

**LAKE COUNTY OFFICE OF PLANNING AND ZONING**  
**COMPREHENSIVE PLAN AMENDMENT STAFF REPORT**

<b>PLANNING AND ZONING BOARD</b>		BOARD OF COUNTY COMMISSIONERS
<b>October 3, 2018</b>		October 23, 2018 (Transmittal)

<b>CP-18-10</b> Public Order and Safety Uses	<b>Case Manager:</b> Michele Janiszewski, Chief Planner	<b>Agenda Item</b>  #3
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<b>Case Information</b>	
<b>Applicant:</b>	Lake County Government (Staff Initiated)
<b>Type:</b>	Comprehensive Plan Text Amendment
<b>Creation or Revision:</b>	Revision
<b>Description:</b>	Amend the Comprehensive Plan to define 'Public Order and Safety' and 'Detention Facilities' to allow Public Order and Safety uses in most Future Land Use Categories and exclude Detention Facilities within the Green Swamp Area of Critical State Concern.

<b>Summary of Staff Recommendation</b>
<p>Staff recommends <b>APPROVAL</b> of the proposed text amendment to the Lake County 2030 Comprehensive Plan to define 'Detention Facilities' and 'Public Order and Safety' and amend multiple policies to make Public Order and Safety Uses permitted within most Future Land Use Designations and exclude Detention Facilities from the Green Swamp Area of Critical State Concern.</p> <p><b>Planning and Zoning Board Recommendation:</b></p> <p><b>Board of County Commissioners Recommendation (Transmittal):</b></p>

**-Summary of Analysis-**

On May 25, 2010, the Board of County Commissioners adopted Ordinance 2010-25 which included the Lake County 2030 Comprehensive Plan. The 2030 Comprehensive Plan became effective September 22, 2011.

The 2030 Comprehensive Plan allowed Public Order and Safety as a permitted and conditional use in some Future Land Use Categories but never defined the use. On April 24, 2018 the Board of County Commissioners adopted Ordinance 2018-15 which amended the Land Development Regulations to define Public Order and Safety and make the use permitted within all zoning districts.

The proposed amendment will include the definition of Public Order and Safety, as defined in Ordinance 2018-15, but will specifically exclude prisons and jails. Public Order and Safety will be defined as:

*A benefit provided by a Governmental or Public Agency, or an entity owned or operated by a Governmental or Public Agency, for the protection of the health, safety, or general welfare of the residents of Lake County, Florida. This includes but is not limited to law enforcement, firefighting, emergency medical assistance or transport, search and rescue, and hazardous material cleanup.*

The proposed amendment also includes a definition for Detention Facilities in order to exclude their construction within the Green Swamp Area of Critical State Concern. Detention Facilities will be defined as:

*A county or municipal jail, stockade, work camp, residential probation center, and any other place used by a county or municipality for the detention of persons charged with or convicted of either felony or misdemeanor.*

The proposed amendment will also revise multiple policies for Future Land Use Categories in order to make Public Order and Safety a permitted use.

<b>Future Land Use Designations</b>	<b>Status of Public Order &amp; Safety Uses</b>	<b>Proposed Changes</b>
Urban Low	Typical Use	No Change
Urban Medium	Typical Use	No Change
Urban High	Typical Use	No Change
Regional Office	Typical Use	No Change
Regional Commercial	Typical Use	No Change
Industrial	Typical Use	No Change
Cagan	Not Specified	No Change
Bella Collina	Not Specified	No Change
Summer Bay	Not Specified	No Change
South Lake Regional Park	Not Specified	No Change
Rural	Conditional Use	Make Permitted Use
Rural Transition	Conditional Use	Make Permitted Use
Conservation	Not Permitted	No Change
Recreation	Not Permitted	Make Permitted Use
Public Service Facility & Infrastructure	Typical Use	No Change
Mt. Plymouth Sorrento Neighborhood	Not Permitted	Make Permitted Use

Mt. Plymouth Sorrento Main Street	Not Permitted	Make Permitted Use
Wekiva River Protection Area (WRPA) A-1-20 Receiving Area	Not Permitted	Make Permitted Use
WRPA A-1-20 Sending Area	Not Permitted	Make Permitted Use
WRPA A-1-40 Sending Area	Not Permitted	Make Permitted Use
WRPA Mt. Plymouth Sorrento Receiving Area	Not Permitted	Make Permitted Use
Green Swamp Ridge	Conditional Use	Make Permitted Use*
Green Swamp Rural	Not Permitted	Make Permitted Use*
Green Swamp Rural Conservation	Not Permitted	Make Permitted Use*
Green Swamp Core Conservation	Not Permitted	Make Permitted Use*
Green Swamp Interlachen	Not Permitted	No Change
Wellness Way 1	Permitted/Conditional Use	No Change
Wellness Way 2	Permitted/Conditional Use	No Change
Wellness Way 3	Permitted/Conditional Use	No Change
Wellness Way 4	Not Permitted	No Change
Towncenter	Permitted/Conditional Use	No Change
*Excludes Detention Facilities		

**- Standards for Review -**

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

The amendment will allow Public Order and Safety Uses as a permitted use within most Future Land Use Designations. Public Order and Safety uses are establishments “for the protection of the health, safety, or general welfare of the residents of Lake County, Florida.” These uses will include law enforcement, firefighting, emergency medical assistance or transport, search and rescue, and hazardous material cleanup.

Compressive Plan (CP) Goal I-1, *Purpose of The Future Land Use Element*, states that one of the goals of the Future Land Use Element is to protect the public safety and welfare. Allowing the uses stated above in most Future Land Use Categories will be consistent with the Goal of the Future Land Use Element. CP Goal II-1, Provide Capital Facilities, states that the goal of the Goal of the Capital Improvements Element is to “ensure that needed public facilities are provided within the County in a manner that protects investments in and maximizes use of existing facilities, maintains adopted level of service standards, and promotes a balanced government budget and sound use of public money.” Allowing Public Order and Safety Uses as a permitted use within most Future Land Use Designations will facilitate the development of needed Public Order and Safety uses when needed and is consistent with this Goal.

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

The amendment will add a definition of Public Order and Safety to the Comprehensive Plan to be consistent with the Land Development Regulations. Ordinance 2018-15 was adopted by the Board of County Commissioners on April 24, 2018 and amended the Land Development Regulations (LDR) to

defined Public Order and Safety and make the use permitted within all Zoning Districts. The proposed amendment will adopt a definition consistent with the LDR and allow the use within most Future Land Use Designations.

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

This amendment is not for a specific property; the amendment will allow Public Order and Safety as a permitted use in most Future Land Use Designations. Public Order and Safety Uses will be developed as needed to address the needs of Lake County's growing population.

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

On May 25, 2010, Lake County adopted the 2030 Comprehensive Plan, which included Public Order and Safety as a typical and conditional use in multiple Future Land Use Categories. The Comprehensive Plan did not include a definition for this use. On April 24, 2018 the Board of County Commissioners amended the LDR to define Public Order and Safety Uses and include it as a permitted use within all zoning districts. To provide consistency between the LDR and Comp Plan, staff is proposing to include the same definition for Public Order and Safety in the Comp Plan and make the use permitted within most Future Land Use Designations.

**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 amendment will not affect the existing level of services for schools or parks and recreation, nor will it adversely impact the County's adopted levels of service for police, drainage, solid waste, 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. All new development will need to adhere to the policies contained within 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.**

No evidence has been provided that would indicate the amendment would have an impact on 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 amendment will allow Public Order and Safety as a permitted use within most Future Land Use Designations. This will facilitate the development the future Public Order and Safety needed to address the growing population in Lake County.

**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.

**FINDINGS OF FACT:** Staff has reviewed the application for the proposed text amendment to the Lake County 2030 Comprehensive Plan and found:

1. The amendment is consistent with the Future Land Use Element which seeks to protect the public health, safety, and welfare;
2. The amendment is consistent with the Land Development Regulations.

Based on these findings of fact, staff recommends **APPROVAL** of the proposed text amendment to the Lake County 2030 Comprehensive Plan to define 'Detention Facilities' and 'Public Order and Safety' and amend multiple policies to make Public Order and Safety Uses permitted within most Future Land Use Designations and exclude Detention Facilities from the Green Swamp Area of Critical State Concern.

**Case Manager:** Michele Janiszewski, Chief Planner

**WRITTEN COMMENTS FILED:**      **Support: -0-**                      **Questions: -0-**                      **Opposition: -0-**

**ORDINANCE 2018-XX**  
**CP-18-10**  
**Public Order & Safety Uses**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING THE LAKE COUNTY 2030 COMPREHENSIVE PLAN; AMENDING MULTIPLE POLICIES TO MAKE PUBLIC ORDER AND SAFETY A PERMITTED USE IN MOST FUTURE LAND USE CATEGORIES; AMENDING CHAPTER X ENTITLED 'DEFINITIONS AND ACRONYMS', TO DEFINE DETENTION FACILITIES AND PUBLIC ORDER AND SAFETY USES; 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 "[p]repare 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, in its capacity as the State Land Planning Agency, 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 ("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 3<sup>rd</sup> day of October 2018, 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 23<sup>rd</sup> day of October 2018, this Ordinance was heard at a public hearing before the Lake County Board of County Commissioners for transmittal to the State of Florida Department of Economic Opportunity, Community Planning and Development Division, in its capacity as the State Land Planning Agency;

**WHEREAS**, on the XX day of XXXXX 2018, this Ordinance was heard at a 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 these amendments to the Lake County Comprehensive Plan;

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

**Section 1. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan, Future Land Use Element, Policy I-1.4.4, Rural Future Land Use Category, is amended read as follows:

**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, the and Economic Development Overlay District uses, for which the maximum impervious surface ratio shall be 0.50.

**TYPICAL USES INCLUDE:**

- Agriculture and forestry;
- Residential;
- Passive parks;
- Equestrian related uses;
- K-12 schools;
- Religious organizations;
- Green Energy facility;
- Public Order and Safety;
- Rural Support Uses as provided for in this Comprehensive Plan; and
- Economic Development Overlay District Uses for properties included within the Economic Development Overlay District (Map 20, Future Land Use Series), and subject to Objective I-6.5.

**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;
- Animal specialty services;

- Unpaved airstrips;
- ~~Public order and safety;~~
- Ports and Marinas, and
- Renewable Energy Production Facility.

**Section 2. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan, Policy I-1.4.5, Rural Transition Future Land Use Category, is amended to read as follows:

### **Policy I-1.4.5 Rural Transition Future Land Use Category**

The Rural Transition Future Land Use Category is intended to address “edge” conditions where Rural Future Land Use Categories abut Urban Future Land Use Categories. These “edges” represent areas where lower rural densities may be increased for Rural 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 any subdivision shall be developed as a clustered Rural Conservation Subdivision utilizing a PUD, 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, as allowed by law. A proposed Rural Conservation Subdivision shall consist of at least fifteen (15) net buildable acres in order to be considered for this alternate density.

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 shall be developed as a clustered Rural Conservation Subdivision utilizing a PUD, 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, as allowed by law.

A proposed Rural Conservation Subdivision shall consist of at least fifteen (15) net buildable acres in order to be considered for this alternate density.

The maximum Impervious Surface Ratio within this category shall be 0.30, except for agricultural uses, civic uses, Economic Development Overlay District and recreational uses, and all rural support uses within Rural Support Corridors, for which the maximum impervious surface ratio shall be 0.50.

#### **TYPICAL USES INCLUDE:**

- Agriculture and forestry;
- Residential;
- Passive parks;
- Equestrian related uses;
- K-12 schools;
- Religious organizations;



- Public Order and Safety;

- Rural Support uses as provided for in this Comprehensive Plan; and
- Economic Development Overlay 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:

- Mining and Resource Extraction;
- Active parks and recreation facilities;
- Nursing and personal care facilities;
- Daycare services;
- Outdoor Sports and recreation clubs;
- Civic uses;
- Animal specialty services;
- Unpaved airstrips;
- ~~Public order and safety;~~
- Utilities; and
- Ports and Marinas

**Section 3. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan, Policy I-1.5.2, Recreation Future Land Use Category, is amended to read as follows:

**Policy I-1.5.2 Recreation Future Land Use Category**

The Recreation Future Land Use Category 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. The maximum intensity in this category shall be 0.10. The maximum Impervious Surface Ratio shall be 0.50.

TYPICAL USES INCLUDE:

- Public Order and Safety;
- Public and private recreation and open space; and
- County parks or community parks.

**Section 4. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan, Policy I-3.2.1, Wekiva River Protection Area A-1-40 Sending Area Future Land Use Category, is amended to read as follows:

### **Policy I-3.2.1 Wekiva River Protection Area A-1-40 Sending Area Future Land Use Category**

The Wekiva River Protection Area A-1-40 Sending Area Future Land Use Category is intended to apply to land within the Wekiva River Protection Area, inside the Wekiva River Hydrologic Basin Protection Zones established pursuant to the Florida Statutes as depicted on the future land use map.

Unless otherwise vested, a maximum base density of one (1) dwelling unit per forty (40) net acres may be allowed. A proposed subdivision may increase density to a maximum of one (1) dwelling unit per ten (10) net buildable acres if developed as a clustered Rural Conservation Subdivision utilizing PUD, and provided that at least 50% of the net buildable area is dedicated in perpetuity for preservation as common open space through the use of a conservation easement or similar recorded and legally binding instrument.

Land within this Future Land Use Category is hereby designated as *Sending Area Number One* for transferable development rights.

The maximum Impervious Surface Ratio within this category shall be 0.20, except for agricultural, civic and recreational uses which shall be 0.30.

#### **TYPICAL USES INCLUDE:**

- Agriculture and forestry;
- Residential;
- Passive parks;
- Religious organizations;
- Public Order and Safety;
- Equestrian related uses; and
- Rural Support uses as provided for in this Comprehensive Plan.

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

- Outdoor Small-scale sporting and recreational camps;
- Animal specialty services;
- Civic uses; and
- Unpaved airstrips.

**Section 5. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan, Policy I-3.2.2, Wekiva River Protection Area A-1-20 Sending Area Future Land Use Category, is amended to read as follows:

### **Policy I-3.2.2 Wekiva River Protection Area A-1-20 Sending Area Future Land Use Category**

The Wekiva River Protection Area A-1-20 Sending Area Future Land Use Category is intended to apply to land within the Wekiva River Protection Area, outside the Wekiva River Hydrologic Basin Protection Zones established pursuant to the Florida Statutes as depicted on the future land use map.

Unless otherwise vested, a maximum base density of one (1) dwelling unit per twenty (20) net acres may be allowed. A proposed subdivision may increase density to a maximum of one (1) dwelling unit per five (5) net buildable acres if developed as a clustered Rural Conservation Subdivision utilizing PUD, and provided that at

least 50% of the net buildable area is dedicated in perpetuity for preservation as common open space through the use of a conservation easement or similar recorded and legally binding instrument.

Land within this Future Land Use Category is hereby designated as *Sending Area Number Two* for transferable development rights.

The maximum Impervious Surface Ratio within this category shall be 0.20, except for agricultural uses, civic uses, recreational uses, and all rural support 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;
- Religious organizations;
- Public Order and Safety;
- Equestrian related uses; and
- Rural Support uses as provided for in this Comprehensive Plan.

TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

- Outdoor Small-scale sporting and recreational camps;
- Animal specialty services;
- Civic uses; and
- Unpaved airstrips.

**Section 6. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan, Policy I-3.2.3, Wekiva River Protection Area A-1-20 Receiving Area Future Land Use Category, is amended to read as follows:

**Policy I-3.2.3 Wekiva River Protection Area A-1-20 Receiving Area Future Land Use Category**

The Wekiva River Protection Area A-1-20 Receiving Area Future Land Use Category is intended to apply to lands within the Wekiva River Protection Area west of the Wekiva River System, as depicted on the Future Land Use Map.

Unless otherwise vested, a maximum base density of one (1) dwelling unit per twenty (20) net acres may be allowed. A proposed subdivision may increase density to a maximum of one (1) dwelling unit per five (5) net buildable acres if developed as a clustered Rural Conservation Subdivision utilizing PUD, and provided that at least 50% of the net buildable area is dedicated in perpetuity for preservation as common open space through the use of a conservation easement or similar recorded and legally binding instrument. Density may be further increased to a maximum of one (1) dwelling unit per one (1) net buildable acre through the transfer of development rights from Sending Area Numbers One and Two.

Land within this Future Land Use Category is hereby designated as Receiving Area Number One for transferable development rights.

The maximum Impervious Surface Ratio within this category shall be 0.20, except for agricultural, civic and recreational uses which shall be 0.30.

TYPICAL USES INCLUDE:

- Agriculture and forestry;
- Residential;
- Passive parks;
- Religious organizations;
- Public Order and Safety;
- Equestrian related uses; and
- Rural Support uses as provided for in this Comprehensive Plan.

TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

- Active parks and recreation facilities;
- Outdoor Small-scale sporting and recreational camps;
- Animal specialty services;
- Civic uses; and
- Unpaved airstrips.

**Section 7. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan, Policy I-3.2.4, Wekiva River Protection Area Mt. Plymouth-Sorrento Receiving Area Future Land Use Category, is amended to read as follows:

**Policy I-3.2.4 Wekiva River Protection Area Mt. Plymouth-Sorrento Receiving Area Future Land Use Category**

The Wekiva River Protection Area (WRPA) Mt. Plymouth-Sorrento Receiving Area Future Land Use Category is intended to apply to lands within the Wekiva River Protection Area that are located in the Mt. Plymouth-Sorrento Community, as depicted on the Future Land Use Map.

A maximum density of five and one-half (5.5) dwelling units per one (1) net acre may be allowed within this Future Land Use Category through the use of Transferable Development Rights from WRPA Sending Areas One and Two. Development must utilize Planned Unit Development Zoning, as provided in the Lake County Land Development Regulations. Any increase in density above that permitted by the zoning classification in place immediately prior to March 12, 1990 shall require the use of Transferable Development Rights. Land within this Future Land Use Category is hereby designated as *Receiving Area Number Two* for transferable development rights.

Residential development exceeding ten (10) dwelling units shall be required to utilize PUD and protect a minimum 25% of the net buildable area as common open space.

Nonresidential development shall provide a minimum 20% of the net buildable area as open space. The maximum intensity in this category shall be 0.30. The maximum Impervious Surface Ratio shall be 0.60.

TYPICAL USES INCLUDE:

- Agriculture and forestry;
- Residential;
- Residential professional uses of 1,500 SF or less;
- Passive parks;
- Civic uses;
- Day care services;
- K-12 schools;
- Public Order and Safety;
- Equestrian related uses; and
- Religious organizations.

TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

- Active parks and recreation facilities;
- Nursing and personal care facilities;
- Outdoor Sports and recreation clubs;
- Animal specialty services; and
- Unpaved airstrips.

**Section 8. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan, Policy I-3.2.5, Mount Plymouth-Sorrento Neighborhood Future Land Use Category, is amended to read as follows:

**Policy I-3.2.5 Mount Plymouth-Sorrento Neighborhood Future Land Use Category**

The Mount Plymouth-Sorrento Neighborhood Future Land Use Category is intended to include property within the Mount Plymouth-Sorrento Community outside of the Wekiva River Protection Area and immediately adjacent to the Mount Plymouth-Sorrento Main Street Future Land Use Category.

Within the Mount Plymouth-Sorrento Neighborhood Future Land Use Category, residential development may be allowed at a maximum density of two (2) dwelling units per net buildable acre, provided that any development exceeding ten (10) dwelling units shall be required to utilize PUD and protect at least 50% of the net buildable area as common open space. Nonresidential development shall provide at least 30% of the net buildable area as open space. The maximum intensity in this category shall be 0.20, except for civic uses which shall be 0.30. The maximum Impervious Surface Ratio shall be 0.30.

TYPICAL USES INCLUDE:

- Residential;
- Agriculture and forestry;
- Religious organizations;
- Residential professional uses of 1,500 SF or less;

- Day care services;
- Passive parks;
- Public Order and Safety;
- Civic uses; and
- K-12 schools.

TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

- Active parks and recreation facilities;
- Nursing and personal care facilities; and
- Animal specialty services.

**Section 9. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan, Policy I-3.2.6 Mount Plymouth-Sorrento Main Street Future Land Use Category, is amended to read as follows:

**Policy I-3.2.6 Mount Plymouth-Sorrento Main Street Future Land Use Category**

The Mount Plymouth-Sorrento Main Street Future Land Use Category is intended to preserve a sense of place and shared identity central to the Mount Plymouth-Sorrento Community.

The Main Street Future Land Use Category consists of a Main Street corridor and surrounding neighborhoods that provide a balanced mix of land uses. This 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 five and one-half (5.5) dwelling units per net buildable acre may be allowed within the Main Street Future Land Use Category. The intent of this category is to establish a market within walking distance to support small shops and provide opportunities for alternative modes of transportation such as walking, biking, and public transportation.

Residential development exceeding ten (10) dwelling units shall be required to utilize a PUD and protect at least 25% of the net buildable area as common open space. Nonresidential development shall provide at least 20% of the net buildable area as open space. The maximum intensity in this category shall be 0.30. The maximum Impervious Surface Ratio shall be 0.60.

That portion of the Mount Plymouth-Sorrento Main Street Future Land Use Category located within the Wekiva River Protection Area shall comply with the requirements for the transfer of development rights of the Wekiva River Protection Area (WRPA) Mt. Plymouth-Sorrento Receiving Area Future Land Use Category. 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 transfer of development rights from WRPA Sending Areas Number One and Two.

TYPICAL USES INCLUDE:

- Residential;
- Residential professional use of 1,500 SF or less;
- Passive parks;
- Civic uses;
- K-12 schools;

- Day care services;
- Public Order and Safety;
- Religious organizations; and
- Commerce uses, including: services, retail trade, finance, insurance and real estate as specified in the Mt. Plymouth-Sorrento Special Community Objective and underlying policies.

TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

- Active parks and recreation facilities;
- Nursing and personal care facilities;
- Light industry, such as Manufacturing, Wholesale Trade, Transportation, Communications, Electric, Gas and Sanitary Services. Activities are limited to those without off-site impacts and takes place primarily within an enclosed building;
- Animal specialty services; and
- Hospitals.

**Section 10. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan, Policy I-4.2.2 Green Swamp Ridge Future Land Use Category, is amended to read as follows:

**Policy I-4.2.2 Green Swamp Ridge Future Land Use Category**

Within the Green Swamp Ridge Future Land Use Category, a maximum density of four (4) dwelling units per net buildable acre may be allowed. A density of one (1) dwelling unit per twenty (20) acres of wetlands is transferable to the uplands of a project site.

Residential development shall require a PUD and dedication of a minimum of 40 percent of the net buildable area of the project site as common open space.

Mixed use PUDs in the Green Swamp Ridge FLUC shall be limited to a maximum of 20 percent of the net buildable area of the site for commercial use. Strip commercial is prohibited.

The maximum intensity of this category shall be 0.25 F.A.R. except for civic uses which shall be 0.35 F.A.R. The maximum Impervious Surface Ratio shall be 0.45 and building height shall be limited to 40 feet.

Within the Green Swamp Ridge Future Land Use Category, central sewer service shall be required for development equal to or greater than one dwelling unit per net buildable acre.

Development orders shall be issued with a condition that specifies a regional wastewater service provider and that requires the development to connect to the regional provider when sewer services are available.

TYPICAL USES INCLUDE:

- Residential;
- Agriculture and forestry;
- Day care services;
- K-12 schools;

- Religious organizations;
- Passive parks;
- Civic uses;
- Public Order and Safety, excluding Detention Facilities;
- Religious organizations; and
- Commercial uses, including services and retail trade, of 5,000 square feet or less per parcel. However, the square footage can be increased to the maximum FAR and ISR, providing that the development meets or exceeds the sustainable building rating and certification system, and retains the first three inches (3") of stormwater runoff on the property.

TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

- Golf courses consistent with the Green Swamp Principles for Guiding Development;
- Nursing and personal care facilities;
- Outdoor Sports and recreation clubs;
- Animal specialty services;
- ~~Public order and safety;~~
- Utilities;
- Unpaved airstrips and aviation facilities as defined in policy: Aviation Facilities within the Green Swamp Area of Critical State Concern; and
- Active parks and recreation facilities.

**Section 11. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan, Policy I-4.2.3 Green Swamp Rural Future Land Use Category, is amended to read as follows:

**Policy I-4.2.3 Green Swamp Rural Future Land Use Category**

Within the Green Swamp Rural Future Land Use Category, a maximum density not to exceed one (1) dwelling unit per five (5) net buildable acres may be allowed. In addition, density may be transferred to the upland portions of a site at a ratio of one (1) dwelling unit per twenty (20) acres of wetlands.

Any residential development of more than six (6) lots shall be developed as a planned unit development. Residential development shall be serviced by individual private wells and on-site wastewater treatment and disposal systems.

The maximum Impervious Surface Ratio within this category shall be 0.20, except for agricultural, civic and recreational uses which shall be 0.30.

Within the Green Swamp Rural Future 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.

TYPICAL USES INCLUDE:

- Agriculture and forestry;
- Residential;



- Passive parks;
- Public Order and Safety, excluding Detention Facilities;
- Religious organizations; and
- Equestrian related uses.

TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

- Golf courses consistent with the Green Swamp Principles for Guiding Development;
- Civic uses;
- Animal specialty services;
- Outdoor Small scale -recreational camps;
- Sand Mining, subject to Green Swamp policies herein; and
- Unpaved airstrips and aviation facilities as defined in policy: Aviation Facilities within the Green Swamp Area of Critical State Concern.

**Section 12. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan, Policy I-4.2.4 Green Swamp Rural/Conservation Future Land Use Category, is amended to read as follows:

**Policy I-4.2.4 Green Swamp Rural/Conservation Future Land Use Category**

Within the Green Swamp Rural/Conservation Future Land Use Category, a maximum density not to exceed one (1) dwelling unit per ten (10) net buildable acres may be allowed. Density may be transferred to the upland portions of a site at a ratio of one (1) dwelling unit per twenty (20) acres of wetlands.

Any residential development of more than six (6) lots shall require planned unit development zoning. Residential development shall be serviced by individual private wells and on-site wastewater treatment and disposal systems.

The maximum Impervious Surface Ratio within this category shall be 0.20. The minimum open space requirement is 80%.

Within the Green Swamp Rural/Conservation Future 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.

TYPICAL USES INCLUDE:

- Agriculture and forestry;
- Residential;
- Passive parks;
- Public Order and Safety, excluding Detention Facilities;
- Religious organizations; and
- Equestrian related uses.

TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

- Civic uses;
- Animal specialty services;
- Outdoor Small-scale sporting and recreational camps;
- Sand Mining, subject to Green Swamp policies herein; and
- Unpaved airstrips and aviation facilities as defined in policy: Aviation Facilities within the Green Swamp Area of Critical State Concern.

**Section 13. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan, Policy I-4.2.5 Green Swamp Core/Conservation Future Land Use Category, is amended to read as follows:

**Policy I-4.2.5 Green Swamp Core/Conservation Future Land Use Category**

Within the Green Swamp Core/Conservation Future Land Use Category, a maximum density not to exceed one dwelling unit per twenty (20) net buildable acres may be allowed. Density may be transferred to the upland portions of a site at a ratio of one (1) dwelling unit per twenty (20) acres of wetlands.

Any residential development of more than six (6) lots shall require planned unit development zoning. Residential development shall be serviced by individual private wells and on-site wastewater treatment and disposal systems.

The maximum Impervious Surface Ratio within this category shall be 0.10. The minimum open space requirement is 90%.

Within the Green Swamp Core/Conservation Future 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.

**TYPICAL USES INCLUDE:**

- Agriculture and forestry;
- Residential;
- Passive parks;
- Public Order and Safety, excluding Detention Facilities;
- Religious organizations; and
- Equestrian related uses.

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

- Civic uses;
- Animal specialty services;
- Outdoor Small-scale sporting and recreational camps;
- Sand Mining, subject to Green Swamp policies herein; and
- Unpaved airstrips and aviation facilities as defined in policy: Aviation Facilities within the Green Swamp Area of Critical State Concern.

**Section 14. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan, Chapter X, Definitions and Acronyms, is amended to include the following definitions:

<u>Detention Facilities</u>	<u>A county or municipal jail, stockade, work camp, residential probation center, and any other place used by a county or municipality for the detention of persons charged with or convicted of either a felony or misdemeanor.</u>
<u>Public Order and Safety</u>	<u>A benefit provided by a Governmental or Public Agency, or an entity owned or operated by a Governmental or Public Agency, for the protection of the health, safety, or general welfare of the residents of Lake County, Florida. This includes but is not limited to law enforcement, firefighting, emergency medical assistance or transport, search and rescue, and hazardous material cleanup.</u>

**Section 15. Advertisement.** This Ordinance was advertised pursuant to Chapter 163, Florida Statutes, Section 163.3184(11).

**Section 16. Severability.** If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, the holding will in no way affect the validity of the remaining portions of this Ordinance.

**Section 17. Effective Date.** The effective date of this plan amendment, if the amendment is not timely challenged, shall be thirty-one (31) days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment will become effective on the date the state land planning agency or the administration commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the administration commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution will be sent to the state land planning agency.

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ENACTED this \_\_\_\_ day of \_\_\_\_\_, 2018.

FILED with the Secretary of State \_\_\_\_\_, 2018.

BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA

\_\_\_\_\_  
Timothy I. Sullivan, Chairman

ATTEST:

\_\_\_\_\_  
Gary J. Cooney, Clerk of the  
Board of County Commissioners,  
Lake County, Florida

Approved as to form and legality:

\_\_\_\_\_  
Melanie Marsh  
County Attorney