



COMPREHENSIVE PLAN AMENDMENT  
STAFF REPORT  
OFFICE OF PLANNING & ZONING

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Tab Number: 3

Public Hearings: Planning & Zoning Board (PZB): June 2, 2021  
Board of County Commissioners (BCC) (Transmittal): June 22, 2021  
Board of County Commissioners (BCC) (Approval): To Be Determined

Case No. and Project Name: FLU-21-04-2, Flat Lake Special Community

Applicant: Lake County Board of County Commissioners

Requested Action: Create “Objective I-2.4 Flat Lake Special Community” and supporting Policies to identify the Flat Lake Community as a designated Special Community.

Staff Determination: Find the request consistent with the Comprehensive Plan.

Case Manager: Tim McClendon AICP, Director of Planning and Zoning

### Staff Analysis

During the creation of the +/-15,000-acre Wellness Way Area Plan (FKA Wellness Way Sector Plan), several communities were excluded from the plan. These communities were intentionally left out of the Wellness Way Area Plan as they were developed, primarily with large lot single family home development. One such community identified is the Flat Lake Community (Exhibit A).

The Flat Lake Community, which is comprised of 154 lots that average 5 acres in size, is located adjacent to Orange County/Lake County boundary line, south of Hartwood Marsh Road. The community is rural in nature. Throughout the Wellness Way process, the Flat Lake community requested to be protected as a rural development or as a special community to help mitigate or offset any potential impacts that Wellness Way may have upon the area.

After meeting with the Flat Lake residents multiple times, staff created Comprehensive Plan policies designed to preserve and reinforce the positive qualities of the rural lifestyle and charm currently enjoyed by the Flat Lake Community.

The policies seek to ensure the protection of the community’s rural lifestyle by prohibiting through-access from Hartwood Marsh Road or from the future extension of County Road 455 to West Phil C. Peters Road, as well as maintaining Flat Lake’s rural densities, rural uses, and rural lifestyles. Any potential residential redevelopment would require a development containing 5 or more lots to be a rural conservation subdivision (as defined in the Comprehensive Plan) and require 50% open space. Any potential nonresidential development would be limited in size and limited to uses that support the Flat Lake Community. Several policies also relate to environmental design standards, rural architectural standards, dark sky lighting, rural fencing along roadways, identifying and establishing integrated trails within the community for pedestrian, biking and equestrian uses. Lastly, the policies seek to discourage any annexations within the Flat Lake Community by the City of Clermont.

**Standards for Review (LDR Section 14.03.03)**

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

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

The **Future Land Use Element** seeks to ensure compatibility between densities and intensities of development, providing for land use transitions as appropriate to protect the long-term integrity of both urban and rural areas; promote the conservation and preservation of Lake County's natural and cultural resources; and direct compact development to established urban areas to prevent sprawl.

The proposed Flat Lake Special Community amendment is consistent with Comprehensive Plan Goal I-1 Purpose of The Future Land Use Element which seeks to ensure compatibility between densities and intensities of development and providing for land use transitions.

The amendment is consistent with Goal I-2 Special Communities which states "Lake County contains historically established communities with unique character that warrant special attention and planning approaches to ensure their distinctive qualities are retained. The County shall protect the integrity and long-term viability of these communities through Comprehensive Plan policies and Land Development Regulations prepared specifically for these areas that address characteristics including but not limited to land use, scale, form, infrastructure, and amenities."

The **Capital Improvements Element** seeks to maintain adopted level of service standards and ensure public facilities and services are available concurrent with development. Any potential development or redevelopment of parcels within the Flat Lake Special Community will be required to meet the Capital Improvement Elements of the Comprehensive Plan.

The **Conservation Element** is intended to provide a framework for the ongoing monitoring, management and use of the County's natural resources. An environmental assessment will be required with any future development or redevelopment application for parcels within Flat Lake Special Community.

The **Economic Element** seeks to strengthen the County's position as a business center for Central Florida by aggressively pursuing opportunities and building collaborative relations with regional allies. The proposed amendment is not in conflict with the Economic Element.

The purpose of the **Housing Element** is to guide Lake County in developing appropriate goals, objectives and policies that demonstrate the County's commitment to meet the identified needs of all its residents.

The **Intergovernmental Coordination Element** strives to promote coordination between Lake County and other local, state, regional, and federal government entities. The subject property is located within the Clermont Joint Planning Area. Clermont provided no comments with regards to the proposed amendment.

The goal of the **Parks and Recreation Element** is to facilitate the development and management of parks and facilities for a recreation system that includes environmental lands, trails, and other recreational opportunities that meets the diverse needs of a growing community. The proposed amendment would require staff to identify and potentially establish trails within the Special Community.

The goal of the **Transportation Element** is to prepare a plan that emphasizes more efficient use of the existing transportation system and contributes to the wider national objectives of energy conservation, improved air quality, and increased social and environmental amenity. The application is not in conflict with the Transportation Element.

The purpose of the **Public Facilities Element** is to ensure that public facilities are available to meet the needs of Lake County residents; public facilities in this element refers to aquifer recharge, potable water, sanitary sewer, solid waste, stormwater, and public school facilities. The proposed amendment will have no impact on public facilities.

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

If adopted, the proposed amendment is not in any conflict with any applicable provisions of the Comprehensive Plan.

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

The amendment seeks to ensure the consistency of existing land development of the Flat Lake area.

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

As a result of the Wellness Way Area Plan, the Flat Lake Community directly engaged with County staff to discuss the need to identify the area as a Special Community to ensure their rural lifestyles were adequately protected from encroaching development.

**D. 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 would have no impact to public facilities, including but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire/emergency medical facilities. The parcels within the Flat Lake Special Community are developed with single family dwellings, primarily on large 5-acre rural tracts of land.

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

As previously stated, the Flat Lake Community is entirely built out with single family dwelling units, primarily on large 5-acre rural tracts of land. Should any redevelopment occur, it will be required to meet all criteria contained within the Comprehensive Plan and LDR, as amended.

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

There is no indication that the amendment would have an adverse impact on property values.

**G. 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 seeks create and maintain the logical rural development patterns that were established prior to the development of the Wellness Way Area Plan.

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

The proposed amendment will be consistent with the purpose and interest of Lake County's regulations.

**Findings of Fact:** Staff has reviewed the application for this Future Land Use Map Amendment and Comprehensive Plan Amendment and found:

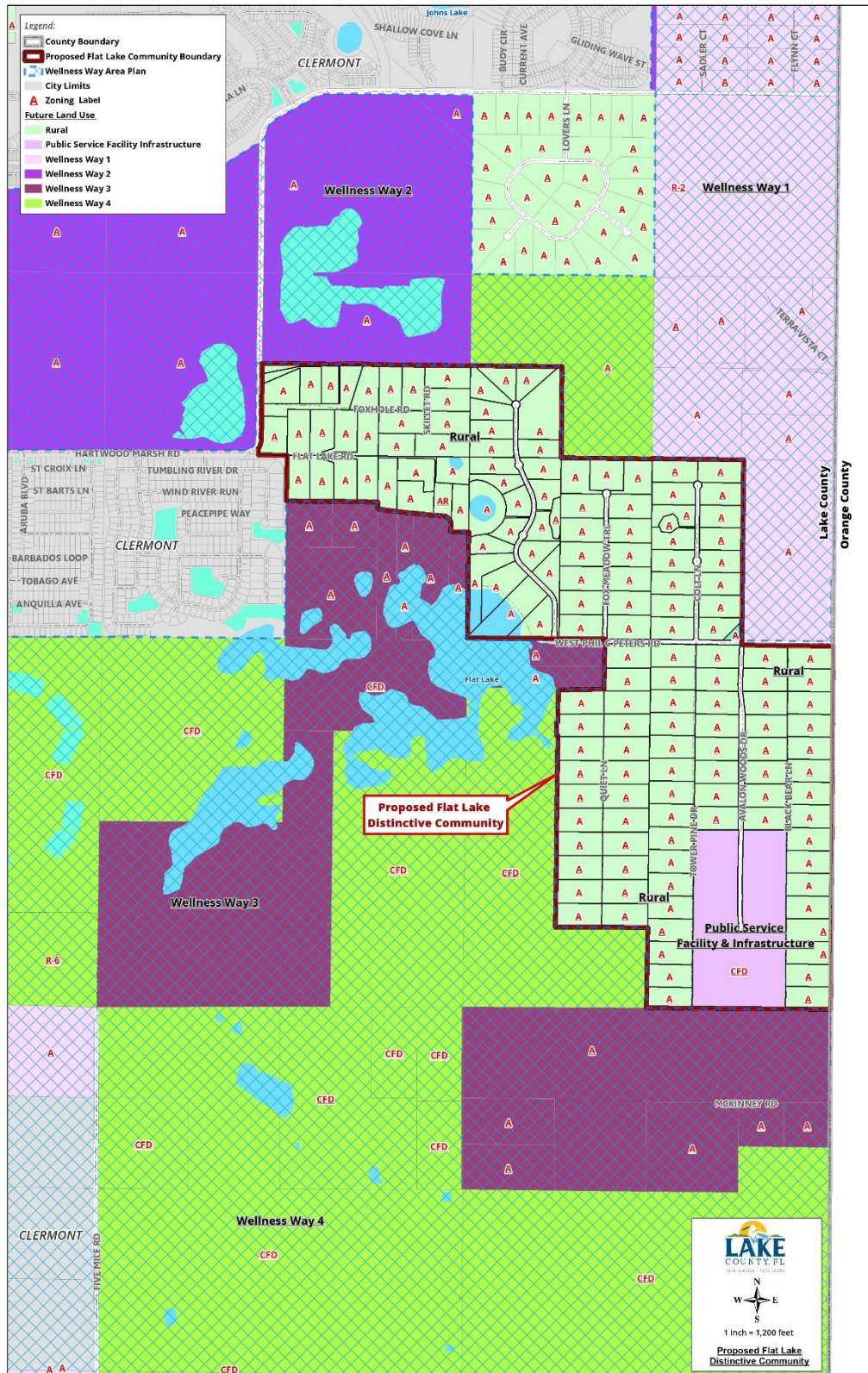
1. The application is consistent with Comprehensive Plan Goal I-1 Purpose of The Future Land Use Element which seeks to ensure compatibility between densities and intensities of development and providing for land use transitions; and
2. The application is consistent with Comprehensive Plan Goal I-2 Special Communities, which states "Lake County contains historically established communities with unique character that warrant special attention and planning

approaches to ensure their distinctive qualities are retained. The County shall protect the integrity and long-term viability of these communities through Comprehensive Plan policies and Land Development Regulations prepared specifically for these areas that address characteristics including but not limited to land use, scale, form, infrastructure, and amenities.”

Based on these findings of fact, staff finds the request to create the Flat Lake Special Community consistent with the Comprehensive Plan and recommends approval.



# Exhibit A



**ORDINANCE 2020 – XX**  
**FLU-21-04-2**  
**FLAT LAKE SPECIAL COMMUNITY**

1       **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA;**  
2       **CREATING “OBJECTIVE I-2.4 FLAT LAKE SPECIAL COMMUNITY” AND SUBSEQUENT POLICIES;**  
3       **IDENTIFYING AND PROTECTING THE FLAT LAKE COMMUNITY BY DESIGNATING IT AS A**  
4       **SPECIAL COMMUNITY; PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION**  
5       **163.3184(11), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN**  
6       **EFFECTIVE DATE.**

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

9       **WHEREAS**, Chapter 125, Florida Statutes, Section 125.01(1)(g), authorizes the Board of County  
10       Commissioners of Lake County to “prepare and enforce comprehensive plans for the development of the  
11       county”; and

12       **WHEREAS**, pursuant to Chapters 163 and 125, Florida Statutes, on the 25<sup>th</sup> day of May 2010, the  
13       Board of County Commissioners enacted Ordinance No. 2010-25, adopting the Lake County 2030  
14       Comprehensive Plan; and

15       **WHEREAS**, on the 23<sup>rd</sup> day of July 2010, the State of Florida Department of Community Affairs, now  
16       known as the Community Planning and Development Division of the Florida Department of Economic  
17       Opportunity, published a Notice of Intent finding the Lake County 2030 Comprehensive Plan Amendment "In  
18       Compliance" with Chapter 163, Florida Statutes; and

19       **WHEREAS**, on the 22<sup>nd</sup> day of September 2011, the Lake County 2030 Comprehensive Plan  
20       became effective and designated the property as part of the Green Swamp Ridge Future Land Use Category;  
21       and

22       **WHEREAS**, Section 163.3184, Florida Statutes, sets forth the process for adoption of  
23       Comprehensive Plan Amendments; and

24       **WHEREAS**, on the 2<sup>nd</sup> day of June 2021, this Ordinance was heard at a public hearing before the  
25       Lake County Planning & Zoning Board in its capacity as the Local Planning Agency; and

26       **WHEREAS**, on the 22<sup>nd</sup> day of June 2021, this Ordinance was heard at a public hearing before the  
27       Lake County Board of County Commissioners for approval to transmit to the state planning agency and other  
28       reviewing agencies; and

29       **WHEREAS**, on the XX day of XXXX 2021, this Ordinance was heard at a public hearing before the  
30       Lake County Board of County Commissioners for adoption; and

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

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

35       **Section 1. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan,  
36       Objective I-2.4 entitled ‘Flat Lake Special Community,’ shall be created to read as follows:

37       **OBJECTIVE I-2.4 Flat Lake Special Community**  
38       **Lake County shall implement and enforce policies and programs designed to preserve and reinforce the**  
39       **positive qualities of the rural lifestyle and charm presently enjoyed in the Flat Lake Community, and thereby**

1 ensure that these qualities are available to both present and future residents. The County recognizes that it  
2 is the intent of the Flat Lake Community to discourage annexations.

3  
4 **Policy I-2.4.1 Annexation Agreements**

5 The County shall pursue an interlocal agreement with the City of Clermont in order to preserve the integrity  
6 of Flat Lake as a rural community within unincorporated Lake County.

7  
8 **Policy I-2.4.2 Recognition of the Flat Lake Community**

9 The County shall develop Land Development Regulations for the Flat Lake Community, depicted on the  
10 Future Land Use Map, that recognizes Flat Lake as a part of Lake County with unique rural character. It  
11 shall be the policy of Lake County that this area requires approaches to land use, rural roadway corridor  
12 protection, environmental protection and the enforcement of Land Development Regulations consistent with  
13 the community's character.

14  
15 **Policy I-2.4.3 Guiding Principles for Development**

16 Lake County shall ensure that new development within Flat Lake is of high quality, while maintaining  
17 community character and protecting property rights. Consideration of proposals for future development and  
18 redevelopment within Flat Lake shall be guided by the following principles:

- 19 • Maintain rural densities of development while providing for economic development opportunities  
20 that are appropriately scaled to serve the needs of the Flat Lake Community;  
21 • Ensure compatibility with established neighborhoods, rural uses and rural lifestyles;  
22 • Pursue an integrated network of local two-lane streets, bicycle trails, and pedestrian paths;  
23 • Create a sense of place by implementing design standards using traditional architectural  
24 guidelines, traffic calming, lighting and landscaping standards, liberal use of street trees,  
25 community parks, and open space that protect and enhance the character of Flat Lake;  
26 • Provide for environmentally responsible development and design appropriate for rural densities  
27 and lifestyles;  
28 • Maintain Flat Lake as an equestrian-friendly community;  
29 • Flat Lake Community shall be notified of any public hearings within 1,000 ft. of the boundary of  
30 the community; and  
31 • Any nonresidential development shall require Board approval at a public hearing

32 **Policy I-2.4.4 Residential Land Use**

33 Within the Flat Lake Community, all residential development shall be consistent with the Rural Future Land  
34 Use Category of one (1) dwelling unit per five (5) net buildable acres; provided that a lot for which a final Lot  
35 of Record determination was completed and approved by Lake County existing on or before the effective  
36 date of this policy that is smaller than five (5) acres in size may be permitted one dwelling unit, along with an  
37 accessory dwelling unit, consistent with all other provisions of this Comprehensive Plan and the Land  
38 Development Regulations.

39  
40 **Policy I-2.4.5 Economic Development**

41 The County shall establish standards and guidelines for a Rural Support Corridor, herein referred to as the  
42 Flat Lake Economic District, to preserve a sense of place and shared identity for the Flat Lake Community.  
43 Low impact commercial development within the Flat Lake Economic District shall be designed and scaled to

1 serve the Flat Lake Community. The Flat Lake Economic District is hereby defined to include only land within  
2 a parcel 330 feet from the centerline of West Phil C Peters Road from the intersection of Savana Ridge Lane  
3 to Black Bear Lane. The purpose of this district shall be to provide for a mix of uses including commercial,  
4 civic, and residential. Commercial uses shall not be permitted outside of the Economic District. Land  
5 Development Regulations for the Flat Lake Economic District shall be developed to emulate a traditional rural  
6 community, including but not limited to the following requirements:

- 7 • Require specific design standards affecting the size and architecture of residential and  
8 nonresidential structures, consistent with the Flat Lake Economic District;
- 9 • Require that building structures present a traditional storefront face and entrance to West C Phil  
10 Peters Road or side streets, and provide wide sidewalks for pedestrian activity with street  
11 furniture for outdoor cafes and benches for rest and shading;
- 12 • Require the planting of canopy trees at regular intervals along roads within the Flat Lake  
13 Economic District, and require that lamps utilize full-cutoff lighting with traditional-style fixtures;
- 14 • Require that all parking be located in the rear of building structures facing the main street  
15 corridor, with the exception of on-street angle or parallel parking;
- 16 • Provide for maximum building height of one (1) story with varied rooflines unless such look is  
17 provided by adjacent buildings.
- 18 • Provide for one or more areas within the Flat Lake Economic District that shall serve as a  
19 community park or civic space, which shall be designed with appropriate landscaping and  
20 amenities that enhance the public realm and community identity; and
- 21 • Commercial business shall be limited to those uses that support the rural community and shall  
22 specifically exclude adult entertainment facilities, tattoo parlors, or other obnoxious uses as  
23 defined in the Land Development Regulations.

24  
25 **Policy I-2.4.6 Development Plan Approval**

26 In addition to Comprehensive Plan amendment standards of review, development applications in the Flat  
27 Lake Economic District shall be required to submit as a condition for approval:

- 28 • A narrative describing how the proposed development will maintain and protect the existing rural  
29 and historic integrity of the Flat Lake Community;
- 30 • An inventory and analysis of nearby existing and approved uses in order to demonstrate  
31 compatibility of the proposed development;
- 32 • Transportation information describing the existing road network, the current conditions of the  
33 adjacent and feeder road(s), and projected additional traffic levels resulting from the proposed  
34 development;
- 35 • A graphic illustration of the existing development conditions in proximity to the proposed site;  
36 and
- 37 • Elevations showing the proposed development presents a traditional storefront face and  
38 entrance.



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**Policy I-2.4.7 Rural Conservation Subdivisions in the Flat Lake Community**

Within the Flat Lake Community, development containing five (5) or more dwelling units shall be processed using a Planned Unit Development as a Rural Conservation Subdivision consistent with the policies of this Comprehensive Plan. A minimum of 50% of the net buildable area of the entire site shall be dedicated as open space. The minimum lot of new development shall be a minimum of one (1) acre in size. It is the intent of this policy to encourage equestrian and similar uses.

**Policy I-2.4.8 Potable Water and Sanitary Sewer**

New development within Flat Lake Special Community shall generally not be designed nor constructed with central water or sewer systems. Public and private central systems may be permitted in the future only if it is clearly and convincingly demonstrated that a potential or actual health problem exists for which there is no other feasible solution.

**Policy I-2.4.9 Development Entrances**

Entrances to residential developments should complement the rural and historic character of Flat Lake by using architectural design and landscaping features that are natural, rustic, or equestrian in appearance. Solid fences and walled developments shall be prohibited within Flat Lake.

**Policy I-2.4.10 Architectural Standards**

County shall adopt architectural design and landscape guidelines and regulations as appropriate for all commercial and Rural Support uses within the Flat Lake Economic District.

**Policy I-2.4.11 Agriculture**

Lake County shall encourage sustainable agriculture that uses Best Management Practices within Flat Lake. Consistent with this, the County shall recognize the primacy of agriculture within Flat Lake. This determination shall be construed in favor of existing agricultural operations relative to issues of compatibility with residential or commercial development, including but not limited to odor and noise.

**Policy I-2.4.12 Gateway/Landmark Features**

Lake County shall pursue the placement of gateway/landmark features to define the Flat Lake community on West Phil C Peters Road. Gateway/landmark features shall be used to announce entrances and transitions to and through Flat Lake, and to facilitate community identity.

**Policy I-2.4.13 Environmental Design Standards**

The County shall require environmentally responsible development and design consistent with the protection of wetlands, natural upland habitat, wildlife, trees and native vegetation, and aquifer recharge in the Lake Apopka Basin. The filling of wetlands within Flat Lake shall be prohibited, except as necessary to provide legal ingress and egress to buildable areas.

**Policy I-2.4.14 Viewscape**

Lake County shall place high priority on the protection of viewscape from roadway corridors within Flat Lake as a positive reinforcement of the rural and historic character of the area. Lake County shall adopt Land Development Regulations to limit topographic cuts and fill. The intent of these regulations is to limit site alterations that negatively impact unique vistas, including limitations on changes that would alter ridges and hillsides.

Communication Towers within Flat Lake shall be housed within traditional structures, such as church steeples or flag poles, or otherwise disguised to protect viewscales where possible.

1  
2 **Policy I-2.4.16 Preservation of Tree Canopy**

3 Lake County shall require that mature native trees and tree canopies be protected within Flat Lake. A mature  
4 tree shall be defined as a tree with a caliper of eight (8) inches, or more, diameter at breast height. Where  
5 mature native tree stands exist, land use and design requirements are intended to minimize the impact to the  
6 existing tree canopy. Within Flat Lake, Lake County shall require the protection of mature native trees along  
7 roadways and within all new development. Lake County shall encourage tree trimming operations to adhere  
8 to National Tree Care Industry Association Standards in order to preserve existing tree canopies.

9  
10 **Policy I-2.4.17 Underground Utilities**

11 In order to protect community aesthetics and preserve the character of Flat Lake, Lake County shall  
12 encourage the installation of underground utilities.

13  
14 **Policy I-2.4.18 Protection of Dark Skies**

15 The County shall encourage the Flat Lake Community to participate in the development of lighting standards  
16 consistent with the Conservation Element to preserve dark skies, based on recommendations of the  
17 International Dark Sky Association.

18  
19 **Policy I-2.4.20 Fencing**

20 The County shall require that fencing within Flat Lake maintain a rustic, rural appearance. Examples of this  
21 include but are not limited to livestock fences, wood rail fences, board fences, and field fences. Barbed wire  
22 fences shall be discouraged except where necessary to contain livestock. Solid fences and walls shall be  
23 prohibited in all front yards and in side-yards facing major roads. Privacy fences and walls shall be permitted  
24 in rear yards.

25  
26 **Policy I-2.4.23 Traffic Calming**

27 The use of traffic calming measures such as roundabouts, speed tables, bulb outs, chicanes, and similar  
28 measures shall be encouraged to facilitate the reduction of the speed of traffic within Flat Lake. There shall  
29 be no road connections from Hartwood Marsh Road or County Road 455 to West Phil C. Peters Road through  
30 the Flat Lake Special Community; the intent is to limit access of West Phil C. Peters Road only to the Flat  
31 Lake Special Community.

32  
33 **Policy I-2.4.24 Trails**

34 Consistent with maintaining the rural character of Flat Lake, Lake County shall work to establish an integrated  
35 network of trails within the community for pedestrian, biking, and equestrian use.

36  
37 **Section 6. Comprehensive Plan Future Land Use Map Amendment.** The 2030 Comprehensive Plan  
38 Future Land Use Map is hereby amended to identify the Flat Lake Special Community, shown in Exhibit "A"  
39 attached and incorporated in this Ordinance.

40 **Section 7. Advertisement.** This Ordinance was advertised pursuant to Sections 125.66 and 163.3184,  
41 Florida Statutes.

42  
43 **Section 8. Severability.** If any section, sentence, clause, phrase or word of this Ordinance is for any  
44 reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect  
45 the remaining portions of this Ordinance; and it shall be construed to have been the Commissioners' intent  
46 to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of

1 this Ordinance, after the exclusion of such part or parts shall be deemed and held to be valid, as if such parts  
2 had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any  
3 person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding  
4 shall not affect the applicability thereof to any other person, property or circumstances.

5  
6 **Section 9. Effective Date.** The effective date of this plan amendment, if the amendment is not timely  
7 challenged, shall be 31 days after the state land planning agency notifies the local government that the plan  
8 amendment package is complete. If timely challenged, this amendment shall become effective on the date  
9 the state land planning agency or the Administration Commission enters a final order determining this  
10 adopted amendment to be in compliance. No development orders, development permits, or land uses  
11 dependent on this amendment may be issued or commence before it has become effective. If a final order  
12 of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made  
13 effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to  
14 the state land planning agency.

15  
16 ENACTED this \_\_\_\_ day of \_\_\_\_\_, 2021.

17  
18 FILED with the Secretary of State \_\_\_\_\_, 2021.

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21 BOARD OF COUNTY COMMISSIONERS  
22 LAKE COUNTY, FLORIDA

23  
24  
25 \_\_\_\_\_  
Sean M. Parks, Chairman

26 ATTEST:

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28 \_\_\_\_\_  
29 Gary J. Cooney, Clerk  
30 Board of County Commissioners of  
31 Lake County, Florida

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33  
34 Approved as to form and legality:

35  
36 \_\_\_\_\_  
37 Melanie Marsh, County Attorney  
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# Exhibit “A” – FLU Map

