

**Summary of Ordinance**

The purpose of this Ordinance is to amend Chapter II, Lake County Code, Appendix E, Land Development Regulations, Section 7.00.04, entitled *Permitted Uses in the Wekiva River Protection Area*, to correct an inconsistency between the Lake County 2030 Comprehensive Plan and the Lake County Land Development Regulations regarding commercial development located within both the Wekiva River Protection Area and the Mt. Plymouth-Sorrento Planning Area.

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

**ORDINANCE 2024-\_\_**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING SECTION 7.00.04, LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS, ENTITLED *PERMITTED USES IN THE WEKIVA RIVER PROTECTION AREA*; REMOVING THE MT. PLYMOUTH-SORRENTO PLANNING AREA FROM COMMERCIAL LOCATIONAL CRITERIA; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Objective I-3.3, entitled *Wekiva River Protection Area*, of the Lake County 2030 Comprehensive Plan (“Comprehensive Plan”), requires that the County regulate the uses of land within Wekiva River Protection Area (“WRPA”) as defined by the Florida Statutes, to implement protection policies and regulations that maintain rural density and character in aggregate, concentrate development farthest from surface waters and wetlands of the Wekiva River System, minimize impacts on water quantity and quality, protecting native vegetation, wetlands, habitat, wildlife and wildlife corridors, and restrict open space areas to conservation and passive recreational uses; and

**WHEREAS**, Policy I-3.3.7, *Commercial Development within the Wekiva River Protection Area*, requires that commercial areas within the WRPA be developed at clearly defined locations, harmoniously related to surrounding land use, traffic flow and the Comprehensive Plan; and

**WHEREAS**, Policy I-3.3.7(A.) specifically restricts commercial development to certain intersections within the WRPA, unless they are in the Mt. Plymouth-Sorrento Planning Area; and

**WHEREAS**, under Section 7.00.04(B.)(10.), Lake County Code, Appendix E, Land Development Regulations, entitled *Permitted Uses in the Wekiva River Protection Area*, commercial development has been restricted to certain intersections without exempting the areas within the Mt. Plymouth-Sorrento Planning Area as required by Policy I-3.3.7(A.); and

**WHEREAS**, this has created an inconsistency between the Lake County Land Development Regulations and the Comprehensive Plan; and

1           **WHEREAS**, the Board of County Commissioners has determined that adopting this  
2 Ordinance is in the best interests of the residents of Lake County, Florida.  
3

4           **NOW THEREFORE**, be it ordained by the Board of County Commissioners of Lake  
5 County, Florida, as follows:  
6

7           **Section 1.     Legislative Findings of Fact.** The foregoing recitals are hereby adopted as  
8 legislative findings of the Board of County Commissioners and are ratified and confirmed as being  
9 true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.  
10

11           **Section 2.     Amendment.** Section 7.00.04, Lake County Code, Appendix E, Land  
12 Development Regulations, entitled *Permitted Uses in the Wekiva River Protection Area*, is hereby  
13 amended to read as follows:  
14

15 **7.00.04           Permitted Uses in the Wekiva River Protection Area.**

16           A. Residential Uses.

- 17           1. Single-family unit meeting the requirements for minimum Living Area and  
18           maximum Density as provided in Section 7.00.02.B. for the "A-1-40 Wekiva  
19           River Protection Area Overlay dDistrict 1, and Section 7.00.032.B. for the "A-  
20           1-20 Wekiva River Protection Area Overlay dDistrict 2.  
21           2. Cluster Housing.

22           B. Other Permitted Uses.

- 23           1. Accessory Buildings or Structures incidental thereto.  
24           2. Accessory Dwelling Units, consistent with Section 10.01.03.  
25           3. Establishments primarily engaged in the production of field crops, plants and  
26           Trees, i.e., Silviculture; nurseries; greenhouses and normal related  
27           Accessories thereto; sod farms and the production of bulbs, flowers;  
28           vegetables, citrus, peaches, berries and nut seed and crops.  
29           4. Farm Accessory Structure, such as livestock buildings for farm animals, barns,  
30           pole sheds, and other outbuildings.  
31           5. Establishments for the keeping, grazing or feeding of livestock, i.e., mules,  
32           burros, horses, cattle, sheep and goats. This Subsection Shall include dairies,  
33           riding academies and horse-breeding farms provided that all pens, Buildings or  
34           Structures used for milking, feeding or sheltering such livestock Shall maintain  
35           a two-hundred-foot Setback from the nearest Right-of-Way line of any public  
36           Street, Road or highway or the adjacent boundary of property owned by others.  
37           However, on Lots or Tracts often (10) acres or more, one (1) stable or barn to  
38           house not more than three (3) horses or cattle or any combination of three (3)  
39           horses or cattle may maintain a seventy-five-foot Setback rather than a two-  
40           hundred-foot Setback from the nearest Right-of-Way line of any public Street,  
41           Road or highway or the adjacent boundary of property owned by others.

- 1           6. Establishments for the keeping and breeding of rabbits, chinchillas, up to fifty  
2           (50) poultry or nutria.
- 3           7. Apiaries.
- 4           8. Veterinary Clinics provided that any open runs, animal service and confinement  
5           areas Shall be located not less than two hundred (200) feet from the nearest  
6           Right-of-Way line of any public Street, Road or highway or the adjacent  
7           boundary of property owned by others.
- 8           9. Roadside farm stands provided that such stands Shall be used to show and sell  
9           products raised or produced on the farmland of which they are a part and may  
10          be composed of a minimum Structure.
- 11          10. Commercial Development within the Wekiva River Protection Area, as defined  
12          in Chapter 369, Part II, Florida Statutes, Shall be allowed as follows:
  - 13           a. Commercial Development within the Wekiva River Protection Area Shall  
14           only be Permitted in the “CP” Planned Commercial District, or within a  
15           residential PUD Planned Unit Development.
  - 16           b. The Commercial Development Shall be located within the interior of a  
17           “PUD” at increments no greater than one (1) acre per five hundred (500)  
18           Dwelling Units.
  - 19           c. Commercial uses Shall not be Permitted adjacent to water bodies within the  
20           Wekiva River Protection Area, as defined in Chapter 369, Florida Statutes,  
21           Part II.
  - 22           d. No Land adjacent to publicly owned Conservation or preservation areas  
23           within the Wekiva River Protection Area, as defined in Chapter 369, Part  
24           II, Florida Statutes, Shall be Developed for commercial uses.
  - 25           e. Commercial Development within the Wekiva River Protection Area, but  
26           outside the Mt. Plymouth-Sorrento Planning Area, Shall be restricted to the  
27           following intersections:
    - 28           (1) SR 44 and CR 437 Brantley Branch Road, subject to the criteria for  
29           Rural Support Intersection in the Lake County Comprehensive Plan.
    - 30           (2) The East side of the intersection of SR 44 and CR 437, subject to  
31           the criteria for Rural Support Intersection the Lake County  
32           Comprehensive Plan.
    - 33           (3) SR 46 and CR 437A corridor along that portion of SR 44 located within  
34           the Pine Lakes plat identified in Plat Book 12 Page 67, subject to  
35           criteria for a Rural Support Corridor in the Lake County  
36           Comprehensive Plan.
    - 37           ~~(4) SR 44 in the vicinity of the Royal Trails Subdivision;~~
    - 38           ~~(5) SR 46 and CR 435.~~

1            f. Commercial Development Shall not exceed two (2) acres in the aggregate  
2            at each intersection and Shall be Developed under the "CP" Planned  
3            Commercial District, as provided for in these Regulations in Chapter III.

4            f.g. The commercial uses Permitted in the “RP” Residential Professional  
5            District Shall only be Permitted in the Wekiva River Protection Area if  
6            located at one of the intersections, or areas within the Wekiva River  
7            Protection Area identified in (e), ~~(g)~~, or (h).

8            g.h. Limited Commercial Development will also be considered in the Pine Lakes  
9            and Cassia areas when densities increase, and a small area study conducted  
10           by the County Manager or designee determines the need for such  
11           Development. A Land Use plan amendment Shall be processed pursuant to  
12           Chapter 163, Florida Statutes, to Permit any commercial uses in the Pine  
13           Lakes and Cassia areas.

14           ~~h. No commercial uses Shall be considered in the vicinity of the proposed~~  
15           ~~interchange of the proposed northwest beltway until the completion of the~~  
16           ~~beltway interchange, and after a small area study to determine appropriate~~  
17           ~~uses and locations has been conducted by the County Manager or designee.~~  
18           ~~A Land Use plan amendment Shall be processed pursuant to Chapter 163,~~  
19           ~~Florida Statutes, to Permit any commercial uses in the vicinity of the~~  
20           ~~proposed interchange.~~

21           i. Commercial facilities may be Permitted, operated, or leased by local, State  
22           or Federal agencies or established non-profit entities on Conservation or  
23           preservation Lands which are owned by the public or such non-profit entity.  
24           Such uses Shall be related solely to the use and enjoyment of such Lands  
25           by the public.

26           j. ~~That portion of Mt. Plymouth-Sorrento Main Street Future Land Use~~  
27           ~~Category located within the Wekiva River Protection Area shall comply~~  
28           ~~with the requirements and the transfer of development rights applicable to~~  
29           ~~the Wekiva River Protection Area Mt. Plymouth-Sorrento Receiving Area~~  
30           ~~Future Land Use Category. All development within the Wekiva River~~  
31           ~~Protection Area Mt. Plymouth-Sorrento Receiving Area Future Land Use~~  
32           ~~Category must utilize PUD zoning.~~

34           11. Expansion of services and major Arterial Roads beyond planned urban areas  
35           Shall be restricted, unless it can be demonstrated that such services, such as  
36           central water and sewer facilities, will have less harmful impacts upon the  
37           environment than if they were prohibited. However, such Improvements or  
38           Construction Shall follow the path of existing Rights-of-Way to the greatest  
39           practical extent.

40           12. All expressway interchanges within the Wekiva River Protection Area, as  
41           defined in Chapter 369, Part III, Florida Statutes, Shall be Developed as planned  
42           units under the Community Facilities District zoning category provided for in  
43           these Regulations in Chapter III.



