



COMPREHENSIVE PLAN AMENDMENT
STAFF REPORT
OFFICE OF PLANNING & ZONING

Tab Number: 2

Public Hearings: Planning & Zoning Board (PZB): July 6, 2022
Board of County Commissioners (BCC) (Transmittal): August 2, 2022
Board of County Commissioners (BCC) (Adoption): TBD

Case No. and Project Name: FLU-22-09 Rural Conservation Comprehensive Plan Amendments

Applicant: Lake County Board of County Commissioners

Requested Action: Amend the Comprehensive Plan to incorporate Rural Conservation design concepts and criteria into the Comprehensive Plan

Case Managers: Bobby Howell, AICP, Director, Office of Planning and Zoning
Emily Johnson, Chief Planner, Office of Planning and Zoning

Staff Determination: Staff finds the requested amendments consistent with Comprehensive Plan Policy I-7.4.2, which requires the adoption of design criteria and guidelines for the development of conservation subdivisions in the Rural Future Land Use Series, Wekiva River Protection Area, Wekiva Study Area, and the Green Swamp Area of Critical State Concern; and the purpose and intent of the Rural Conservation Subdivision Design Standards.

PZB Recommendation:

Staff Analysis

On May 10, 2022, staff presented to the Board of County Commissioners (BCC) a proposed ordinance pertaining to design criteria and guidelines for the development of conservation subdivisions in the Rural Future Land Use Series, Wekiva River Protection Area, Wekiva Study Area, and the Green Swamp Area of Critical State Concern future land use categories. On June 14, 2022, staff came back to the BCC and presented a revised ordinance for consideration and public discussion. At this meeting, the BCC directed staff to proceed with bringing an ordinance amending applicable Comprehensive Plan policies as they relate to Rural Conservation subdivision design forward to public hearings for consideration. This ordinance proposes the following:

1. Revise language to allow for development as a Rural Conservation Subdivision or a PUD if utilizing alternative density allowances within the following Future Land Use Categories:
 - Policy I-1.4.5 “Rural Transition Future Land Use Category”
 - Policy I-3.2.1 “Wekiva River Protection Area A-1-40 Sending Area Future Land Use Category”
 - Policy I-3.2.2 “Wekiva River Protection Area A-1-20 Sending Area Future Land Use Category”
 - Policy I-3.2.3 “Wekiva River Protection Area A-1-20 Receiving Area Future Land Use Category”

2. Revise language in the following policies to require subdivisions containing 10 or more dwelling units to develop as a Rural Conservation Subdivision or a PUD:
 - Policy I-3.4.2 “Open Space Requirements within the Wekiva Study Area (WSA)”
 - Policy I-2.3.7 “Rural Conservation Subdivisions in the Ferndale Community”
 - Policy I-5.2.2 “Land Use in the Wekiva-Ocala Rural Protection Area”
 - Policy I-5.3.2 “Land Use in the Emerald Marsh Rural Protection Area”
 - Policy I-5.4.2 “Land Use in the Yalaha – Lake Apopka Rural Protection Area”
3. Revise language to require subdivisions containing 6 or more dwelling units to develop as a Rural Conservation Subdivision or a PUD within the following Future Land Use Categories:
 - Policy I-4.2.3 “Green Swamp Rural Future Land Use Category”
 - Policy I-4.2.4 “Green Swamp Rural/Conservation Future Land Use Category”
 - Policy I-4.2.5 “Green Swamp Core/Conservation Future Land Use Category”
 - Revise language to require all subdivisions to develop as a Rural Conservation Subdivision or a PUD.
 - Policy I-4.2.2 “Green Swamp Ridge Future Land Use Category”
4. Policy I-1.4.6 “Preservation of Open Space within Rural Conservation Subdivisions”
 - Amend the title
 - Remove and replace language to require:
 - Open space to be shown on all plats and/or site plans as common area to be owned by a Homeowners Association (HOA)
 - Open space to be maintained in perpetuity
 - Cost and responsibility of maintenance borne by HOA
 - Open space management plan or easement
 - Clustering of open space
5. Policy I-3.4.2 “Open Space Requirements within the Wekiva Study Area (WSA)”
 - Remove and replace language to require:
 - Open space minimums consistent with the Future Land Use Category
 - Subdivisions containing 10 or more dwelling units to develop as a Rural Conservation Subdivision or a PUD; with 35% of the entire site preserved as common open space.
 - Open space to be shown on plats and/or site plans consistent with the language proposed for Policy I-1.4.6.
 - Management plan or easement consistent with the language proposed for Policy I-1.4.6.
 - Clustering of open space consistent with the language proposed for Policy I-1.4.6.
6. Policy I-4.4.7 “Treatment of Wetlands for Development Approval”
 - Amends language to require wetlands be shown on plats and/or site plans within tracts, and to allow wetlands tracts to be owned by an HOA or placed in a conservation easement.
7. Policy I-7.5.2 “Open Space Protection”
 - Expands current language to include plat restrictions, restrictive covenants, and open space easements as mechanisms to protect open space.
8. Policy I-7.13.1 “Framework for Review”
 - Remove specification of “a minimum of 7 days” for delivery of a staff report.

9. Objective I-7.14 “Planned Unit Development Future Land Use Series”
 - Remove “It is intended to incorporate a broad mixture of uses with specific design standards, and provide development standards which are consistent with all elements of the 2030 Comprehensive Plan” from the description of the Future Land Use Series.
 - Amend the reference to the Green Swamp Area of Critical State Concern to reflect “Rule 28-26.002” in lieu of “Chapter 28-28”.
10. Remove and Reserve Policy I-3.4.4 “Dedication of Open Space within the Wekiva Study Area (WSA)”
11. Create Policy I-4.1.6 “Preservation of Open Space in the Green Swamp Area of Critical State Concern”
12. Renumber Policy I-3.3.12 “Bella Collina Helipad/Open Space Future Land Use Category” shall be renumbered as Policy I-1.3.15.

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 intent of this amendment is to incorporate Rural Conservation design concepts and criteria into the Rural Future Land Use Series, Wekiva River Protection Area, Wekiva Study Area, and the Green Swamp Area of Critical State Concern Comprehensive Plan categories, consistent with Comprehensive Plan Policy I-7.4.2. The proposed amendment is not in conflict with the Future Land Use Element, and will enhance this element by providing Rural Conservation subdivisions as an alternative to conventionally designed subdivisions in order to protect the long-term integrity of protected rural and conservation areas, and provide for appropriate land use transitions in and around such areas.

The **Capital Improvements Element** seeks to maintain adopted level of service standards and ensure public facilities and services are available concurrent with development. The proposed amendment is not in conflict with the Capital Improvements Element.

The **Conservation Element** is intended to provide a framework for the ongoing monitoring, management, and use of the County’s natural resources. The proposed amendment is not in conflict with the Conservation Element and will enhance this element by requiring properties that are proposed for development in applicable Future Land Use Categories to further preserve the natural resources by requiring the clustering of, and preservation of open space on potential residential development sites within applicable Future Land Use Categories in unincorporated Lake County.

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 proposed amendment is not in conflict with the Housing Element.

The **Intergovernmental Coordination Element** strives to promote coordination between Lake County and other

local, state, regional, and federal government entities. The proposed amendment is not in conflict with the Intergovernmental Coordination Element.

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 meet the diverse needs of a growing community. The proposed amendment has no impact to existing levels of service, and is not in conflict with the Parks and Recreation Element.

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 proposed amendment 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, and is not in conflict with the Public Facilities Element.

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

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

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

The amendment is not in conflict with existing or proposed land uses. The amendment proposes to incorporate Rural Conservation design concepts and criteria into the Rural Future Land Use Series, Wekiva River Protection Area, Wekiva Study Area, and the Green Swamp Area of Critical State Concern Comprehensive Plan categories, consistent with Comprehensive Plan Policy I-7.4.2.

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

The amendment seeks to address the implementation of Rural Conservation subdivision design within applicable Future Land Use Categories within unincorporated Lake County.

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 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. All development would be required to be consistent with the existing rules in place for public facilities.

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

The proposed amendment is anticipated to have many positive impacts on the natural environment by requiring the preservation of open space on proposed residential development sites located within applicable Future Land Use categories within unincorporated Lake County.

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

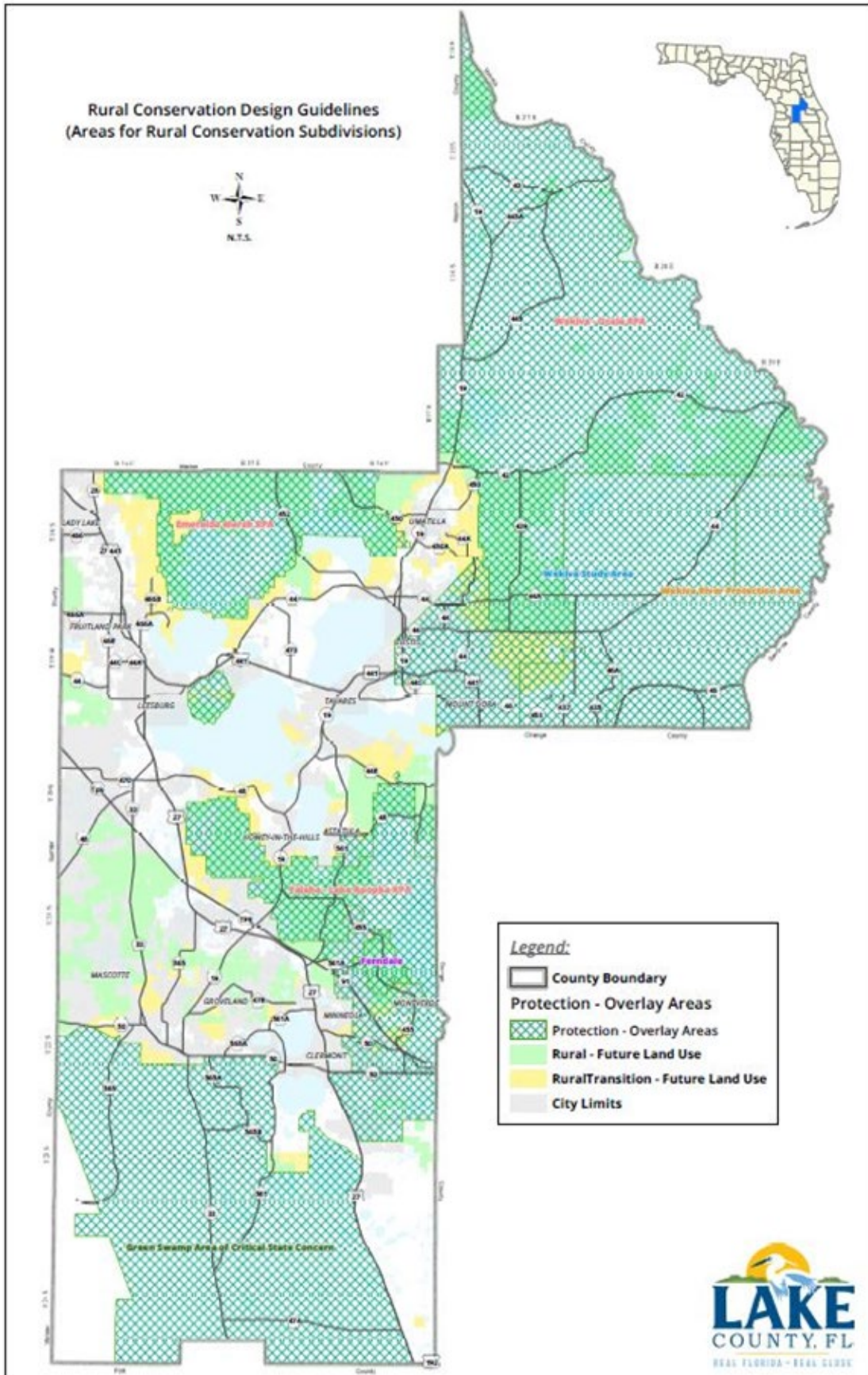
There is no indication that the amendment would have an adverse impact on property values.

H. Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

The proposed amendment seeks to create and maintain the rural conservation development patterns in all applicable Future Land Use categories within unincorporated Lake County.

I. 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.



**ORDINANCE 2022 – XX
CP-XX-XX
RURAL CONSERVATION SUBDIVISIONS AMENDMENTS**

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING
2 POLICY I-1.4.5, ENTITLED *RURAL TRANSITION FUTURE LAND USE CATEGORY*; AMENDING POLICY I-1.4.6,
3 ENTITLED *OPEN SPACE WITHIN RURAL CONSERVATION SUBDIVISIONS*; CREATING POLICY I-1.4.6.1, TO
4 BE ENTITLED *DENSITY BONUS IN RURAL CONSERVATION SUBDIVISIONS*; AMENDING POLICY I-2.3.7,
5 ENTITLED *RURAL CONSERVATION SUBDIVISIONS IN THE FERNDALE COMMUNITY*; AMENDING POLICY I-
6 3.2.1, ENTITLED *WEKIVA RIVER PROTECTION AREA A-1-40 SENDING AREA FUTURE LAND USE*
7 *CATEGORY*; AMENDING POLICY I-3.2.2, ENTITLED *WEKIVA RIVER PROTECTION AREA A-1-20 SENDING*
8 *AREA FUTURE LAND USE CATEGORY*; AMENDING POLICY I-3.2.3, ENTITLED *WEKIVA RIVER PROTECTION*
9 *AREA A-1-20 RECEIVING AREA FUTURE LAND USE CATEGORY*; AMENDING POLICY I-3.4.2, ENTITLED
10 *OPEN SPACE REQUIREMENTS WITHIN THE WEKIVA STUDY AREA (WSA)*; AMENDING POLICY I-3.4.4,
11 ENTITLED *DEDICATION OF OPEN SPACE WITHIN THE WEKIVA STUDY AREA (WSA)*; CREATING POLICY I-
12 4.1.6, TO BE ENTITLED *PRESERVATION OF OPEN SPACE IN THE GREEN SWAMP AREA OF CRITICAL*
13 *STATE CONCERN*; AMENDING POLICY I-4.2.2, ENTITLED *GREEN SWAMP RIDGE FUTURE LAND USE*
14 *CATEGORY*; AMENDING POLICY I-4.2.3, ENTITLED *GREEN SWAMP RURAL FUTURE LAND USE*
15 *CATEGORY*; AMENDING POLICY I-4.2.4, ENTITLED *GREEN SWAMP RURAL/CONSERVATION FUTURE LAND*
16 *USE CATEGORY*; AMENDING POLICY I-4.2.5, ENTITLED *GREEN SWAMP CORE/CONSERVATION FUTURE*
17 *LAND USE CATEGORY*; AMENDING POLICY I-4.4.7, ENTITLED *TREATMENT OF WETLANDS FOR*
18 *DEVELOPMENT APPROVAL*; AMENDING POLICY I-5.2.2, ENTITLED *LAND USE IN THE WEKIVA-OCALA*
19 *RURAL PROTECTION AREA*; AMENDING POLICY I-5.3.2, ENTITLED *LAND USE IN THE EMERALDA MARSH*
20 *RURAL PROTECTION AREA*; AMENDING POLICY I-5.4.2, ENTITLED *LAND USE IN THE YALAHA-LAKE*
21 *APOPKA RURAL PROTECTION AREA*; AMENDING POLICY I-7.5.2, ENTITLED *OPEN SPACE PROTECTION*;
22 AMENDING POLICY I-7.8.1, ENTITLED *REQUIREMENTS FOR PLANNED UNIT DEVELOPMENTS*; AMENDING
23 POLICY I-7.13.1, ENTITLED *FRAMEWORK FOR REVIEW*; AMENDING OBJECTIVE I-7.14, ENTITLED *PLANNED*
24 *UNIT DEVELOPMENT FUTURE LAND USE SERIES*; RENUMBERING POLICY I-3.3.12, ENTITLED *BELLA*
25 *COLLINA HELIPAD/OPEN SPACE FUTURE LAND USE CATEGORY* AS POLICY I-1.3.15; PROVIDING FOR
26 PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES; PROVIDING FOR
27 SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
28

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

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

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

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

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

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

41 **WHEREAS**, on the X day of XXXXXXXX 2022, this Ordinance was heard at a public hearing before the Lake County
42 Planning & Zoning Board in its capacity as the Local Planning Agency; and

43 **WHEREAS**, on the X day of XXXXXXXX 2022, this Ordinance was heard at a public hearing before the Lake County

1 Board of County Commissioners for approval to transmit to the state planning agency and other reviewing agencies; and

2 **WHEREAS**, on the X day of XXXXXXXX 202X, this Ordinance was heard at a public hearing before the Lake County
3 Board of County Commissioners for adoption; and

4 **WHEREAS**, it serves the health, safety and general welfare of the residents of Lake County to adopt the amendment
5 to the Lake County Comprehensive Plan.

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

7
8 **Section 1. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
9 Policy I-1.4.5, entitled *Rural Transition Future Land Use Category*, shall be amended to read as follows:

10
11 Policy I-1.4.5 Rural Transition Future Land Use Category

12 The Rural Transition Future Land Use Category is intended to address “edge” conditions where Rural Future Land
13 Use Categories abut Urban Future Land Use Categories. These “edges” represent areas where lower rural densities
14 may be increased for Rural Conservation Subdivisions that utilize clustering techniques.

15 This Future Land Use Category provides for residential development at densities equal to or less than one (1) dwelling
16 unit per five (5) net buildable acres, agricultural operations, civic uses compatible with a rural community, and Rural
17 Support functions where appropriate.

18 Alternatively, residential development not to exceed a maximum density of one (1) dwelling unit per three (3) net
19 buildable acres may be permitted provided that ~~anythe~~ subdivision shall be developed either (i) as a clustered Rural
20 Conservation Subdivision, or (ii) rezoned utilizing to a Planned Unit Development (PUD) zoning district, and provided
21 that at To obtain this density, at least 35% of the net buildable area of the entire PUD site shall be dedicated in
22 perpetuity for preservation must be preserved as common open space as set forth in Policy I-1.4.6 through the use of
23 a conservation easement or similar recorded and legally binding instrument, as allowed by law. A proposed Rural
24 Conservation Subdivision shall consist of at The property must contain at least fifteen (15) net buildable acres in order
25 to be considered for this alternate density.

26 As a third alternative, residential development not to exceed a maximum density of one (1) dwelling unit per one (1)
27 net buildable acre may be permitted provided that ~~anythe~~ subdivision shall be developed either (i) as a clustered
28 Rural Conservation Subdivision, or (ii) rezoned to utilizing a Planned Unit Development (PUD) zoning district, and
29 provided that at To obtain this density, at least 50% of the net buildable area of the entire site PUD shall be dedicated
30 in perpetuity for preservation must be preserved as common open space as set forth in Policy I-1.4.6 through the use
31 of a conservation easement or similar recorded and legally binding instrument, as allowed by law. A proposed Rural
32 Conservation Subdivision shall consist of at The property must contain at least fifteen (15) net buildable acres in order
33 to be considered for this alternate density.

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

37 TYPICAL USES INCLUDE:

- 38 • Agriculture and forestry;
- 39 • Residential;
- 40 • Passive parks;

- 1 • Equestrian related uses;
- 2 • K-12 schools;
- 3 • Religious organizations;
- 4 • Public Order and Safety;
- 5 • Rural Support uses as provided for in this Comprehensive Plan; and
- 6 • Economic Development Overlay Uses for properties included within the Economic Development Overlay
- 7 District (Map 20, Future Land Use Map Series), and subject to Objective I-6.5.

8 TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

- 9 • Mining and Resource Extraction;
- 10 • Active parks and recreation facilities;
- 11 • Nursing and personal care facilities;
- 12 • Daycare services;
- 13 • Outdoor Sports and recreation clubs;
- 14 • Civic uses;
- 15 • Animal specialty services;
- 16 • Unpaved airstrips;
- 17 • Utilities; and
- 18 • Ports and Marinas

19
20 **Section 2. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
21 Policy I-1.4.6, entitled *Open Space within Rural Conservation Subdivisions*, shall be amended to read as follows:

22
23 Policy I-1.4.6 Preservation of Open Space within Rural Conservation Subdivisions

24 ~~Open space within Rural Conservation Subdivisions shall be applied and protected as follows:~~

25 ~~1. Open space shall be designated to remain undeveloped and protected in perpetuity through the use of conservation~~
26 ~~easements, plat restrictions, or similar legally recorded and binding instruments that run with the land and establish~~
27 ~~the conditions and restrictions on the use of the open space area, as allowed by law. Open space conservation~~
28 ~~easements shall be dedicated to one or a combination of the following, which shall be designated prior to~~
29 ~~development:~~

- 30 ~~• Conservation agency such as Florida Department of Environmental Protection or St. Johns River Water~~
31 ~~Management District;~~
- 32 ~~• Non-profit conservation organization or land trust; or~~
- 33 ~~• Lake County, subject to County approval.~~

34 ~~2. Open space shall be shown on all plats as a common area, which shall be deeded to the homeowners association~~
35 ~~the County, a conservation agency, or non-profit conservation organization for ownership and maintenance. Any~~

~~deeded open space shall be credited to the dedicating subdivision in calculating open space requirements. The cost and responsibility of maintaining open space shall be borne by the owner of the open space. An open space management plan shall be required to accompany the development, subject to County approval. The management plan shall establish conservation objectives, outline procedures, and define the roles and responsibilities for managing open space, including establishment of a Qualified Management Entity as appropriate. The management plan will also address wildfire mitigation requirements to include vegetation management practices to prevent hazardous fuel buildup and possible wildfire threat within the community. If not properly maintained, the County may enforce maintenance. Designated open space shall be clearly delineated on project site plans, including recorded plats, and marked in the field.~~

~~3. Clustering shall mean that the built area of the development site is well defined and compact, thereby enabling the creation of contiguous expanses of open space and the protection of environmentally sensitive areas. At least 50% of required open space shall be configured in a single contiguous tract. Open space shall be contiguous with protected open space on adjacent parcels and public conservation lands to the maximum extent feasible and configured to ensure compatibility with adjacent rural properties.~~

~~Open space shall be shown on all plats as a common area, which shall be owned by a homeowners' association created under Chapter 720, Florida Statutes. Both the plat and restrictive covenants shall provide for the open space to be maintained in perpetuity. The cost and responsibility of maintaining open space shall be borne by the homeowners' association. An open space management plan shall be required to accompany the development, subject to County approval. The management plan shall establish conservation objectives, outline procedures, and define the roles and responsibilities for managing open space, including establishment of a Qualified Management Entity as appropriate. The management plan will also address wildfire mitigation requirements to include vegetation management practices to prevent hazardous fuel buildup and possible wildfire threat within the community. If not properly maintained, the County may enforce maintenance. Designated open space shall be clearly delineated on project site plans, including recorded plats, and marked in the field.~~

~~A conservation or open space easement may be required by the County to ensure that the open space is protected. If required, a conservation or open space easement shall run in favor of a:~~

- ~~• Conservation agency such as the Florida Department of Environmental Protection or water management district;~~
- ~~• Non-profit conservation organization or land trust; or~~
- ~~• Lake County, subject to County approval.~~

~~Open space within a Rural Conservation Subdivision shall be clustered. Clustering shall mean that the built area of the development site is well defined and compact, thereby enabling the creation of contiguous expanses of open space and the protection of environmentally sensitive areas. At least 50% of required open space shall be configured in a single contiguous tract. Open space shall be contiguous with protected open space on adjacent parcels and public conservation lands to the maximum extent feasible and configured to ensure compatibility with adjacent rural properties.~~

Section 3. Comprehensive Plan Text Amendment. The Lake County 2030 Comprehensive Plan Policy I-1.4.6.1, to be entitled *Density Bonus in Rural Conservation Subdivisions*, shall be created to read as follows:

Policy I-1.4.6.1 Density Bonus in Rural Conservation Subdivisions

The maximum number of building lots or dwelling units in a rural conservation subdivision shall not exceed the number that could otherwise be developed by the application of the minimum lot size requirement and/or density standard of the future land use category in which the parcel is located unless the Board of County Commissioners determines that the applicant has met one of the bonus criteria. Such discretionary bonuses shall not exceed, in total, more than a twenty-five (25) percent increase in the density allowed under the applicable future land use category.

Density Bonus Category I: To Encourage Additional Open Space. A density increase is permitted where more than the minimum required open space is provided. The amount of the density bonus shall be based on the following standards:

- For each additional acre of protected, unconstrained (buildable), open space land provided in the subdivision, two (2) additional building lots or dwelling units are permitted.
- In lieu of providing such additional open space within the proposed development, additional property may be purchased in fee simple or less than fee (e.g., development rights) land separate from the subdivision which is comprised of buildable land. Land purchased for conservation purposes in fee may be dedicated to a unit of local government, the State of Florida, or a private non-profit land conservancy.
- For land purchased in less than fee, a conservation easement shall be recorded which restricts the development potential of the land. The conservation easement shall be dedicated to a unit of local government, the State of Florida, or a private non-profit land conservancy.

Density Bonus Category 2: To Encourage Public Access. Dedication of land for public use (including trails, active recreation, municipal spray irrigation fields, etc.), in addition to any public land dedication authorized under Florida law, may be eligible for a density bonus. This density bonus, for open space that would be in addition to what is required under this Comprehensive Plan or under Florida law, shall be computed based on two (2) dwelling units for every acre of publicly accessible land. The decision whether to accept an applicant's offer to dedicate open space for public access shall be at the discretion of the Board of County Commissioners.

Section 4. Comprehensive Plan Text Amendment. The Lake County 2030 Comprehensive Plan Policy I-2.3.7 entitled *Rural Conservation Subdivisions in the Ferndale Community*, shall be amended to read as follows:

Policy I-2.3.7 Rural Conservation Subdivisions in the Ferndale Community
Within the Ferndale Community, ~~development residential subdivisions~~ containing ten (10) or more dwelling units shall be ~~processed using a Planned Unit Development~~ developed as either (i) a Rural Conservation Subdivision, or (ii) ~~rezoned to a Planned Unit Development (PUD) zoning district~~ consistent with the policies of this Comprehensive Plan. A minimum of 50% of the net buildable area of the entire site shall be ~~dedicated~~ preserved as open space in the same manner as set forth in Policy I.1.4.6. It is the intent of this policy to encourage equestrian and similar uses.

Section 5. Comprehensive Plan Text Amendment. The Lake County 2030 Comprehensive Plan Policy I-3.2.1, entitled *Wekiva River Protection Area A-1-40 Sending Area Future Land Use Category*, shall be amended to read as follows:

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

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

5 Unless otherwise vested, a maximum base density of one (1) dwelling unit per forty (40) net acres may be allowed.
6 A ~~proposed subdivision-residential subdivision~~ may increase density to a maximum of one (1) dwelling unit per ten
7 (10) net buildable acres ~~if developed provided that the subdivision shall be developed either (i) as a clustered Rural~~
8 ~~Conservation Subdivision or (ii) rezoned to utilizing Planned Unit Development (PUD) zoning district. To obtain this~~
9 ~~density, and provided that~~ at least 50% of the net buildable area ~~of the entire site must be is dedicated in perpetuity~~
10 ~~for preservation preserved~~ as common open space ~~as set forth in Policy I-3.4.2 through the use of a conservation~~
11 ~~easement or similar recorded and legally binding instrument.~~

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

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

16 TYPICAL USES INCLUDE:

- 17 • Agriculture and forestry;
- 18 • Residential;
- 19 • Passive parks;
- 20 • Religious organizations;
- 21 • Public Order and Safety;
- 22 • Equestrian related uses; and
- 23 • Rural Support uses as provided for in this Comprehensive Plan.

24 TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

- 25 • Outdoor Small-scale sporting and recreational camps;
- 26 • Animal specialty services;
- 27 • Civic uses; and
- 28 • Unpaved airstrips.

29

30 **Section 6. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
31 Policy I-3.2.2, entitled *Wekiva River Protection Area A-1-20 Sending Area Future Land Use Category*, shall be
32 amended to read as follows:

33

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

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

1 Unless otherwise vested, a maximum base density of one (1) dwelling unit per twenty (20) net acres may be allowed.
2 A ~~proposed residential~~ subdivision may increase density to a maximum of one (1) dwelling unit per five (5) net
3 buildable acres ~~if developed provided that the subdivision shall be developed either (i) as a clustered Rural~~
4 ~~Conservation Subdivision or (ii) utilizing rezoned to a Planned Unit Development (PUD) zoning district. To obtain this~~
5 ~~density, and provided that~~ at least 50% of the net buildable area ~~of the entire site must be is dedicated in perpetuity for~~
6 ~~preservation preserved~~ as common open space ~~as set forth in Policy I-3.4.2 through the use of a conservation~~
7 ~~easement or similar recorded and legally binding instrument.~~

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

10 The maximum Impervious Surface Ratio within this category shall be 0.20, except for agricultural uses, civic uses,
11 recreational uses, and all rural support uses within Rural Support Corridors and Rural Support Intersections, for which
12 the maximum impervious surface ratio shall be 0.30.

13 TYPICAL USES INCLUDE:

- 14 • Agriculture and forestry;
- 15 • Residential;
- 16 • Passive parks;
- 17 • Religious organizations;
- 18 • Public Order and Safety;
- 19 • Equestrian related uses; and
- 20 • Rural Support uses as provided for in this Comprehensive Plan.

21 TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

- 22 • Outdoor Small-scale sporting and recreational camps;
- 23 • Animal specialty services;
- 24 • Civic uses; and
- 25 • Unpaved airstrips.

26
27 **Section 7. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
28 Policy I-3.2.3, entitled *Wekiva River Protection Area A-1-20 Receiving Area Future Land Use Category*, shall be
29 amended to read as follows:

30
31 Policy I-3.2.3 *Wekiva River Protection Area A-1-20 Receiving Area Future Land Use Category*

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

34 Unless otherwise vested, a maximum base density of one (1) dwelling unit per twenty (20) net acres may be allowed.
35 A ~~proposed residential~~ subdivision may increase density to a maximum of one (1) dwelling unit per five (5) net
36 buildable acres ~~if developed provided that the subdivision shall be developed (i) as a clustered Rural Conservation~~
37 ~~Subdivision or (ii) rezoned to utilizing Planned Unit Development (PUD) zoning district. To obtain this density, and~~
38 ~~provided that~~ at least 50% of the net buildable area ~~of the entire site must be is dedicated in perpetuity for preservation~~

1 ~~preserved~~ as common open space ~~as set forth in Policy I-3.4.2 through the use of a conservation easement or similar~~
2 ~~recorded and legally binding instrument.~~ Density may be further increased to a maximum of one (1) dwelling unit per
3 one (1) net buildable acre through the transfer of development rights from Sending Area Numbers One and Two.

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

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

8 TYPICAL USES INCLUDE:

- 9 • Agriculture and forestry;
- 10 • Residential;
- 11 • Passive parks;
- 12 • Religious organizations;
- 13 • Public Order and Safety;
- 14 • Equestrian related uses; and
- 15 • Rural Support uses as provided for in this Comprehensive Plan.

16 TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

- 17 • Active parks and recreation facilities;
- 18 • Outdoor Small-scale sporting and recreational camps;
- 19 • Animal specialty services;
- 20 • Civic uses; and
- 21 • Unpaved airstrips.

22
23 **Section 8. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
24 Policy I-3.4.2, entitled *Open Space Requirements within the Wekiva Study Area (WSA)*, shall be amended to read as
25 follows:

26
27 Policy I-3.4.2 Open Space Requirements within the Wekiva Study Area (WSA)

28
29 In order to protect natural resources, including but not limited to aquifer recharge, karst features, native vegetation,
30 habitat, and wildlife, the County shall require that new development within the WSA preserve and dedicate open
31 space in perpetuity subject to the following requirements:

- 32 • ~~Clustering of units shall be required, where the term clustering means that the built areas of the development~~
33 ~~site are well defined and compact, thereby enabling the creation of contiguous expanses of common open~~
34 ~~space and the protection of environmentally sensitive areas. Development shall be clustered away from the~~
35 ~~most environmentally sensitive areas on site and away from contiguous conservation land. Providing for~~
36 ~~environmental clustering, development shall also be clustered away from contiguous rural residential property~~
37 ~~of five (5) acres or greater. Open space created through clustering shall be connected to the greatest extent~~

~~possible to adjacent open space areas and public conservation lands to create contiguous networks and corridors of larger open space.~~

- ~~• Within the WSA, minimum open space shall be provided consistent with the requirements of the applicable Future Land Use Category. Inside the WSA, any subdivision of land into ten (10) or more lots within the Rural Future Land Use Category, and resulting in an allowable density greater than one (1) dwelling unit per twenty (20) net acres calculated over the original parcel shall be configured as a clustered Rural Conservation at least 35% of the net buildable area as common open space.~~
- ~~• Required open space shall be configured in a single contiguous tract to the greatest extent feasible. Open space shall be contiguous with protected open space on adjacent parcels and public conservation lands to the maximum extent feasible.~~

1. Within the WSA, minimum open space shall be provided consistent with the requirements of the applicable Future Land Use Category. Inside the WSA, any subdivision of land into ten (10) or more lots within the Rural Future Land Use Category, and resulting in an allowable density greater than one (1) dwelling unit per twenty (20) net acres calculated over the original parcel shall be configured as either (i) a clustered Rural Conservation Subdivision, or (ii) rezoned as a Planned Unit Development (PUD) zoning district. At least 35% of the net buildable area of the entire site must be preserved as common open space as set forth in Policy I-3.4.4.

2. Open space shall be shown on all plats as a common area, which shall be owned by a homeowners' association created under Chapter 720, Florida Statutes. Both the plat and restrictive covenants shall provide for the open space to be maintained in perpetuity. The cost and responsibility of maintaining open space shall be borne by the homeowners' association. An open space management plan shall be required to accompany the development, subject to County approval. The management plan shall establish conservation objectives, outline procedures, and define the roles and responsibilities for managing open space, including establishment of a Qualified Management Entity as appropriate. The management plan will also address wildfire mitigation requirements to include vegetation management practices to prevent hazardous fuel buildup and possible wildfire threat within the community. If not properly maintained, the County may enforce maintenance. Designated open space shall be clearly delineated on project site plans, including recorded plats, and marked in the field.

3. Open space for nonresidential development shall be clearly delineated on the project site plan, including recorded plats, if any, and shall be owned by the property owner, property owners' association or other similar entity. The cost and responsibility of maintaining open space shall be borne by the owner. An open space management plan shall be required to accompany the development, subject to County approval. The management plan shall establish conservation objectives, outline procedures, and define the roles and responsibilities for managing open space, including establishment of a Qualified Management Entity as appropriate. The management plan will also address wildfire mitigation requirements to include vegetation management practices to prevent hazardous fuel buildup and possible wildfire threat within the community. If not properly maintained, the County may enforce maintenance. Designated open space shall be clearly delineated on project site plans, including recorded plats, and marked in the field.

4. A conservation or open space easement may be required by the County to ensure that the open space is protected. If required, a conservation or open space easement shall run in favor of a:

- Conservation agency such as the Florida Department of Environmental Protection or water management district;
- Non-profit conservation organization or land trust; or
- Lake County, subject to County approval.

1 5. Open space shall be clustered. Clustering shall mean that the built area of the development site is well
2 defined and compact, thereby enabling the creation of contiguous expanses of open space and the protection
3 of environmentally sensitive areas. At least 50% of required open space shall be configured in a single
4 contiguous tract. Open space shall be contiguous with protected open space on adjacent parcels and public
5 conservation lands to the maximum extent feasible and configured to ensure compatibility with adjacent rural
6 properties. Development shall be clustered away from the most environmentally sensitive areas on site and
7 away from contiguous conservation land. Development shall also be clustered away from contiguous rural
8 residential property of five (5) acres or greater.

9
10 **Section 9. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
11 Policy I-3.4.4, entitled *Dedication of Open Space within the Wekiva Study Area (WSA)*, shall be amended as follows:

12 Policy I-3.4.4 ~~Dedication of Open Space within the Wekiva Study Area (WSA)~~ Reserved.

13 ~~Open space required within the WSA shall be protected as follows:~~

14
15 ~~1. Open space shall be designated to remain undeveloped and protected in perpetuity through the use of~~
16 ~~conservation easements, plat restrictions, or similar recorded and legally binding instruments that run with the~~
17 ~~land and establish the conditions and restrictions on the use of the open space area. Open space conservation~~
18 ~~easements shall be dedicated to one or a combination of the following, which shall be designated prior to~~
19 ~~development:~~

- 20 ~~• Conservation agency such as Florida Department of Environmental Protection or St. Johns River Water~~
21 ~~Management District;~~
- 22 ~~• Non-profit conservation organization or land trust; or~~
- 23 ~~• Lake County, subject to County approval.~~

24
25 ~~2. Open space shall be shown on all plats as a common area, which shall be deeded to the homeowners association,~~
26 ~~the County, a conservation agency, or non-profit conservation organization for ownership and maintenance. Any~~
27 ~~deeded open space shall be credited to the dedicating subdivision in calculating open space requirements. The~~
28 ~~cost and responsibility of maintaining open space shall be borne by the owner of the open space. Within a~~
29 ~~residential subdivision, this is typically a Home Owners Association. An open space management plan shall be~~
30 ~~required to accompany the development, subject to County approval. The management plan shall establish~~
31 ~~conservation objectives, outline procedures, and define the roles and responsibilities for managing open space,~~
32 ~~including establishment of a Qualified Management Entity as appropriate. If not properly maintained, the County~~
33 ~~may enforce maintenance.~~

34 ~~3. Designated open space shall be clearly delineated on project site plans, including recorded plats, and marked in~~
35 ~~the field. The boundaries of the designated open space shall be clearly delineated on project site plans, including~~
36 ~~recorded plats, and marked in the field using posts or similar devices acceptable to Lake County at a maximum~~
37 ~~interval of 50 feet to distinguish these areas from areas suitable for development. The 50-foot marking~~
38 ~~requirement will apply to open space areas greater than one (1) acre in size.~~

39 ~~4. Clustering shall mean that the built area of the development site is well defined and compact, thereby enabling~~
40 ~~the creation of contiguous expanses of open space and the protection of environmentally sensitive areas. Open~~
41 ~~space shall be contiguous with protected open space on adjacent parcels and public conservation lands to the~~
42 ~~maximum extent feasible and configured to ensure compatibility with adjacent rural properties.~~

1
2 **Section 10. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
3 Policy I-4.1.6, to be entitled *Preservation of Open Space in the Green Swamp Area of Critical State Concern*, shall
4 be created to read as follows:

5
6 Policy I-4.1.6 Preservation of Open Space in the Green Swamp Area of Critical State Concern.

- 7 1. Open space shall be shown on all plats as a common area, which shall be owned by a homeowners’
8 association created under Chapter 720, Florida Statutes. Both the plat and restrictive covenants shall provide
9 for the open space to be maintained in perpetuity. The cost and responsibility of maintaining open space
10 shall be borne by the homeowners’ association. An open space management plan shall be required to
11 accompany the development, subject to County approval. The management plan shall establish conservation
12 objectives, outline procedures, and define the roles and responsibilities for managing open space, including
13 establishment of a Qualified Management Entity as appropriate. The management plan will also address
14 wildfire mitigation requirements to include vegetation management practices to prevent hazardous fuel
15 buildup and possible wildfire threat within the community. If not properly maintained, the County may enforce
16 maintenance. Designated open space shall be clearly delineated on project site plans, including recorded
17 plats, and marked in the field.
- 18 2. Open space for nonresidential development shall be clearly delineated on the project site plan, including
19 recorded plats, if any, and shall be owned by the property owner, property owners’ association or other similar
20 entity. The cost and responsibility of maintaining open space shall be borne by the owner. An open space
21 management plan shall be required to accompany the development, subject to County approval. The
22 management plan shall establish conservation objectives, outline procedures, and define the roles and
23 responsibilities for managing open space, including establishment of a Qualified Management Entity as
24 appropriate. The management plan will also address wildfire mitigation requirements to include vegetation
25 management practices to prevent hazardous fuel buildup and possible wildfire threat within the community.
26 If not properly maintained, the County may enforce maintenance. Designated open space shall be clearly
27 delineated on project site plans, including recorded plats, and marked in the field.
- 28 3. A conservation or open space easement may be required by the County to ensure that the open space is
29 protected. If required, a conservation or open space easement shall run in favor of a:
- 30 • Conservation agency such as the Florida Department of Environmental Protection or water
31 management district;
 - 32 • Non-profit conservation organization or land trust; or
 - 33 • Lake County, subject to County approval.
- 34 4. Open space shall be clustered. Clustering shall mean that the built area of the development site is well
35 defined and compact, thereby enabling the creation of contiguous expanses of open space and the protection
36 of environmentally sensitive areas. At least 50% of required open space shall be configured in a single
37 contiguous tract. Open space shall be contiguous with protected open space on adjacent parcels and public
38 conservation lands to the maximum extent feasible and configured to ensure compatibility with adjacent rural
39 properties. Development shall be clustered away from the most environmentally sensitive areas on site and
40 away from contiguous conservation land. Development shall also be clustered away from contiguous rural
41 residential property of five (5) acres or greater.

1 **Section 11. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
2 Policy I-4.2.2, entitled *Green Swamp Ridge Future Land Use Category*, shall be amended as follows:

3
4 Policy I-4.2.2 Green Swamp Ridge Future Land Use Category

5
6 Within the Green Swamp Ridge Future Land Use Category, a maximum density of four (4) dwelling units per net
7 buildable acre may be allowed. A density of one (1) dwelling unit per twenty (20) acres of wetlands is transferable to
8 the uplands of a project site.

9
10 Residential ~~developmentsubdivisions~~ shall ~~require a PUD be developed as either (i) a clustered Rural Conservation~~
11 ~~Subdivision or (ii) rezoned to a Planned Unit Development (PUD) zoning district consistent with the policies of this~~
12 ~~Comprehensive Plan. and dedication of a~~ A minimum of 40% percent of the net buildable area of the ~~entire project~~
13 site ~~shall be preserved as~~ common open space ~~in the same manner as set forth in Policy I.4.1.6.~~

14
15 Mixed use PUDs in the Green Swamp Ridge FLUC shall be limited to a maximum of 20 percent of the net buildable
16 area of the site for commercial use. Strip commercial is prohibited.

17
18 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
19 maximum Impervious Surface Ratio shall be 0.45. However, the maximum ISR shall be 0.60 for parcels with
20 commercial zoning prior to adoption of the 2030 Comprehensive Plan and building height shall be limited to 40 feet.
21 Within the Green Swamp Ridge Future Land Use Category, central sewer service shall be required for development
22 equal to or greater than one dwelling unit per net buildable acre.

23
24 Development orders shall be issued with a condition that specifies a regional wastewater service provider and that
25 requires the development to connect to the regional provider when sewer services are available.

26
27 TYPICAL USES INCLUDE:

- 28 • Residential;
- 29 • Agriculture and forestry;
- 30 • Day care services;
- 31 • K-12 schools;
- 32 • Religious organizations;
- 33 • Passive parks;
- 34 • Civic uses;
- 35 • Public Order and Safety. excluding Detention Facilities;
- 36 • Religious organizations; and
- 37 • Unless development is on a pre-existing commercial zoned property, future commercial uses, including
38 services and retail trade, of 5,000 square feet or less per parcel. However, the square footage can be
39 increased to the maximum FAR and ISR, providing that the development meets or exceeds the sustainable
40 building rating and certification system, and retains the first three inches (3") of stormwater runoff on the
41 property.

1 TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

- 2 • Golf courses consistent with the Green Swamp Principles for Guiding Development;
- 3 • Nursing and personal care facilities;
- 4 • Outdoor Sports and recreation clubs;
- 5 • Animal specialty services;
- 6 • Utilities;
- 7 • Unpaved airstrips and aviation facilities as defined in policy: Aviation Facilities within the Green Swamp Area
- 8 of Critical State Concern; and
- 9 • Active parks and recreation facilities

10
11 **Section 12. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
12 Policy I-4.2.3, entitled *Green Swamp Rural Future Land Use Category*, shall be amended as follows:

13
14 Policy I-4.2.3 Green Swamp Rural Future Land Use Category

15
16 Within the Green Swamp Rural Future Land Use Category, a maximum density not to exceed one (1) dwelling unit
17 per five (5) net buildable acres may be allowed. In addition, density may be transferred to the upland portions of a
18 site at a ratio of one (1) dwelling unit per twenty (20) acres of wetlands.

19
20 Any residential development of more than six (6) lots shall be developed ~~as a planned unit development~~ either (i)
21 a clustered Rural Conservation Subdivision or (ii) rezoned to a Planned Unit Development (PUD) zoning district
22 consistent with the policies of this Comprehensive Plan. A minimum of 60% of the net buildable area of the entire site
23 shall be preserved as common open space in the same manner as set forth in Policy I.4.1.6. Residential development
24 shall be serviced by individual private wells and on-site wastewater treatment and disposal systems, unless the
25 following conditions can be met:

- 26
- 27 • The property is directly adjacent to an Urban Future Land Use Series;
- 28 • The property is within 660-feet of an existing public utility; and
- 29 • The property is within an ethylene dibromide (EDB) zone, per the Florida Department of Environmental
30 Protection.

31
32 The maximum Impervious Surface Ratio within this category shall be 0.20, except for agricultural, civic and
33 recreational uses which shall be 0.30.

34
35 Within the Green Swamp Rural Future Land Use Category, the County shall not approve more than 120 lots per year
36 for platting and shall not issue more than 100 building permits per year.

37
38 TYPICAL USES INCLUDE:

- 39 • Agriculture and forestry;
- 40 • Residential;
- 41 • Passive parks;

- 1 • Public Order and Safety. excluding Detention Facilities;
- 2 • Religious organizations; and
- 3 • Equestrian related uses.

4 TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

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

12

13 **Section 13. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
14 Policy I-4.2.4, entitled *Green Swamp Rural/Conservation Future Land Use Category*, shall be amended as follows:

15

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

17

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

21

22 Any residential development of more than six (6) lots shall ~~require planned unit development~~ be developed as either
23 (i) a clustered Rural Conservation Subdivision or (ii) rezoned to a Planned Unit Development (PUD) zoning district
24 consistent with the policies of this Comprehensive Plan. A minimum of 80% of the net buildable area of the entire site
25 shall be preserved as common open space in the same manner as set forth in Policy I.4.1.6. Residential development
26 shall be serviced by individual private wells and on-site wastewater treatment and disposal systems.

27

28 The maximum Impervious Surface Ratio within this category shall be 0.20. ~~The minimum open space requirement is~~
29 ~~80%.~~

30

31 Within the Green Swamp Rural/Conservation Future Land Use Category, the County shall not approve more than 60
32 lots per year for platting and shall not issue more than 50 building permits per year.

33

34 TYPICAL USES INCLUDE:

- 35 • Agriculture and forestry;
- 36 • Residential;
- 37 • Passive parks;
- 38 • Public Order and Safety. excluding Detention Facilities;
- 39 • Religious organizations; and

- 1 • Equestrian related uses.
- 2 TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:
- 3 • Civic uses;
- 4 • Animal specialty services;
- 5 • Outdoor Small-scale sporting and recreational camps;
- 6 • Sand Mining, subject to Green Swamp policies herein; and
- 7 • Unpaved airstrips and aviation facilities as defined in policy: Aviation Facilities within the Green Swamp Area
- 8 of Critical State Concern.

9
10 **Section 14. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
11 Policy I-4.2.5, entitled *Green Swamp Core/Conservation Future Land Use Category*, shall be amended as follows:

12
13 Policy I-4.2.5 Green Swamp Core/Conservation Future Land Use Category

14
15 Within the Green Swamp Core/Conservation Future Land Use Category, a maximum density not to exceed one
16 dwelling unit per twenty (20) net buildable acres may be allowed. Density may be transferred to the upland portions
17 of a site at a ratio of one (1) dwelling unit per twenty (20) acres of wetlands.

18
19 Any residential development of more than six (6) lots shall ~~require planned unit development zoning~~ be developed as
20 either (i) a clustered Rural Conservation Subdivision or (ii) rezoned to a Planned Unit Development (PUD) zoning
21 district consistent with the policies of this Comprehensive Plan. A minimum of 90% of the net buildable area of the
22 entire site shall be preserved as common open space in the same manner as set forth in Policy I.4.1.6. Residential
23 development shall be serviced by individual private wells. Residential development shall be serviced by individual
24 private wells and on-site wastewater treatment and disposal systems.

25
26 The maximum Impervious Surface Ratio within this category shall be 0.10. ~~The minimum open space requirement is~~
27 ~~90%.~~

28
29 Within the Green Swamp Core/Conservation Future Land Use Category, the County shall not approve more than 35
30 lots per year for platting and shall not issue more than 50 building permits per year.

31
32 TYPICAL USES INCLUDE:

- 33 • Agriculture and forestry;
- 34 • Residential;
- 35 • Passive parks;
- 36 • Public Order and Safety, excluding Detention Facilities;
- 37 • Religious organizations; and
- 38 • Equestrian related uses.

39 TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

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

7
8 **Section 15. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
9 Policy I-4.4.7, entitled *Treatment of Wetlands for Development Approval*, shall be amended as follows:

10
11 Policy I-4.4.7 Treatment of Wetlands for Development Approval

- 12
- 13 1. Wetlands within a project shall be shown on all plats as a separate tract which shall be owned by a
14 homeowners' association created under Chapter 720, Florida Statutes. Both the plat and restrictive
15 covenants shall provide for the wetlands to be maintained in perpetuity in their natural and unaltered state
16 placed in a conservation easement, to the extent allowed by law, which shall run in favor of and be
17 enforceable by the County, other governmental agency or a qualified non-profit conservation organization
18 The conservation easement shall require that the wetlands remain in their natural and unaltered state. If
19 such wetlands and buffer areas are not in a natural state due to the presence of invasive species, changes
20 in hydrology, or the removal of natural vegetation, such wetlands and buffers shall be restored by the removal
21 of invasive species, replacement/revegetation with suitable native species and restoration of natural
22 hydrology to the greatest extent feasible. ~~The entity accepting said conservation easement shall enforce its~~
23 ~~provisions.~~ In addition, wetlands shall not be included as part of any platted lot, except as provided herein.
24 ~~Wetlands shall be shown on the plat as a common area, which shall be deeded to the homeowners'~~
25 ~~association or the County at its option, for ownership and maintenance.~~
 - 26 2. Wetlands may be included in the platted lots for subdivisions which have no homeowners' association and
27 which contain ten (10) lots or less. Wetlands between an upland lot and a water body may be included in
28 the lot to allow the lot owner access to the water. Any isolated wetland of less than one acre may be included
29 in a platted lot.
 - 30 3. Wetlands for nonresidential development shall be clearly delineated on the project site plan, including
31 recorded plat, if any, and shall be owned and maintained by the property owner, property owners' association,
32 or other similar entity.
 - 33 4. A conservation easement may be required by the County to ensure that the wetlands are protected. If
34 required, a conservation or open space easement shall run in favor of a:
 - 35 • Conservation agency such as the Florida Department of Environmental Protection or water
36 management district;
 - 37 • Non-profit conservation organization or land trust; or
 - 38 • Lake County, subject to County approval.

39
40 **Section 16. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
41 Policy I-5.2.2, entitled *Land Use in the Wekiva-Ocala Rural Protection Area*, shall be amended as follows:

1 Policy I-5.2.2 Land Use in the Wekiva-Ocala Rural Protection Area

2
3 Lake County shall limit future land use within the Wekiva-Ocala Rural Protection Area to the Rural Future Land Use
4 Category, Conservation Future Land Use Category, and Public Benefit Future Land Use Series.

5
6 Inside that portion of the Wekiva-Ocala Rural Protection Area located south of the Ocala National Forest and north
7 of the Wekiva River Protection Area, any subdivision of land into ten (10) or more lots and resulting in an allowable
8 density greater than one (1) dwelling unit per twenty (20) net acres calculated over the original parcel shall be
9 developed as either (i) a clustered Rural Conservation Subdivision or (ii) rezoned to a Planned Unit Development
10 (PUD) zoning district consistent with the policies of this Comprehensive Plan. A minimum of 35% of the net buildable
11 area of the entire site shall be preserved as common open space in the same manner as set forth in Policy I.1.4.6.
12 ~~configured as a clustered Rural Conservation Subdivision with at least 35% of the net buildable area as common~~
13 ~~open space.~~

14
15 ~~Within 12 months of the effective date of this Comprehensive Plan, Land Development Regulations shall be adopted~~
16 ~~that establish criteria and thresholds for Rural Conservation Subdivision design. Rural Conservation Subdivision shall~~
17 ~~use clustering and common open space to protect natural resources including but not limited to habitat, wildlife, and~~
18 ~~wildlife corridors; maximize buffers and open space adjacent to public conservation land; protect aquifer recharge;~~
19 ~~and the provide opportunities for passive recreation.~~
20

21 **Section 17. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
22 Policy I-5.3.2, entitled *Land Use in the Emeralda Marsh Rural Protection Area*, shall be amended as follows:

23
24 Policy I-5.3.2 Land Use in the Emeralda Marsh Rural Protection Area

25
26 Lake County shall limit future land use within the Emeralda Marsh Rural Protection Area to the Rural Future Land
27 Use Category and Public Benefit Future Land Use Series.

28
29 Inside that portion of the Emeralda Marsh Rural Protection Area located east of Lake Griffin and west of CR452, any
30 subdivision of land into ten (10) or more lots and resulting in an allowable density greater than one (1) dwelling unit
31 per twenty (20) net acres calculated over the original parcel shall be ~~configured as a clustered Rural Conservation~~
32 ~~Subdivision with at least 35% of the net buildable area as common open space~~developed as either (i) a clustered
33 Rural Conservation Subdivision or (ii) rezoned to a Planned Unit Development (PUD) zoning district consistent with
34 the policies of this Comprehensive Plan. A minimum of 35% of the net buildable area of the entire site shall be
35 preserved as common open space in the same manner as set forth in Policy I.1.4.6.

36
37 ~~Within 12 months of the effective date of this Comprehensive Plan, Land Development Regulations shall be adopted~~
38 ~~that establish criteria and thresholds for Rural Conservation Subdivision design. Rural Conservation Subdivision shall~~
39 ~~use clustering and common open space to protect natural resources including but not limited to habitat, wildlife, and~~
40 ~~wildlife corridors; maximize buffers and open space adjacent to public conservation land; protect aquifer recharge;~~
41 ~~and provide opportunities for passive recreation.~~

42
43 **Section 18. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
44 Policy I-5.4.2, entitled *Land Use in the Yalaha-Lake Apopka Rural Protection Area*, shall be amended as follows:

1 Policy I-5.4.2 Land Use in the Yalaha-Lake Apopka Rural Protection Area

2
3 Lake County shall limit future land use within the Yalaha-Lake Apopka Rural Protection Area to the Rural Future Land
4 Use Category and Public Benefit Future Land Use Series. The County shall require residential subdivisions be
5 developed as either (i) a clustered Rural Conservation Subdivision or (ii) rezoned to a Planned Unit Development
6 (PUD) zoning district consistent with the policies of this Comprehensive Plan. Common open space shall be preserved
7 in the same manner as set forth in Policy I.4.1.6~~design with clustering, for any proposed development within the~~
8 ~~Yalaha-Lake Apopka Rural Protection Area that meets the criteria and thresholds established in the Land~~
9 ~~Development Regulations to ensure the protection of natural resources including, but not limited to habitat, wildlife,~~
10 ~~and wildlife corridors.~~ Clustering and common open space shall emphasize the protection of natural resources
11 including but not limited to habitat, wildlife, and wildlife corridors; maximization of buffers and open space adjacent to
12 public conservation land; protection of aquifer recharge; and the provision of opportunities for passive recreation.

13
14 **Section 19. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
15 Policy I-7.5.2, entitled *Open Space Protection*, shall be amended as follows:

16
17 Policy I-7.5.2 Open Space Protection

18
19 Lake County shall assure the provision of open space within the county by requiring minimum open space standards
20 for new development, through public land acquisition and through designation of Conservation and Recreation land
21 use categories on the Future Land Use Map.

22
23 Lake County shall, through the Land Development Regulations, provide a mechanism to protect, acquire or otherwise
24 set aside natural areas and environmentally sensitive lands as open space for permanent preservation or passive
25 recreation. Protection can be accomplished by the donation of land, plat restrictions, restrictive covenants, or
26 establishment of a permanent conservation or open space easement held by the County, conservation agency, or
27 appropriate non-profit conservation entity. The protection and acquisition of these lands shall be consistent with the
28 Future Land Use Element and Conservation Element.

29
30 **Section 20. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
31 Policy I-7.8.1, entitled *Requirements for Planned Unit Developments*, shall be amended as follows:

32
33 Policy I-7.8.1 Requirements for Planned Unit Developments

34
35 Within 12 months of effective date of this Comprehensive Plan, the County shall adopt Land Development Regulations
36 for new development that utilizes Planned Unit Development zoning, subject to the following:

- 37
38 • The density and intensity of a PUD shall not exceed the density and intensity of the underlying Future Land
39 Use Categories and may be further restricted in the Land Development Regulations.
- 40 • A PUD shall be developed as an integrated unit containing one or more land uses, and shall ensure
41 compatibility with existing and allowed uses on neighboring properties.
- 42 • A PUD shall be required to include provisions for the protection of open space and for the conservation and
43 protection of significant natural resources that may be located within the development site, consistent with

1 this Comprehensive Plan. Clustering, flexible lot design, or other innovative strategy to preserve large areas
2 of contiguous open space and protect significant natural resources shall be required.

- 3 • A resources and vegetation management plan shall be prepared that addresses wildfire mitigation where
4 potential wildfire threats exist, including private lots and common open spaces.
- 5 • Within urban areas, Planned Unit Developments shall provide for innovative planning concepts of site
6 development, such as Traditional Neighborhood Design or Transit Oriented Development, to create
7 aesthetically pleasing living, shopping, and working environments on properties of adequate size and
8 location, consistent with other policies of this Comprehensive Plan.
- 9 • The application for a PUD shall be accompanied by a conceptual site plan depicting important features
10 including but not limited to the location of major roads, structures, and required open space. Approval of a
11 PUD shall require that development occur substantially as depicted on the proposed conceptual site plan.
- 12 • A Planned Unit Development shall be required for any application ~~seeking to increase the existing density~~
13 ~~with the potential of fifty (50) proposing to develop two hundred (200)~~ or more dwelling units.

14
15 **Section 21. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan
16 Policy I-7.13.1, entitled *Framework for Review*, shall be amended as follows:

17
18 Policy I-7.13.1 Framework for Review

19
20 All applications for a Comprehensive Plan amendment, including but not limited to site specific changes in future land
21 use designations, are presumed to involve a legislative function of local government which, if approved, would be by
22 legislative act of the County and shall, therefore, be evaluated based upon the numerous generally acceptable
23 planning, compatibility, and public facility considerations described or referenced in the policies of the Comprehensive
24 Plan. Any application for an amendment to the Comprehensive Plan shall also be reviewed to assess any County-
25 wide or area-wide impacts, including but not limited to the effect of the change on either the internal consistency or
26 fiscal health of the Comprehensive Plan.

27
28 Nothing herein or within the Land Development Regulations shall be construed as a guaranteed right or entitlement
29 that a request for a future land use change shall be granted. In addition to reviewing proposed FLUM amendments
30 for compliance with all requirements of the Comprehensive Plan, the County shall consider whether or not the
31 proposed amendment protects the character and quality of life in the County, and serves the public interest. Nothing
32 herein shall be interpreted to restrict the authority of the Board of County Commissioners to exercise its discretion in
33 denying any proposed amendment to the Comprehensive Plan.

34
35 The Land Development Regulations shall contain provisions that establish an amendment application and review
36 process, consistent with the requirements of the Florida Statutes and this Comprehensive Plan, which shall at a
37 minimum require:

- 38 • A standardized application and report format for all Future Land Use Map amendments, including delivery of
39 a staff report with recommendation to the Local Planning Agency (LPA) ~~a minimum of seven (7) days~~ prior to
40 the public hearing on the application. If a substantive change to the amendment request is made by the
41 applicant following the LPA public hearing, then said change shall require reconsideration by the LPA prior
42 to consideration by the Board of County Commissioners;
- 43 • Compliance with all policies of the Comprehensive Plan;

- Evaluation of the application to be governed by the general regulatory guidelines and policies of the Comprehensive Plan; and
- Provisions for intergovernmental coordination.

Section 22. Comprehensive Plan Text Amendment. The Lake County 2030 Comprehensive Plan Objective I-7.14, entitled *Planned Unit Development Future Land Use Series*, shall be amended as follows:

OBJECTIVE I-7.14 PLANNED UNIT DEVELOPMENT FUTURE LAND USE SERIES

The Planned Unit Development (PUD) Future Land Use Series is established to provide an implementing tool to accommodate site specific development standards for unique properties and developments which do not conform to an established Future Land Use Category. ~~It is intended to incorporate a broad mixture of uses with specific design standards, and provide development standards which are consistent with all elements of the 2030 Comprehensive Plan.~~

Specific land use designations within an approved PUD land use designation may be approved on a site-specific basis. Such designation shall be conditioned on the development proposal being reviewed as a PUD zoning district with a corresponding ordinance. Each PUD zoning district shall ensure adjacent land use compatibility and efficient physical integration within existing infrastructure.

Each specific land use designation shall be established by a comprehensive plan amendment that identifies the specific land use types along with densities and intensities. The Future Land Use designation shown on the Future Land Use Map shall indicate the approved use and the PUD designation.

The PUD land use designation is not permitted within the Green Swamp Area of Critical State Concern (GSACSC), as described within ~~Chapter 28-28~~Rule 28-26.002, FAC.

Section 23. Comprehensive Plan Text Amendment. Policy I-3.3.12, entitled *Bella Collina Helipad/Open Space Future Land Use Category*, shall be renumbered as Policy I-1.3.15.

Section 24. Advertisement. This Ordinance was advertised pursuant to Sections 125.66 and 163.3184, Florida Statutes.

Section 25. Severability. If any section, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Ordinance; and it shall be construed to have been the Commissioners' intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Section 26. Effective Date. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state

1 land planning agency or the Administration Commission enters a final order determining this adopted amendment to
2 be in compliance. No development orders, development permits, or land uses dependent on this amendment may be
3 issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration
4 Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective
5 status, a copy of which resolution shall be sent to the state land planning agency.

6
7
8 **ENACTED** this ____ day of _____, 2022.

9
10 **FILED** with the Secretary of State _____, 2022.

11
12
13 **BOARD OF COUNTY COMMISSIONERS**
14 **LAKE COUNTY, FLORIDA**

15
16
17 _____
18 **Sean M. Parks, Chairman**

19
20
21 **ATTEST:**

22 _____
23 **Gary J. Cooney, Clerk**
24 **Board of County Commissioners of**
25 **Lake County, Florida**

26
27
28 **Approved as to form and legality:**

29
30
31 _____
32 **Melanie Marsh, County Attorney**