



MEMORANDUM

Lake County Board of County Commissioners • Office of Planning and Zoning
315 W. Main St., Tavares, FL 32778 • www.lakecountyfl.gov

To: Planning and Zoning Board
From: Tim McClendon, AICP, Director of Planning and Zoning *gm*
Date: June 18, 2020
Subject: PUD Acreage Ordinance

This memo is to provide background / summary of the proposed PUD acreage ordinance. This ordinance seeks to streamline the PUD process by eliminating the minimum acreage requirement contained in the Land Development Regulations.

In the last year alone, waivers or variances to the minimum acreage requirement have been granted to several PUD rezoning projects. During the research of the proposed amendment, staff was unable to determine why the minimum acreage requirement had been placed into the original PUD ordinance; as such, staff is moving forward to remove the requirement from the code.

Summary of Ordinance

The purpose of this ordinance is to update and amend the Planned Unit Development provisions contained in Lake County Code, Appendix E, Land Development Regulations, Section 4.03.03, entitled *General Site Development Standards*.

Changes are shown as follows: Strikethrough for deletions and Underline for additions to existing Code sections. The notation “* * *” shall mean that all preceding or subsequent text remains unchanged (excluding any renumbering or relettering that might be needed).

ORDINANCE NO. 2020 - ___

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS, SECTION 4.03.03, ENTITLED *GENERAL SITE DEVELOPMENT STANDARDS*, TO REMOVE THE PLANNED UNIT DEVELOPMENT ACREAGE REQUIREMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 22, 2011, the Lake County 2030 Comprehensive Plan became effective, which required the Land Development Regulations be updated; and

WHEREAS, Policy I-1.1.8 of the 2030 Comprehensive Plan requires the County to adopt and maintain a set of specific and detailed Land Development Regulations that implement and are consistent with the goals, objectives and policies of the Comprehensive Plan; and

WHEREAS, the Board of County Commissioners of Lake County, Florida desires to amend Lake County Code, Appendix E, Land Development Regulations, to remove unnecessary provisions contained therein, and to provide consistency between the Land Development Regulations and the 2030 Comprehensive Plan; and

WHEREAS, the Lake County Board of County Commissioners determines that these amendments are in the best interests of the citizens of Lake County, Florida.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, as follows:

Section 1. Recitals. The foregoing recitals are incorporated herein by reference.

Section 2. Amendment. Lake County Code, Appendix E, Land Development Regulations, Chapter IV, Section 4.03.03, entitled *General Site Development Standards*, including its subsections listed below, are amended to state as follows:

4.03.03 General Site Development Standards.

A. Purpose. Site Development standards are established for PUDs to ensure adequate levels of light, air, and Density, to maintain and promote functional compatibility of uses, to promote the safe and efficient circulation of pedestrian and vehicular traffic, to provide orderly phasing of Development, promote the adequate protection of natural resources, and otherwise protect the health, safety, and general welfare of the public.

~~B. Minimum Area. A PUD Shall be at least ten (10) acres in area.~~

1 ~~BC~~. Resource Protection Standards. Development within a PUD Shall comply with the standards and
2 requirements of Chapter VI, Resource Protection Standards.

3 ~~CD~~. Development Design and Improvement Standards. Development within a PUD Shall comply
4 with the standards and requirements of Chapter IX, Development Design and Improvement
5 Standards. In Addition, PUDs located within the urban and urban expansion Land Use
6 classifications as established in the Lake County Comprehensive Plan, Shall provide sidewalks
7 in accordance with the Transportation Systems standards (Section 9.04.00).

8 ~~DE~~. Traffic Analysis. A preliminary traffic analysis Shall be provided to evaluate the impacts of the
9 proposed Development on area Roadways.

10 ~~EF~~. Signs. The erection of Signs or advertising materials Shall comply with Chapter XI, Signs.

11 ~~FG~~. PUDs within the Wekiva River Protection Area. A PUD within the Wekiva River Protection
12 Area, as defined in F.S. Ch. 369, Pt. III, Shall utilize the concept of Clustering of units, promote
13 protection of Environmentally Sensitive areas, concentrate units on those portions of a Parcel of
14 Land farthest away from publicly owned Conservation or preservation Lands and from the
15 Surface Waters and Wetlands of the Wekiva River System and Wekiva River Protection Area.

16 ~~GH~~. PUDs within the Green Swamp Area of Critical State Concern. A PUD within the Green Swamp
17 Area, as defined in F.S. Ch. 380.0551, should utilize the concept of Clustering of units, promote
18 protection of Environmentally Sensitive areas, and concentrate units on Uplands Tracts.

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20 **Section 3. Severability.** If any section, sentence, clause, or phrase or word of this
21 Ordinance is for any reason held or declared to be invalid, unconstitutional, inoperative or void by any court
22 of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of
23 this Ordinance; and it shall be construed to have been the Commissioners' intent to pass this Ordinance
24 without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after
25 the exclusion of such part or parts shall be deemed and held to be valid, as if such parts had not been
26 included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any person,
27 groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not
28 affect the applicability thereof to any other person, property or circumstances.

29 **Section 4. Inclusion in the Code.** It is the intent of the Board of County Commissioners that
30 the provisions of this Ordinance shall become and be made a part of the Lake County Code and that the
31 sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to
32 "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

33 **Section 5. Filing with the Department of State.** The Clerk shall be and is hereby directed
34 forthwith to send an electronic copy of this Ordinance to the Secretary of State for the State of Florida in
35 accordance with Section 125.66, Florida Statutes.

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37 (The rest of this page was left intentionally blank.)
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