additional support facilities, and caretaker's facilities. The subject property, which is included in Ordinance 2012-65, was intended to be a caretaker's facility for the equestrian center. The subject 5-acre parcel was sold and the current owners intend to use the existing residence as a single-family home, separate from the equestrian center. The proposed map amendment would change the Future Land Use Category from Public Service Facilities and Infrastructure to Rural. The Rural Future Land Use Category is compatible with the properties' current use as a single-family residence. **Policy I-1.5.3, Public Service Facilities and Infrastructure Future Land Use Category** and **Policy I-1.4.4, Rural Future Land Use Category** are copied below for reference.

**Policy I-1.5.3 Public Service Facilities and Infrastructure Future Land Use Category**

*This Public Service Facilities and Infrastructure Future Land Use Category consists of uses needed to address public facility or infrastructure needs.*

*The maximum intensity in this category shall be 1.0. The maximum Impervious Surface Ratio shall be 0.80.*

**TYPICAL USES INCLUDE:**

- *Civic uses;*
- *Public order and safety;*
- *Active and passive recreation facilities;*
- *Transportation facilities;*
- *Schools;*
- *Energy plants; and*
- *Utilities.*

**TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:**

- *Caretaker residences;*
- *Borrow Pit; and*
- *Landfills.*

**Policy I-1.4.4 Rural Future Land Use Category**

*The Rural 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 Support functions where appropriate. New development shall not utilize regional water and wastewater utilities in this category, except when the absence of such facilities would result in a threat to public health or the*

*environment. An extension of central services for either reason shall not justify an increase in density or intensity on the site being served, or any property adjoining the extended utility or lines. The maximum Impervious Surface Ratio within this category shall be 0.20, except for agricultural uses, civic uses, recreational uses, and all uses within Rural Support Corridors, for which the maximum impervious surface ratio shall be 0.30.*

**TYPICAL USES INCLUDE:**

- *Agriculture and forestry;*
- *Residential;*
- *Passive parks;*
- *Equestrian related uses;*
- *K-12 schools;*
- *Religious organizations;*
- *Green Energy facility; and*
- *Rural Support Uses as provided for in this Comprehensive Plan.*

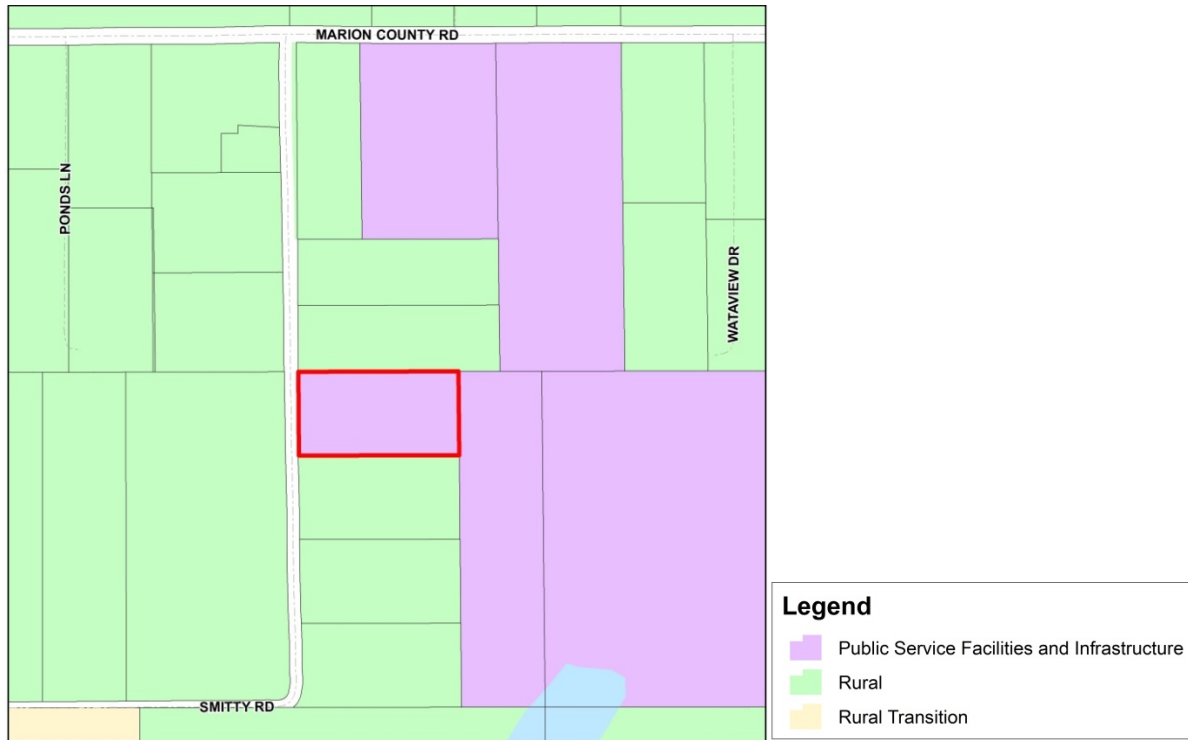
**TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:**

- *Mining and Resource Extraction;*
- *Active parks and recreation facilities;*
- *Nursing and personal care facilities;*
- *Day care services;*
- *Outdoor Sports and recreation clubs;*
- *Civic uses;*

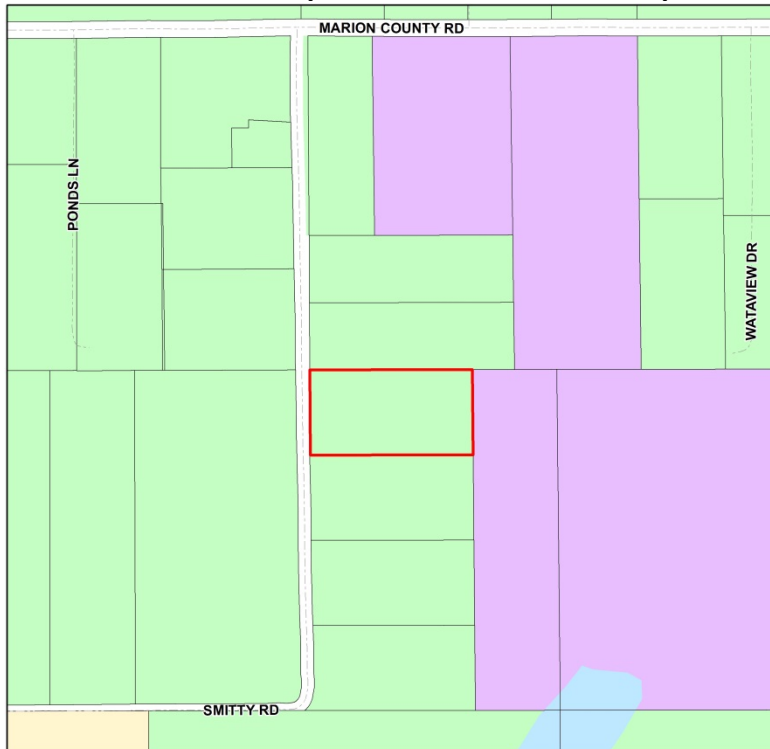
The current property owners have submitted a rezoning application that will be presented to the Board, if this amendment is approved. The rezoning will amend Ordinance #2012-65 by removing the five acres from the Community Facility District and restoring the Agriculture zoning to the subject property, which is consistent with the current use of the property and the surrounding properties.

Exhibits #2 and #3 show the Future Land Use Map of this section as it currently exists and as proposed, respectively.

### 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 as the surrounding properties to the north, west, and south are designated as Rural and the subject parcel and surrounding parcels consist single-family homes on large lots and/or agricultural endeavors. The Rural Future Land Use Category is intended to protect rural lifestyles represented by single-family homes on large lots and to accommodate agricultural pursuits, as provided in Policy I-1.4.4 Rural Future Land Use Category. Therefore, the Rural Future Land Use Category is suitable for the subject property.

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

The proposed amendment is not be in conflict with the Comprehensive Plan; the amendment will change the Future Land Use Category to one that is consistent with the surrounding future land use categories, providing for land uses as appropriate to protect the long-term integrity of the rural area, as required in Goal I-1, Purpose of the Future Land Use Element. The subject area meets the elements of Rural Character and should be designated with a Future Land Use Category within the Rural Future Land Use Series, as required by Policy I-1.4.1, Elements of Rural Character.

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

The Rural Future Land Use Category is intended to protect rural lifestyles represented by single-family homes on large lots and to accommodate agricultural pursuits. The 5-acre parcel is currently developed with a single-family residence, which is consistent and compatible with the proposed Rural Future Land Use Category (Policy I-1.4.4 Rural Future Land Use Category). The surrounding properties, aside from the equestrian center, are comprised of residential development and designated with the Rural Future Land Use Category. Changing the property's Future Land Use Category to Rural is compatible with surrounding development. The subject parcel and surrounding area meets the elements of rural character; the parcel should be designated with a Rural Future Land Use Category (Policy I-1.4.1, Elements of Rural Character).

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

The parcel is currently designated as Public Service Facilities and Infrastructure Future Land Use Category, which is meant to address public facility or infrastructure needs. This was justified when the subject property was to be used as a caretaker's residence to the equestrian center. Since the subject property, developed with a single-family residence was not needed by the equestrian center, it was sold. The current owner intends to use the property for residential uses, making the Rural Future Land Use Category appropriate for the subject property.

- 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 home, and will continue to be utilized as such; therefore, the proposed map amendment will not increase the demand for public facilities, infrastructure or services.

The proposed Rural Future Land Use Category is less intense than the Public Service Facilities & Infrastructure Future Land Use Category, as shown in the chart below:

<b>Future Land Use Category</b>	<b>Density</b>	<b>F.A.R Intensity</b>	<b>Impervious Surface Ratio</b>	<b>Open Space</b>
Rural	1 d/u per 5 acres	Not Specified	0.20 to 0.30	Min. 35%
Public Service Facilities & Infrastructure	1 caretaker unit per parcel	1.0	0.80	Not Specified

- 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. The property does not contain any wetlands or natural upland communities. The parcel is developed with a single-family home and any additional accessory development will be required to meet all requirements of the Comprehensive Plan and the Land Development Regulations.

- 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 in the area. The subject property is currently developed as a single-family home, and will be utilized as such.

- 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 property is currently developed as a single-family residence; the proposed amendment will make the Future Land Use Category consistent with the existing use (single-family home on large acreage). The surrounding parcels (on three sides) are designated as Rural; the parcels to the east and one to the north that are designated as Public Service Facilities and

Infrastructure are utilized as an equestrian center, a rural use. The proposed future land use change will result in a logical development pattern.

**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 majority of the surrounding area is designated as Rural; the subject parcel is developed with a single-family home and will continue to be utilized as such. The appropriate future land use category for this parcel is Rural, the designation of the parcel as Rural 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 along Smitty Road in the Lady Lake area. The proposed map amendment would change the Future Land Use Category from Public Service Facilities and Infrastructure to Rural in order to make the Future Land Use Category consistent with the surrounding land use designations and with the subject property and surrounding properties existing land uses. 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.

**Planning & Zoning Board Recommendation:**



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**ADOPTION**  
**ORDINANCE 2014 – XX**  
**LPA#14/8/1-5**  
**Bassett, David and Kandee**  
**Lady Lake area**

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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 FROM PUBLIC SERVICE FACILITY AND INFRASTRUCTURE FUTURE LAND USE CATEGORY TO RURAL FUTURE LAND USE CATEGOREY FOR THE PROPERTY LOCATED EAST OF SMITTY ROAD, IN THE LADY LAKE AREA, WITH ALTERNATE KEY NUMBER 1237459, 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.**

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

**WHEREAS**, on the 10<sup>th</sup> day of July, 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 22<sup>nd</sup> day of July 2014, this Ordinance was heard at the public hearing before the Lake County Board of County Commissioners for adoption; 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:

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

The 2030 Future Land Use Map is hereby amended to change the Future Land Use Category from Public Service Facilities and Infrastructure to Rural for the property known as 2542 Smitty Road, near Lady Lake, described as Alternate Key Number 1237459, lying within Section 04, Township 18, Range 24, and comprised of 5 +/- acres, as shown in Exhibit A.

**Section 2. Advertisement.** This Ordinance was advertised pursuant to Chapter 163, Florida Statutes, Section 163.3187.

**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. 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:

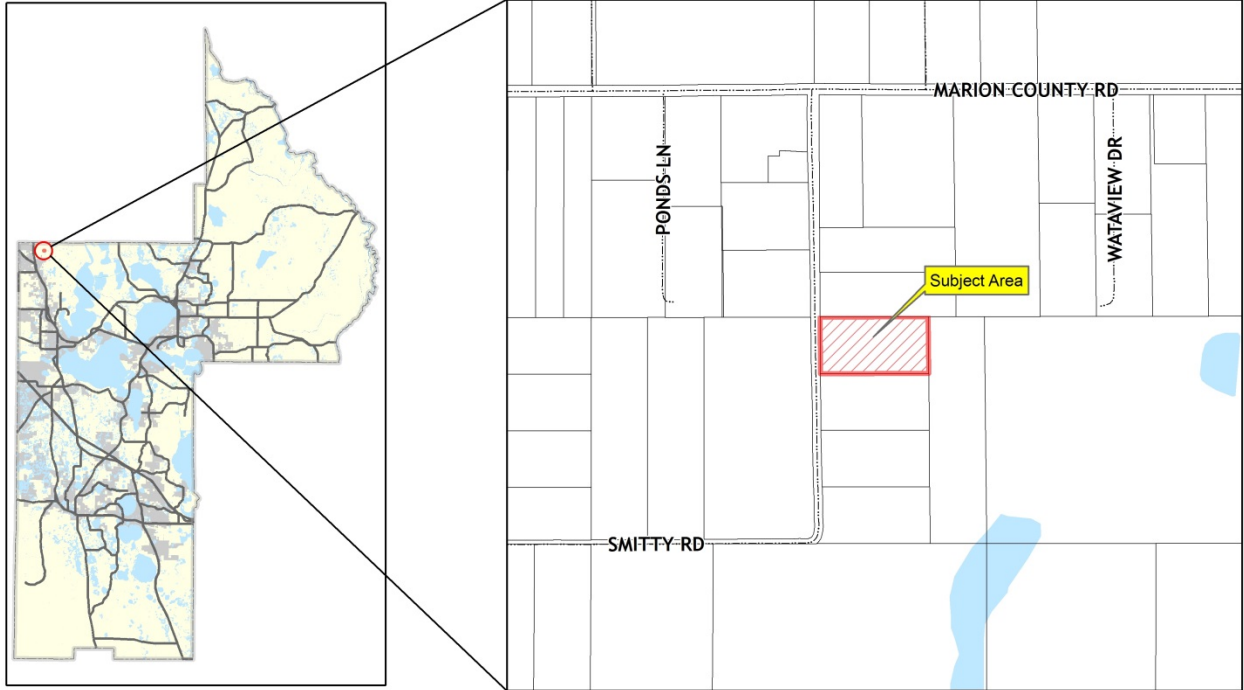
\_\_\_\_\_  
Neil Kelly, Clerk of the Board of  
County Commissioners, Lake County, Florida

Approved as to form and legality:

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Sanford A. Minkoff, County Attorney

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**EXHIBIT A**  
**LPA#14/8/1-5**  
**East Smitty Road, near Lady Lake**



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