

Summary of Ordinance

This purpose of this Ordinance is to amend Chapter XVII, Lake County Code, Appendix E, Land Development Regulations (“LDR”), entitled *Rural Conservation Subdivision Design Standards*, to enhance clarity and consistency in the application and interpretation of the standards.

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

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ORDINANCE 2026 - ____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING CHAPTER XVII, LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS, ENTITLED *RURAL CONSERVATION SUBDIVISION DESIGN STANDARDS*; CLARIFYING CERTAIN PROVISIONS AND REQUIREMENTS; REFINING THE APPROVAL PROCESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Lake County Comprehensive Plan for Planning Horizon 2030 contains numerous policies that require development to be in the form of a rural conservation subdivision; and

WHEREAS, Policy I-7.4.2 of the Comprehensive Plan required 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

WHEREAS, Goal I-5.1 of the Comprehensive Plan creates and governs the Rural Protection Areas (RPA) and Policy I-5.1 states that the County shall update its Land Development Regulations to implement conservation design standards for the RPAs; and

WHEREAS, the County engaged the services of Randall Arendt, who is a landscape planner, site designer, author, lecturer, and advocate of conservation planning, to develop the conservation subdivision design criteria; and

WHEREAS, the Board of County Commissioners (Board) did, on May 10, 2022, and June 14, 2022, receive public comments on the proposed Ordinance; and

WHEREAS, on January 24, 2023, the Board adopted Ordinance 2023-09, which created Chapter XVII, Lake County Code, Land Development Regulations, entitled *Rural Conservation Subdivision Design Standards*; and

1 **WHEREAS**, after an initial application was processed under Chapter XVII, it has been
2 determined that adjustments to the regulations governing Rural Conservation Subdivisions are
3 needed; and
4

5 **WHEREAS**, the Board finds that amending the *Rural Conservation Subdivision Design*
6 *Standards* is in the best interests of the health, safety, and welfare of the residents of Lake County,
7 Florida.
8

9 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of
10 Lake County, Florida as follows:
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12 **Section 1. Legal Findings of Fact.** The foregoing recitals are hereby adopted as
13 legislative findings of the Board of County Commissioners and are ratified and confirmed as being
14 true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.
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16 **Section 2. Amendment.** Portions of Chapter XVII, Lake County Code, Appendix E,
17 Land Development Regulations, entitled *Rural Conservation Subdivision Design Standards*, is
18 hereby amended to read as follows:
19

20 **CHAPTER XVII RURAL CONSERVATION SUBDIVISION DESIGN STANDARDS**
21

22 **17.00.00 - Generally.**
23

24 **17.00.01 Purpose and Intent.**

25 A. The purpose and intent of these regulations isare to provide housing in a manner that ~~also~~
26 preserves agricultural and forestry lands, natural and cultural features, historic and
27 archaeological sites, cemeteries, scenic viewsheds, and rural community character that
28 would be at great risk of becoming lost through conventional development approaches,
29 promoting sustainable development and which it is the policy to incorporate, to the greatest
30 extent practicable, into an interconnected network of permanent greenway conservation
31 lands adding both economic and environmental value to the proposed development and to
32 the broader community.

33 B. Specific objectives include:

- 34 1. Cluster development to create large contiguous tracts of common open space or
35 protected space; to protect environmentally sensitive areas, including, but not
36 limited to, habitat, wildlife, and wildlife corridors; to maximize buffering to
37 adjacent conservation land; to protect aquifer recharge and karst features; and to
38 create opportunities for passive recreation;
- 39 2. Maintain, enhance, and protect corridors for wildlife movement in coordination
40 with adjacent properties;
- 41 3. Minimize site disturbance and alteration of terrain, through use of design techniques
42 that protect native vegetation and minimize earth movement such as reduced lane
43 widths, stem-wall construction, and swales;

- 4. Protect common open space, wetlands, and other natural features in perpetuity by conservation easements or similar recorded and legally binding instruments, to the extent allowed by law;
- 5. Tree protection as set forth in Chapter IX, Section 9.02.00, of these regulations, as amended;
- ~~56.~~ Protect natural amenity areas for passive recreation;
- ~~67.~~ Protect dark skies through a dark sky lighting ordinance;
- ~~78.~~ Retain all stormwater on site or located in the same area of recharge. Stormwater management systems shall be designed using Low Impact Development principles and practices;
- ~~89.~~ Ensure that development along roadway corridors improves or protects the rural character of the corridor;
- ~~910.~~ Require the use of Best Management Practices for native landscaping and "right plant-right place" landscaping techniques to provide compatibility with the natural environment and minimize the use of chemicals, pesticides, and water for irrigation;
- ~~1011.~~ Implement water conservation techniques including the limitation of overhead irrigation, except for low-volume irrigation such as drip or micro-irrigation systems, and areas used for vegetable gardens;
- ~~1112.~~ Enhance the rural character, as defined in Chapter II of these regulations, of the project and surrounding area in accordance with Policy I-1.4.1, entitled *Elements of Rural Character*; ~~and~~
- ~~1213.~~ To comply with existing Comprehensive Plan policies that provide for compatibility with adjacent land uses to protect rural residents' equestrian and agrarian lifestyles and economies.; and
- 14. Reserve and/or acquire the needed right-of-way for planning and construction of trails and trailheads and incorporating those needs into the development review processes, capital improvement plans, and grant applications for Public Works projects within the area of jurisdiction as outlined in the County's adopted Trails Master Plan.

17.00.02 Applicability. The regulations contained within this Chapter shall apply wherever a conservation subdivision is ~~permitted~~required under the Comprehensive Plan, including within the designated Rural Protection Areas, and may also be used to develop property not otherwise subject to the mandatory requirement. All conservation subdivision development shall also comply with any other applicable provisions of the Land Development Regulations to the extent the other regulations are not in conflict with this Chapter.

17.01.00– Open Space and Protected Space Requirements.

17.01.01 Minimum Required Open Space. The minimum open space to be set aside shall be as follows:

Future Land Use Category/ <u>Overlay Districts/Rural Protection Areas</u>	Minimum Open Space Requirement*
Rural Transition: 1 Unit / 3 Net Buildable Acres	35%

Rural Transition: 1 Unit / 1 Net Buildable Acre	50%
Ferndale Community: 10 or more Dwelling Units	50%
Wekiva River Protection Area A-1-40 Sending	50%
Wekiva River Protection Area A-1-20 Sending	50%
Wekiva Study Area: 10 or more Dwelling Units (resulting in a density greater than 1 Unit / 20 Net Acres)	35%
Wekiva-Ocala Rural Protection Area: 10 or more Dwelling Units (resulting in a density greater than 1 Unit / 20 Net Acres)	35%
Emeralda Marsh Rural Protection Area: 10 or more Dwelling Units (resulting in a density greater than 1 Unit / 20 Net Acres)	35%
Yalaha-Lake Apopka Rural Protection Area	35%
Green Swamp Ridge	40%
Green Swamp Rural	60%
Green Swamp Rural Conservation	80%
Green Swamp Core Conservation	90%

* ~~Non-Un~~buildable areas identified as Primary Conservation Areas, including wetlands and water bodies, are recognized as protected features but shall not be credited toward the minimum open space requirements. ~~Some portions of the protected space may be credited toward the minimum open space requirements.~~ Open space requirements for Future Land Use categories not shown above shall be as set forth in the Comprehensive Plan.

17.01.02 Protected Space and Open Space.

- A. Conserved land shall be comprised of two types: identified as "Primary Conservation Areas" and "Secondary Conservation Areas" and shall be configured to create or maintain interconnected networks of conservation lands, to the greatest extent that is practicable.
- B. Primary Conservation Areas are the natural features that form the core of the area to be protected and do not count towards minimum open space requirements. They consist of the following constrained (unbuildable) land, and include the following site features:
 - 1. Wetlands as defined by Section 373.019, Florida Statutes;
 - 2. Floodplains (100-year) and alluvial soils identified as part of a Flood Insurance Study prepared by the Federal Emergency Management Agency (FEMA);
 - 3. Sinkholes, and steep slopes greater than twenty-five (25) percent, identified as part of a site analysis conducted by a registered engineer, land surveyor, landscape architect, architect or land planner and calculated using topographic maps from an actual survey from the U.S. Geological Survey;
- C. Secondary Conservation Areas consist of unconstrained (buildable) land that would otherwise be suitable for development, and include the following site features:
 - 1. Natural Upland Communities as set forth in Section 6.03.00 of these regulations (i.e., Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub).

- 1 2. Prime and Unique Farmland, whether actively used or not, including
2 cropland, horticultural operations, fields, pastures, and meadows. Prime
3 Farmland is land that has the best combination of physical and chemical
4 characteristics for producing food, feed, fiber, forage, oilseed, and other
5 agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and
6 labor, without intolerable soil erosion, as determined by the U.S Secretary
7 of Agriculture. Unique Farmland is land other than prime farmland that is
8 used for production of specific high value food and fiber crops, as
9 determined by the U.S. Secretary of Agriculture.
- 10 3. Natural areas, and wildlife habitats, ~~including existing gopher tortoise~~
11 ~~habitat~~, and corridors identified as part of:
 - 12 a. An Inventory of Natural Areas and ~~Wildlife~~Critical Habitats as
13 prepared by a state agency, the Nature Conservancy, or a local land
14 trust;
 - 15 b. A required ~~Environmental Assessment or Environmental Impact~~
16 ~~Statement~~Biological & Ecological Site Assessment (BESA); and/or
 - 17 c. An independent site study conducted by a trained botanist and/or
18 biologist.
- 19 4. Slopes of fifteen (15) percent ~~to twenty five (25) percent or greater~~ which
20 require special site protection due to their erosion potential, limitations for
21 septic tank nitrification fields, and terrain or elevation changes. Such areas
22 may be suitable for building, but higher site preparation and construction
23 costs are to be expected.
- 24 5. Historic and/or archaeological sites, ~~including, but not limited to~~
25 ~~cemeteries, sites~~ listed on the Florida Master Site File maintained by the
26 Florida Division of Historical Resources, the National Register of Historic
27 Places or included on the State's National Register study list, designated as
28 a local historic landmark or district, and/or designated as having a high
29 potential for archaeological remains. Such sites are generally identified as
30 part of:
 - 31 a. A local architectural survey;
 - 32 b. A local archaeological survey; and/or
 - 33 ~~e. —A required Environmental Assessment;~~
 - 34 ~~d. —Environmental Impact Statement; and/or~~
 - 35 ec. An independent site study conducted by an architectural historian or
36 archaeologist.

37 Only fifty percent (50%) of cemetery acreage shall be credited towards
38 Open Space.
- 39 6. Public and/or private passive recreation areas, including pedestrian, bicycle,
40 and equestrian trails, picnic areas, community commons or greens, and
41 similar kinds of areas, ~~Land in this category~~ receives full credit towards
42 meeting the minimum open space requirement when it is located on
43 unconstrained land. Active recreation areas shall not be counted towards the
44 open space requirements.
- 45 7. Rain Gardens for stormwater bio-infiltration up to a maximum size of 7,500
46 square feet each and with a maximum depth of twenty-four (24) inches.
47 These features shall be heavily landscaped on their sides and bottom with

1 plant material (sometimes including shrubs and trees) that are able to
2 tolerate alternating wet and dry conditions. Appropriate native vegetation
3 shall be used. Prohibited and invasive plants listed in the University of
4 Florida, Institute of Food and Agricultural Sciences (IFAS) Assessment of
5 Non-Native Plants in Florida's Natural Areas shall not be permitted. The list
6 can be found at <https://assessment.ifas.ufl.edu/assessments/>. Appropriate
7 native vegetation shall be used. A second form of stormwater infiltration
8 that may be counted when calculating development density is the broad,
9 shallow type with very gentle side slopes (not exceeding 1:10) and not
10 deeper than thirty (30) inches. These areas, which are not limited in extent,
11 almost disappear visually into the landscape, and can sometimes be used for
12 informal recreation and buffering new homes from existing roads.
13 Examples are shown in Section 17.10.00. Specifically excluded are
14 stormwater detention and retention basins with steeper side slopes and
15 greater depths.

16 8. Scenic views of natural and cultural features visible on the property from
17 public roads, and from potential home sites. (~~Because~~As scenic views are
18 not easily measurable in acreage, this provision is included for design
19 purposes and is not part of the density calculation.)

20 9. Buffer zones around wetlands or water bodies.

21 10. Agricultural land used in accordance with Best Management Practices
22 (BMP).

23 11. Scenic viewsheds of natural waterbodies and wetland areas.

24 D. All cemeteries including, but not limited to, those listed on the Florida Master Site
25 File maintained by the Florida Division of Historic Resources, shall be protected in
26 the same manner as Primary Conservation Areas. However, cemetery acreage,
27 including acreage required for ingress/egress, will count towards the overall density
28 and open space calculation for the development.

29
30 **17.01.03 Location of Protected Space.** The protected space consists of Primary and
31 Secondary Conservation Areas. The protected space may be in undivided preserves, and/or as part
32 of an interconnected network of protected land, as follows:

33 A. Undivided Preserves. Both the Primary Conservation Areas (unbuildable land) and
34 the Secondary Conservation Areas fifty (50) percent or more of the unconstrained,
35 (~~buildable~~ buildable land) shall be placed in undivided preserves which adjoin housing areas
36 that have been designed more compactly to create larger conservation units that
37 may be enjoyed by all residents of the subdivision. Such undivided areas, or
38 preserves, shall be accessible to the largest number of lots within the development.
39 Safe and convenient pedestrian access to the preserve from all adjoining ~~house~~ lots
40 shall be provided, except in the case of farmland, cemeteries, archaeological, or
41 other resource areas vulnerable to trampling damage or human disturbance.

42 Where an undivided preserve is designated as separate non-contiguous parcels, no
43 parcel shall consist of less than three (3) acres in area, nor have a length-to-width
44 ratio more than 4:1, except such areas that are specifically designed for
45 neighborhood commons or greens, boulevard medians, foreground buffers along
46 existing public roadways, playing fields, buffers adjacent to wetlands and
47 watercourses, wildlife corridors, or trail links

1 B. Interconnected Network of Protected Space. As these standards are implemented,
2 the protected space in each new subdivision should be consciously designed to
3 adjoin each other, and/or to other permanently protected lands, so that they may
4 ultimately form an inter-connected network of Primary and Secondary
5 Conservation Areas across larger areas and across the County.

6 C. Perimeter Buffers. Each new subdivision shall provide a perimeter buffer with a
7 minimum width of one hundred (100) feet unless the Board of County
8 Commissioners approves an alternate plan that incorporates a smaller enhanced
9 buffer including, but not limited to, other forms of natural screening. Additionally,
10 at the time that homes are constructed, a four-board equestrian style fence, or other
11 similar alternative, must be placed across the rear property line of each lot to create
12 a continuous delineation ~~forefrom~~ the common open space or protected space.

13 **17.01.04 Ownership of Protected Space.** Protected space may be owned and/or
14 administered by any of the following methods, either individually or in combination. All protected
15 space shall be permanently restricted from further subdivision through permanent conservation or
16 open space easements recorded in the public records of Lake County, Florida, as ~~further~~ set forth
17 ~~in Section 17.09.00, below. Ownership options include:~~

18 A. Fee simple conveyance to the State of Florida, or an agency thereof, or to a private
19 nonprofit land conservancy.

20 B. Fee simple conveyance to a Homeowners Association where specific development
21 restrictions and maintenance requirements are included as part of its governing
22 documents and restrictive covenants. Such land may also be protected through
23 permanent conservation easements. Membership in the Homeowners Association
24 shall be automatic and mandatory for every purchaser of property within the
25 development.

26 C. Up to fifteen (15) percent of the protected land within the subdivision may be "non-
27 common open space" that is designated for individual private ownership, such as
28 by the original farmer or landowner, the developer, or another private entity that
29 maintains the space for the uses permitted in these regulations (such as a nursery
30 business or commercial equestrian operation). Non-common open space may also
31 include the land within a large "Conservancy Lot" (containing a minimum of three
32 acres), which may contain an original historic farmhouse (that could be used as a
33 private dwelling or as a community building). Non-common open space shall not
34 be counted towards the minimum open space requirements.

35 D. Protected space and open space (comprising both Primary and Secondary
36 Conservation Areas) shall be preserved in perpetuity by a binding legal instrument
37 that is recorded in the public records of Lake County, Florida, such as:

38 1. A permanent conservation or open space easement in favor of a land trust
39 or similar conservation-oriented organization, it's successors or assigns,
40 with legal authority to accept such easements that can comply with the terms
41 of the easement.

42 2. A plat restriction that establishes the conditions and restrictions on the uses
43 for each protected space or open space.

1 3. The instrument for permanent protection shall include clear restrictions on
2 the use of the Open Space, including all restrictions contained in this
3 Chapter as well as any further restrictions the applicant chooses to place on
4 the use of the protected space or open space.

5 4. Other methods of preservation may be approved by the Board of County
6 Commissioners by resolution.

7 E. The relatives and descendants of any person buried in a cemetery shall have an
8 easement for ingress and egress for the purpose of visiting the cemetery at
9 reasonable times and in a reasonable manner in accordance with Section 704.08,
10 Florida Statutes.

11 **17.01.05 Maintenance of Protected Space.** Natural features shall be maintained in their
12 natural condition, but may be modified to improve their appearance, functioning, or overall
13 condition, as recommended by experts in the area being modified. Permitted modifications may
14 include:

- 15 A. Reforestation;
- 16 B. Pastureland, cropland, and horticultural operations;
- 17 C. Buffer area landscaping;
- 18 D. Stream bank protection; and/or
- 19 E. Wetlands management.

20 Unless agreed to by the County, the State of Florida, or a private non-profit land conservancy, the
21 cost and responsibility of maintaining protected space and any facilities located thereon shall be
22 borne by the property owner and/or homeowners association. Management Plans are required for
23 all protected space within the subdivision establishing conservation objectives, outlining
24 procedures, and defining the roles and responsibilities for managing the space, including the
25 establishment of a Qualified Management entity as appropriate. The Plan shall also address
26 wildfire mitigation requirements to include vegetation management practices to prevent hazardous
27 fuel buildup and possible wildfire threat within the community. See Section 17.08.00 for
28 Management Plan requirements. If not properly maintained, the County Manager or designee may
29 enforce the maintenance provisions of the Management Plan by any method allowed by law.

30 **17.02.00 Densities and Design Standards.**

31 **17.02.01 Densities.** The density calculation for the rural conservation subdivision shall be as
32 set forth in the Comprehensive Plan based upon the assigned Future Land Use Category.

33 **17.02.02 Rain Gardens.** Special stormwater management areas known as rain gardens may
34 be included in the acreage on which development density is calculated, provided they do not
35 exceed 7,500 square feet in area (each) and are designed for maximum water depths of twenty-
36 four (24) inches. Such rain gardens are relatively small, shallow areas capable of moderately rapid
37 stormwater infiltration requiring no more than forty-eight (48) hours to drain fully. These features
38 shall be heavily landscaped on their sides and bottoms with plant materials (sometimes including
39 shrubs and trees) that can tolerate alternating wet and dry conditions. Appropriate native vegetation
40 shall be used. Prohibited and invasive plants listed in the University of Florida, Institute of Food
41 and Agricultural Sciences (IFAS) Assessment of Non-Native Plants in Florida's Natural Areas

1 shall not be permitted. The list can be found at <https://assessment.ifas.ufl.edu/assessments/>. Rain
2 Garden examples are included in Section 17.10.00.

3 **17.02.03 Existing Features/Site Analysis Map.**

4 A. An Existing Features/Site Analysis Map analyzing each site's special features forms
5 the basis of the design process and is required for all proposed rural conservation
6 subdivisions. The Map shall identify those natural, historic, and cultural features
7 listed in Section 17.01.02. ~~without distinction as to whether they are Primary or~~
8 ~~Secondary Conservation Areas. Each map or plan shall be drawn to a scale of not~~
9 ~~less than 200 feet to the inch, whatever fits best on a standard 24" x 36" sheet, unless~~
10 ~~otherwise approved by the County Manager or designee. The scale chosen shall be~~
11 ~~large enough to show all required detail clearly and legibly. The same scale shall~~
12 ~~be used for the Conceptual Sketch Plan with the ability to overlay the Conceptual~~
13 ~~Sketch Plan on top of the Existing Features/Site Analysis Map.~~

14 B. As determined from readily identifiable on-site inventories, aerial photographs,
15 maps of record, State/Federal resource maps, and local planning documents and
16 inventories, the Existing Features/Site Analysis Map shall contain the following
17 information:

18 1. Primary Conservation Areas: Identification of physical resources
19 associated with the site which restricts its development potential or contain
20 significant natural and/or cultural resources, including:

21 a. Topographic contours at two-foot intervals, showing slopes of
22 fifteen (15) to twenty-five (25) percent, and slopes of more than
23 twenty-five (25) percent.

24 b. Soil type locations and characteristics relating to Prime and Unique
25 Farmland, seasonal high-water table and depth to bedrock (for
26 unsewered properties).

27 c. Hydrologic characteristics of the site, including drainage tributaries,
28 surface water bodies, natural springs, floodplains, sinkholes, and
29 wetlands.

30 d. Cemeteries and proposed location of public access to accommodate
31 relatives and descendants of any person buried therein in accordance
32 with Section 704.08, Florida Statutes.

33 2. Secondary Conservation Areas: Identification of significant site elements
34 on buildable portions of the site, including:

35 a. Vegetation of the site, defining approximate location and boundaries
36 of woodland areas, and wherever possible, vegetative association in
37 terms of species and size. Information from aerial photographs shall
38 be acceptable at the Conceptual Sketch Plan stage.

39 b. Current land use and land cover (cultivated areas, pastures, etc.),
40 existing buildings and structures, and burial grounds.

41 c. Natural areas (including pastures), and wildlife habitats and
42 corridors.

43 d. Historic and archaeological sites, especially those listed on the
44 Florida Master Site File maintained by the Florida Division of
45 Historical Resources, the National Register of Historic Places or

- 1 included on the State's National Register study list, designated as a
2 local historic landmark, and/or located in a local historic district.
3 e. Scenic views onto the site from surrounding roads as well as views
4 of scenic features from within the site.
- 5 3. Transportation and Utility Systems: Identification of facilities associated
6 with the movement of people and goods, or the provision of public services,
7 including:
- 8 a. Railroad and street rights-of-way.
9 b. Easements for vehicular access, electric and gas transmission lines,
10 identified ~~historic~~ access to cemeteries, and similar uses.
11 c. Public and private water and sewer lines, and storm drainage
12 facilities. This is intended to be general locational information with
13 detailed infrastructure plans provided during the subdivision
14 construction plan submittal process.

15
16 **17.02.04 Design Process.** Subdivisions shall be designed around both the Primary and
17 Secondary Conservation Areas. The design process should commence with the delineation of all
18 potential protected space, after which potential house sites are located. Following that, access road
19 alignments are identified, with lot lines being drawn in as the final step. This "four-step" design
20 process is further described below and is illustrated in Section 17.10.00. Applicants shall provide
21 to the County Manager or designee a visual representation of the steps they took to design the
22 subdivision to demonstrate compliance with this section.

23 A. Step One: Designating Protected Space. During the first step, all potential
24 Conservation Areas, both Primary and Secondary, shall be identified, using the
25 Existing Features/Site Analysis Map. Primary Conservation Areas shall consist of
26 those features described in Section 17.01.02.B. Secondary Conservation Areas
27 shall comprise at least fifty (50) percent of the remaining unconstrained (buildable)
28 land and shall include the most sensitive and noteworthy natural, scenic, and
29 cultural resources as described in Section 17.01.02.C. On sites containing few
30 special natural or cultural features (such as open farmland), the site designer shall
31 create areas such as central greens or internal greenway systems (not including
32 perimeter fringe buffers) linking multiple smaller neighborhood greens, as
33 illustrated in Section 17.10.00. Guidance as to which parts of the unconstrained
34 (buildable) land to classify as Secondary Conservation Areas to be permanently
35 protected shall be based upon:

- 36 1. On-site visits, as described in Section 17.06.01.B;
37 2. The Standards contained in Section 17.01.00; and
38 3. The Evaluation Criteria contained in Section 17.03.00.

39 B. Step Two: Aligning Streets and Trail Networks. The second step consists of
40 aligning proposed streets to provide vehicular access to each house in the most
41 reasonable and economical manner, providing reasonable access to cemeteries, if
42 any, and in laying out a network of informal trails or formal walkways connecting
43 neighborhood areas to conserved space. When lots and access streets are laid out,
44 it shall be in a way that avoids or minimizes impacts on both Primary and Secondary
45 Conservation Areas. To the greatest extent practicable, wetland crossings and
46 streets traversing slopes greater than five (5) percent shall be strongly discouraged,

1 unless such streets link one buildable portion of a site with another when no other
2 means of access is available.

3 Street connections shall generally be encouraged to minimize the number of new
4 cul-de-sacs and to facilitate easy access to and from homes on different parts of the
5 property and on adjoining parcels. The preferred alternative to the conventional cul-
6 de-sac is a "close", which is essentially a short driving lane looping around an
7 elongated green space or very wide median, typically about forty (40) feet in width.
8 "Closes", which are typically not more than 500 feet in length, shall be planted with
9 shade trees within the green space, which may also function as infiltrative
10 stormwater management areas. Trees planted within the closes must be of a species
11 with a root base that will not impact the asphalt. Closes shall be designed to meet
12 the Florida Fire Prevention Code. Please see illustrations in Section 17.10.00.

13 Cul-de-sacs serving more than six (6) homes shall generally be designed with a
14 central island containing indigenous trees and shrubs, either conserved or planted.
15 All cul-de-sacs shall provide pedestrian access to the protected space and/or other
16 nearby streets. The creation of single-loaded residential access streets is encouraged
17 to maximize the number of homes in new developments that may enjoy views of
18 open or protected space. To make this approach economical, narrower lots as well
19 as flag lots, both of which help to make the street system more efficient, are
20 permitted in these subdivisions.

21 C. Step Three: Locating House Sites. During the third step, potential house sites are
22 tentatively located.

23 D. Step Four: Drawing the Lot Lines. The fourth step consists of drawing lot lines
24 around potential house sites. Each lot must contain a buildable area of sufficient
25 size to accommodate a single-family detached dwelling and customary accessory
26 uses, including, but not limited to, storage buildings and garages, patios and decks,
27 lawns, and driveways. Individual wells and septic systems, if allowed under Section
28 17.04.01, shall be located on the lots.

29 **17.02.05 Dimensional Standards.** Provided the arrangement, design, and shape of house
30 lots is such that lots provide satisfactory and desirable sites for building and contribute to the
31 preservation of designated Primary and/or Secondary Conservation Areas, minimum lot area, lot
32 width, and setback requirements may be reduced as set forth below.

33 A. The minimum lot size shall be 6,000 square feet. Developments without internal lot
34 lines such as pocket neighborhoods may be included, and these may also contain
35 attached housing with buildings containing up to four dwellings.

36 B. Minimum lot width for detached single-family dwellings shall be thirty-four (34)
37 feet (these units are sometimes referred to as detached townhouses).

38 C. Minimum front setback requirements for residences shall be no less than twelve
39 (12) feet (or eight (8) feet for unenclosed front porches), and no less than twenty-
40 five (25) feet for front-facing garages.

41 D. Minimum rear and side setback requirements shall be no less than seven and one-
42 half (7.5) feet. Side setbacks may be combined to be greater than seven and one-
43 half (7.5) feet on one side, provided that at least five (5) feet of setback remains on
44 the other. Such combinations are permitted in lot layouts where this pattern is

1 repeated with homes located off-center on their lots but evenly spaced (by no less
2 than fifteen (15) feet) between buildings on adjoining lots.

3 E. Minimum lot frontage requirements shall generally be thirty-four (34) feet but may
4 be reduced to twenty (20) feet to allow for a driveway extension.

5 F. Street frontage shall not be required when the garage access is provided via a back
6 lane or alley, and when the lot directly abuts permanent open or protected space
7 such as a neighborhood green (sometimes called an "attached green") or a
8 "greenway street" (sometimes called a "mews"), as depicted in Section 17.10.00.
9 Sidewalks shall be required on each side of the long green space (not be built down
10 the middle), which shall be planted with shade trees like any other residential street.

11 G. To prevent garage doors from dominating streetscapes, the following two standards
12 shall apply: (1) Garages shall be accessed via a back lane or alley for any lot that is
13 less than fifty-five (55) feet wide, and (2) on lots that are fifty-five (55) feet or wider
14 (and not served by an alley), front-facing garage doors shall be set back at least
15 eight (8) feet beyond the front edge of the dwelling (excluding porches), as depicted
16 in Section 17.10.00.

17 H. Street frontage shall not be required for lots accessed via private common
18 driveways (or "country lanes"), serving up to four (4) dwellings, which shall have
19 a minimum gravel surface of sixteen (16) feet wide within a minimum right-of-way
20 of twenty-five (25) feet.

21 **17.02.06 Conceptual Sketch Plan.**

22 A. Purpose. A Conceptual Sketch Plan shall be submitted by the applicant as a
23 diagrammatic basis for helping applicants and officials develop a better
24 understanding of the property prior to the required On-Site Visit, and to help
25 establish an overall design approach that respects its special or noteworthy features,
26 while providing for the density permitted under the zoning ordinance. To provide a
27 better understanding of the site's potential the Sketch Plan shall include the
28 information listed below. Many of these items can be taken from the Existing
29 Features/Site Analysis Map.

30 B. Preparation. The Conceptual Sketch Plan shall be prepared according to the "four-
31 step" process for designing rural conservation subdivisions described in Section
32 17.02.04. In addition, the Conceptual Sketch Plan shall be prepared by a team
33 including at least a civil engineer or registered land surveyor, plus either a
34 landscape architect or a land use planner experienced in open space design and an
35 environmental specialist. Each map or plan shall be drawn to a scale of not less than
36 200 feet to the inch, whatever fits best on a standard 24" x 36" sheet, unless
37 otherwise approved by the County Manager or designee. The scale chosen shall be
38 large enough to show all required detail clearly and legibly. The same scale shall
39 be used for the Existing Features/Site Analysis Map with the ability to overlay the
40 Conceptual Sketch Plan on top of the Existing Features/Site Analysis Map.

41 C. General Information. Each plan shall contain the following general information:

42 1. A sketch vicinity map showing the location of the subdivision in relation to
43 the existing street or highway system;

- 1 2. The plotted boundaries of the tract from deeds or maps of record and the
2 portion of the tract to be subdivided;
- 3 3. The total acreage to be subdivided, including tax map, block, and lot number
4 reference;
- 5 4. The name, address, and telephone number of the subdivider or owner and
6 the person responsible for the subdivision design;
- 7 5. Scale, approximate north arrow, and date of plat preparation; and
- 8 6. Proposed name of subdivision.

9 D. The Conceptual Sketch Plan shall contain the following information:

- 10 1. The proposed arrangement of lots within the subdivision, including size and
11 number.
- 12 2. The proposed street layout within the subdivision, including street
13 pavement and right-of-way widths, and connection to existing streets.
14 Proposed access to cemeteries, if any, shall also be depicted.
- 15 3. The location, type, and area of the protected space and open space proposed
16 in the subdivision, including spaces to be preserved:
 - 17 a. In a separate lot or lots under the ownership of a homeowner's
18 association.
 - 19 b. As part of individually owned lots through a conservation easement
20 applicable to multiple lots.
 - 21 c. In a separate lot or lots through dedication for public use, such as a
22 park site, to a unit of local government, state government or a private
23 land conservancy.
 - 24 d. The location of proposed water supply and sewage disposal
25 facilities, including:
 - 26 i. Well sites for individual and community water systems.
 - 27 ii. Nitrification fields and land application areas for community
28 sewage disposal systems employing subsurface disposal and
29 spray irrigation, respectively.
 - 30 iii. Nitrification fields and land application areas for individual
31 sewage disposal systems employing subsurface disposal and
32 spray irrigation, respectively.
 - 33 iv. Public water and sewer lines, where such facilities are
34 available or capable of being extended. This is intended to
35 be general locational information with detailed
36 infrastructure plans provided during the subdivision
37 construction plan submittal process.

38 **17.03.00 Evaluation Criteria.**

39 **17.03.01 Resource Priority.** For any given site, resources may vary widely in importance;
40 e.g., a natural area compared with a historic site. Likewise, for each type of resource, there may be
41 examples of greater or lesser significance; e.g., a notable example of local vernacular building
42 traditions compared to a much altered older home. Priorities for conserving such resources should
43 therefore be based upon a thorough site analysis and an understanding of what is more special,

1 unique, environmentally sensitive, and/or historic as compared with other similar features or
2 different types of resources. Applicants are encouraged to use a cultural resource firm or consult
3 with an appropriate state agency to assist with resource identification.

4 **17.03.02 Evaluation Criteria.** In evaluating the layout of lots, protected space, and open
5 space, the following criteria will be considered as indicating design appropriate to the site's features
6 and meeting the intent of these regulations. Whereas diversity and originality in lot layout are
7 encouraged, it is recognized that not all objectives may be achieved on a given site. Each applicant
8 must therefore attempt to achieve the best possible relationship between development and
9 preservation objectives. In evaluating the relative significance of different categories of site
10 features, or of individual features within certain categories, applicants shall consider comments
11 received from the County Manager or designee during the Pre-Application Review and the On-
12 Site Visit (See 17.06.01), ~~which precedes submission of the Conceptual Sketch Plan.~~

13
14 A. General Criteria. The following criteria apply to all subdivisions:

- 15 1. Protect and preserve all wetlands, floodplains, and steep slopes from
16 clearing, grading, filling, or construction except as may be approved by the
17 Board of County Commissioners.
- 18 2. The shape of the protected space and open space shall be reasonably
19 contiguous, coherently configured, and shall abut existing or potential
20 protected or open space on adjacent properties. Long narrow segments
21 should be avoided except in the case of trail or stream corridors, wildlife
22 corridors, trail links, or landscape buffers adjoining street rights-of-way
23 and/or neighborhood boundaries.
- 24 3. The pedestrian circulation system shall be designed to assure that
25 pedestrians can walk safely and easily on the site, between properties and
26 activities or special features within the neighborhood protected space or
27 open space system. All roadside footpaths should connect with off-road
28 trails, and link with existing or potential protected or open space on
29 adjoining parcels.
- 30 4. Landscape common areas (neighborhood greens), cul-de-sac islands, and
31 both sides of new streets with native species shade trees and flowering
32 shrubs with high wildlife conservation value.

33 B. Forest Land/Natural Areas Conservation Criteria. Where the goal of the subdivision
34 is to conserve forest land and/or natural areas and wildlife habitats, the following
35 criteria apply:

- 36 1. Dwellings should be in unwooded parts of the site away from mature
37 forests, natural areas, and/or wildlife corridors.
- 38 2. To the greatest extent practicable, development should be designed around
39 existing hedgerows and tree lines between fields or meadows. The impact
40 on larger woodlands (greater than five (5) acres), especially those
41 containing mature trees, natural areas, and/or wildlife corridors should be
42 minimized.
- 43 3. When any woodland is developed, care shall be taken to locate buildings,
44 streets, yards, and septic disposal fields to avoid mature forests, natural
45 areas, and/or wildlife corridors.

1 C. Farmland Conservation Criteria. Where the goal of the subdivision is to conserve
2 farmland, the following criteria apply:

- 3 1. Locate building lots away from existing grazing areas, cropland, feedlots,
4 and similar uses.
- 5 2. If development must be located on open fields or pastures because of greater
6 constraints on other parts of the site, dwellings should be sited in locations
7 at the far edge of a field, as seen from a public road.
- 8 3. Identify the most productive portions of existing grazing areas and cropland
9 and locate building lots on less productive land.
- 10 4. Buffers shall be provided between house lots and cropland or pastures, to
11 reduce the potential for conflict between residents and farming activities.
12 Such buffers shall generally be seventy-five (75) feet or more in depth and
13 shall be managed to encourage the growth of successional woodland or
14 other habitat.

15 D. Conservation of Scenic Views Criteria. Where the goal of the subdivision is to
16 conserve scenic views, the following criteria apply:

- 17 1. Leave scenic views and vistas unblocked or uninterrupted, particularly as
18 seen from public roadways. Consider "no-build, no-plant" buffers along
19 public roadways where views or vistas are prominent or locally significant.
20 In wooded areas where enclosure is a feature to be maintained, consider a
21 "no-build, no-cut" buffer created through the preservation of existing
22 vegetation.
- 23 2. Where development is in unwooded areas clearly visible from existing
24 public roads, it should be buffered from direct view by a vegetative buffer,
25 or an earth berm constructed to reflect the topography of the surrounding
26 area or located out of sight on slopes below existing ridge lines.
- 27 3. Protect rural roadside character and vehicular carrying capacity by avoiding
28 development fronting on existing public roads; e.g., limiting access to all
29 lots from interior rather than exterior roads.
- 30 4. Protect rural roadside character and scenic views by providing conservancy
31 lots (e.g., three (3) acres or more in size) adjacent to existing public roads.
- 32 5. Avoid siting new construction on prominent hilltops or ridges, or so close
33 to hilltops and ridges that roofline break the horizon (unless such buildings
34 can be effectively screened or buffered with trees).

35 E. Historic and Archaeological Features Criteria. Where the goal of the subdivision is
36 to conserve historic and archaeological sites, [including cemeteries](#), and structures,
37 the following guidelines apply:

- 38 1. Design around and preserve sites of historic, archaeological, or cultural
39 value to safeguard the character of the feature(s), including fences and
40 walls, farm outbuildings, burial grounds, abandoned roads, and earthworks.
- 41 2. New streets, driveways, fences, and utilities must be sited so as not to
42 intrude on rural, historic landscapes. Wherever possible, streets and
43 driveways are to follow existing hedgerows, fence lines, and historic farm
44 drives.
- 45 3. New developments must include plantings which reflect natural and historic
46 landscape materials and are in harmony with the character of the area.

1 4. Building designs and styles used in new construction should be compatible
2 with the architectural style of historic buildings located on or adjacent to the
3 site, especially in terms of scale, height, roof shape, and exterior materials.

4 5. If a ~~historic~~ cemetery is located on the property, all applicable state statutes
5 will be followed.

6 F. Recreation Provision Criteria. Where recreation and parks facilities are proposed to
7 be provided for neighborhood residents and/or the public, the guidelines contained
8 in Section 17.01.02 shall apply.

9
10 **17.04.00 Water and Wastewater.**

11 **17.04.01 Alternative Options.** Water supply and sewage disposal facilities to serve these
12 subdivisions may be provided using various alternatives, including:

13 A. Connection to a public water supply and/or sewage disposal system operated by a
14 municipality or water or sewer authority. System extensions are permitted only in
15 accordance with applicable water and sewer, and land use policies.

16 B. If a public water supply or public sewage disposal system is not available, a central
17 water system and/or distributed wastewater system designed, constructed, and
18 maintained in conformity with all applicable state, federal, and local rules, and
19 regulations shall be allowed.

20 C. If public ~~utilities water is are~~ not available and the developer asserts that utilizing a
21 central water system ~~or distributed wastewater system~~ is not feasible, individual
22 wells ~~and septic tanks~~ located on each lot may be allowed if the Board of County
23 Commissioners grants a waiver to the connection requirements at a public hearing.
24 Any waivers granted hereunder are only valid until:

25 1. The Board of County Commissioners has determined that the existing
26 method of providing water ~~and wastewater~~ is endangering the environment,
27 public health, safety, or welfare; or

28 2. The private water system fails, and a replacement is required, the property
29 is within the distance established in these regulations to be considered
30 available; or

31 3. The private water system is relocated.

32
33 Individual septic systems shall not be permitted in a Rural Conservation
34 Subdivision.

35 **17.05.00 Optional Density Bonuses.**

36 **17.05.01 Generally.** The maximum number of building lots or dwelling units in a
37 subdivision shall not exceed the number that could otherwise be developed by the application of
38 the minimum lot size requirement and/or density standard of the ~~zoning district or districts~~ future
39 land use category in which the parcel is located. However, ~~increases in the number of building lots~~
40 ~~or dwelling units~~ density bonuses are permitted at the discretion of the Board of County
41 Commissioners ~~when it determines that the applicant has met one of the bonus criteria~~. Such
42 discretionary bonuses if approved by the Board of County Commissioners are permitted through
43 one or more of the options in this subsection, and shall not exceed, in total, more than a twenty-

1 five (25) percent increase in density. A density bonus may be denied if the primary access to the
2 subdivision is from a public roadway that does not meet the current county roadway standards for
3 its classification.

4 **17.05.02 To Encourage Additional Open Space.** A density increase is permitted where
5 more than the minimum required open space (as specified in these regulations) is provided. The
6 amount of the density increase shall be based on the following standards:

7 A. For each additional acre of protected, unconstrained (buildable), open space land
8 provided in the subdivision, two (2) additional building lots or dwelling units are
9 permitted.

10 B. In lieu of providing such additional open space within the proposed development,
11 the applicant may purchase in fee simple or less than fee (e.g., development rights)
12 land separate from the subdivision which is comprised of unconstrained (buildable)
13 land. Land purchased for conservation purposes in fee may be dedicated to a unit
14 of local government, the State of Florida, or a private non-profit land conservancy.

15 C. For land purchased in less than fee, a conservation easement shall be recorded
16 which restricts the development potential of the land. The conservation easement
17 shall be dedicated to a unit of local government, the State of Florida, or a private
18 non-profit land conservancy.

19 **17.05.03 To Encourage Public Access.** Dedication of land for public use (including trails,
20 active recreation, municipal spray irrigation fields, etc.), in addition to any public land dedication
21 authorized under Florida law, may be eligible for a density bonus. This density bonus, for open
22 space that would be in addition to what is required under this Chapter or under Florida law, shall
23 be computed based on two (2) dwelling units for every acre of publicly accessible land. ~~The~~
24 ~~decision whether to accept an applicant's offer to dedicate open space for public access shall be at~~
25 ~~the discretion of the Board of County Commissioners.~~

26
27 **17.06.00 Procedures for Application and Approval.**

28 **17.06.01 ~~Conceptual Sketch Plan~~ Application Process.**

29 A. Pre-Application Review: To promote better communication and avoid
30 unnecessary expense in the design of acceptable rural conservation subdivision
31 proposals, each applicant shall attend a Pre-Application Conference under Section
32 14.00.03 of these regulations prior to filing an application for Conceptual Sketch
33 Plan approval. The Pre-Application Conference cannot be waived.

34 ~~B. On-Site Visit: Prior to the submission of a Conceptual Sketch Plan, the applicant~~
35 ~~shall schedule a mutually convenient time to walk the property with the County~~
36 ~~Manager or designee, or an agent of the County if the County elects to utilize a~~
37 ~~consultant for this purpose. If the County elects to use a consultant for the on-site~~
38 ~~visit, the applicant shall pay the consultant's fee. The purpose of this visit is to~~
39 ~~familiarize the County Manager or designee, or County's agent, with the property's~~
40 ~~special features, and to provide an informal opportunity to offer guidance to the~~
41 ~~applicant regarding the tentative location of Secondary Conservation Areas, and~~
42 ~~potential street alignments. Prior to scheduling the on-site visit, the applicant shall~~

1 ~~have prepared the Existing Features/Site Analysis Map as required in Section~~
2 ~~17.02.03.~~

3 **EB.** Application Requirements: Applications for Conceptual Sketch Plan approval
4 shall be submitted to the County Manager or designee prior to the submission of a
5 Preliminary Plat and shall contain the following information:

- 6 1. The applicant's name and address.
- 7 2. A narrative describing the request which includes how the Plan is consistent
8 with the applicable design guidelines, the Comprehensive Plan, and the
9 purposes of the zoning district within which the development is to be
10 located. The narrative shall also include a description of how areas will be
11 protected and how disturbed areas are to be restored and maintained as open
12 space utilizing native/Florida friendly plantings to simulate a natural
13 environment and how these areas would be maintained in the Management
14 Plan.
- 15 3. A complete legal description of the property.
- 16 4. One (1) original of a Conceptual Sketch Plan of the proposed major
17 subdivision prepared in accordance with the specifications for Conceptual
18 Sketch Plan drawings as contained in Section ~~17.07.00~~17.02.06 of these
19 regulations. ~~A Concept Plan shall consist of an Existing Features/Site~~
20 ~~Analysis Map and an Open Space Development Conceptual Sketch Plan.~~
- 21 5. An Existing Features/Site Analysis Map meeting the requirements of
22 17.02.03 of these regulations.
- 23 6. An Open Space Development Plan meeting the requirements of 17.01.02 of
24 these regulations.
- 25 7. A written Management Plan describing the Management of all the Protected
26 Space and Open Space and Common Facilities as contained in Section
27 17.08.00 of these regulations.
- 28 8. A copy of any environmental studies completed for the subject
29 property(ies), including hydrological and hydrogeological studies.
- 30 9. A narrative describing ownership and maintenance of internal roads.
- 31 10. A Stormwater Management Plan meeting the stormwater requirements as
32 set forth in Section 14.07.04 of these regulations.
- 33 11. A Traffic Safety Analysis prepared by a transportation engineer licensed by
34 the State of Florida evaluating roadway capacity, design, existing road
35 conditions, existing road lane width and road shoulder, right-of-way
36 conditions, and safety for all access points. The Analysis shall recommend
37 improvements to mitigate identified deficiencies.
- 38 12. Documentation from the Florida Division of Historic Resources as to
39 whether any portion of the property has a documented archeological site,
40 historic structure, historic cemetery, historic bridge, or historic district,
41 landscapes or linear features. If none of the identified sites are located on
42 the property, documentation shall be required from the Florida Division of
43 Historic Resources confirming the same. The Florida Division of Historic
44 Resources can be contacted at SiteFile@dos.fl.gov.

1 ~~DC.~~ Mandatory Public Information Meeting: ~~Upon receipt and acceptance of the~~
2 ~~Conceptual Sketch Plan application, the applicant shall schedule a Public~~
3 ~~Information Meeting at a location near the property to be developed. The applicant~~
4 ~~shall mail notices of the meeting to each owner of property within 1,000 feet of the~~
5 ~~property proposed to be subdivided. The Public Information Meeting shall be held~~
6 ~~within thirty (30) days of date the applicant is notified by the County Manager or~~
7 ~~designee that the application is deemed sufficient. Notices shall be mailed by first~~
8 ~~class mail at least ten (10) days prior to the date of the meeting. The applicant shall~~
9 ~~provide the County a list of all adjacent owners who were notified and a copy of~~
10 ~~the notification. The applicant shall incorporate as many suggestions or comments~~
11 ~~as is reasonably practicable into the Conceptual Sketch Plan. The applicant shall~~
12 ~~provide a list identifying the public comments or suggestions made to the County~~
13 ~~Manager or designee and shall notate which have been incorporated into the Plan~~
14 ~~and the reasons why the remainder were not incorporated. A mandatory Public~~
15 ~~Information Meeting shall be held within sixty (60) days of the date the applicant~~
16 ~~is notified by the County Manager or designee that the application is deemed~~
17 ~~sufficient. The meeting shall be held at a location near the property to be developed.~~
18 ~~The applicant shall mail notices of the meeting to each owner of property within~~
19 ~~1,000 feet of the property proposed to be subdivided. The mailed notice shall~~
20 ~~include a copy of the proposed Conceptual Site Plan or shall provide a link that will~~
21 ~~allow interested people to download a copy. The meeting shall be held no earlier~~
22 ~~than twenty (20) days and no less than sixty (60) days from the date the notices are~~
23 ~~mailed. A Public Information Meeting shall not be held during the weeks of~~
24 ~~Thanksgiving or Christmas. Notices shall be mailed first class, and the applicant~~
25 ~~shall provide the County all persons to whom a notice was mailed, along with a~~
26 ~~copy of the notice. The applicant shall incorporate as many suggestions or~~
27 ~~comments as is reasonably practicable into the Conceptual Sketch Plan. The~~
28 ~~applicant shall provide a list identifying the public comments or suggestions made~~
29 ~~to the County Manager or designee and shall notate which have been incorporated~~
30 ~~into the Plan and the reasons why the remainder were not incorporated.~~

31 D. On-Site Visit. Not fewer than sixty (60) days prior to the Public Hearing, the
32 applicant shall schedule a mutually convenient time to walk the property with the
33 County Manager or designee, Planning Staff, Public Works Staff, and an agent of
34 the County if the County elects to utilize a consultant for this purpose. If the County
35 elects to use a consultant for the on-site visit, the applicant shall pay the consultant's
36 fee. The purpose of this visit is to familiarize the County Manager or designee, or
37 County's agent, with the property's special features, and to provide an informal
38 opportunity to offer guidance to the applicant regarding the tentative location of
39 Secondary Conservation Areas, and potential street alignments. The Conceptual
40 Sketch Plan and Existing Features/Site Analysis Map as required in Section
41 17.02.03 shall be used during the on-site visit.

42 E. Public Hearings. ~~When two hundred (200) or more lots are proposed, t~~The
43 Conceptual Sketch Plan shall be presented to the Planning and Zoning Board and
44 Board of County Commissioners for ~~approval~~consideration following the
45 procedures set forth in Section 14.00.00 of these regulations. The Board of County
46 Commissioners may approve, approve with conditions, or deny the application. ~~For~~
47 subdivisions of one hundred ninety nine (199) lots or less, a public hearing is not

~~required so long as all newly created lots are contained on a single Lot of Record, and the Conceptual Sketch Plan may be approved by the County Manager or designee if found to be in compliance with these regulations.~~

F. Resolution. Approval of the Conceptual Sketch Plan shall be granted through a Resolution approved by the Board of County Commissioners. The Resolution shall contain any additional conditions for development as provided by the Board. The Conceptual Sketch Plan and Management Plan shall be incorporated as exhibits to the approved Resolution.

FG. Expiration of Conceptual Sketch Plan. The Conceptual Sketch Plan approval included in the Resolution shall be effective for twelve (12) months from the date of approval~~the Board of County Commissioners approved the Plan~~. The applicant must submit a Preliminary Plat application, and have the Preliminary Plat approved, within this initial twelve (12) months. An applicant may request a single extension for an additional six (6) months. Such written request shall be submitted at least thirty (30) days prior to the expiration date. If submitted on time, the extension shall be granted where the applicant has demonstrated a good-faith effort to submit a substantially complete Preliminary Plat application and has diligently worked with the County Manager or designee towards approval of the Preliminary Plat. However, the extension shall be denied if any portion of the Conceptual Sketch Plan has become inconsistent with the Comprehensive Plan as determined by the County Manager or designee. If the applicant's Conceptual Sketch Plan expires without receiving Preliminary Plat approval, the applicant must submit a new application for Conceptual Sketch Plan approval.

~~G. [Reserved.]~~

H. Appeal Procedures: The decision of the of the Board of County Commissioners may be appealed as provided for by Florida law.

I. Expedited Permitting. The County Manager or designee may establish expedited permitting procedures to encourage the use of rural conservation subdivision design standards.

17.07.00 Components of the Conceptual Sketch Plan. Reserved.

~~**17.07.01 Requirements.** The Conceptual Sketch Plan required by Section 17.06.00 shall consist of two parts:~~

~~A. An Existing Features/Site Analysis Map; and~~

~~B. A Conceptual Sketch Plan.~~

~~1. The Conceptual Sketch Plan shall be prepared according to the "four-step" process for designing rural conservation subdivisions described in Section 17.02.04. In addition, the Conceptual Sketch Plan shall be prepared by a team including at least a civil engineer or registered land surveyor, plus either a landscape architect or a land use planner experienced in open space design. All design professionals must be appropriately licensed by the State of Florida. Each map or plan shall be drawn to a scale of not less than 200 feet to the inch, whatever fits best on a standard 24" x 36" sheet, unless~~

~~otherwise approved by the County Manager or designee. The scale chosen shall be large enough to show all required detail clearly and legibly.~~

~~2. The Conceptual Sketch Plan and Existing Feature/Site Analysis Map shall be drawn to the same scale, with the ability to overlay the Conceptual Sketch Plan on top of the Site Analysis Map for comparison.~~

~~**17.07.02 General Information.** Each map or plan required in Section 17.07.01 shall contain the following general information:~~

- ~~A. A sketch vicinity map showing the location of the subdivision in relation to the existing street or highway system;~~
- ~~B. The plotted boundaries of the tract from deeds or maps of record and the portion of the tract to be subdivided;~~
- ~~C. The total acreage to be subdivided, including tax map, block, and lot number reference;~~
- ~~D. The name, address and telephone number of the subdivider or owner and the person responsible for the subdivision design;~~
- ~~E. Scale, approximate north arrow, and date of plat preparation; and~~
- ~~F. Proposed name of subdivision.~~

~~**17.07.03 Existing Features/Site Analysis Map.** As determined from readily identifiable on-site inventories, aerial photographs, maps of record, State/Federal resource maps, and local planning documents and inventories, the Existing Features/Site Analysis Map shall contain the following information:~~

- ~~A. Primary Conservation Areas: Identification of physical resources associated with the site which restrict its development potential or contain significant natural and/or cultural resources, including:
 - ~~1. Topographic contours at two-foot intervals, showing slopes of fifteen (15) to twenty five (25) percent, and slopes of more than twenty five (25) percent.~~
 - ~~2. Soil type locations and characteristics relating to seasonal high water table and depth to bedrock (for unsewered properties).~~
 - ~~3. Hydrologic characteristics of the site, including drainage tributaries, surface water bodies, natural springs, floodplains, sinkholes, and wetlands.~~~~
- ~~B. Secondary Conservation Areas: Identification of significant site elements on buildable portions of the site, including:
 - ~~1. Vegetation of the site, defining approximate location and boundaries of woodland areas, and, wherever possible, vegetative association in terms of species and size. Information from aerial photographs shall be acceptable at the Conceptual Sketch Plan stage.~~
 - ~~2. Current land use and land cover (cultivated areas, pastures, etc.), existing buildings and structures, and burial grounds.~~
 - ~~3. Natural areas (including pastures), and wildlife habitats and corridors.~~~~

1 ~~4. Historic and archaeological sites, especially those listed on the National~~
2 ~~Register of Historic Places or included on the State's National Register~~
3 ~~study list, designated as a local historic landmark, and/or located in a local~~
4 ~~historic district.~~

5 ~~5. Scenic views onto the site from surrounding roads as well as views of scenic~~
6 ~~features from within the site.~~

7 ~~C. Transportation and Utility Systems: Identification of facilities associated with the~~
8 ~~movement of people and goods, or the provision of public services, including:~~

9 ~~1. Railroad and street rights-of-way.~~

10 ~~2. Easements for vehicular access, electric and gas transmission lines, and~~
11 ~~similar uses.~~

12 ~~3. Public and private water and sewer lines, and storm drainage facilities.~~

13
14 ~~17.07.04 Conceptual Sketch Plan.~~

15 ~~A. A Conceptual Sketch Plan shall be submitted by the applicant as a diagrammatic~~
16 ~~basis for informal discussion with the County Manager or designee regarding the~~
17 ~~design of a proposed subdivision or land development. One of the purposes of the~~
18 ~~Sketch Plan is to of helping applicants and officials develop a better understanding~~
19 ~~of the property prior to the required On-Site Visit, and to help establish an overall~~
20 ~~design approach that respects its special or noteworthy features, while providing~~
21 ~~for the density permitted under the zoning ordinance.~~

22 ~~B. To provide a better understanding of the site's potential the Sketch Plan should~~
23 ~~include the information listed below. Many of these items can be taken from the~~
24 ~~Existing Features/Site Analysis Map, a document that must in any case be prepared~~
25 ~~and submitted no later than the date of the On-Site Inspection, which precedes the~~
26 ~~Preliminary Plat. The diagrammatic Sketch Plan shall be prepared as an overlay~~
27 ~~sheet placed on top of the Site Analysis Map, both maps therefore being drawn to~~
28 ~~the same scale.~~

29 ~~C. Sketch Plans shall be prepared by a landscape architect, licensed by the State of~~
30 ~~Florida or by a planner with experience designing conservation subdivisions.~~
31 ~~Florida licensed civil engineers and surveyors may also be added to the design team~~
32 ~~at this stage. However, their role does not become pre-eminent until the Preliminary~~
33 ~~Plant stage.~~

34 ~~D. The Conceptual Sketch Plan shall contain the following information:~~

35 ~~1. The proposed arrangement of lots within the subdivision, including size and~~
36 ~~number.~~

37 ~~2. The proposed street layout within the subdivision, including street~~
38 ~~pavement and right-of-way widths, and connection to existing streets.~~

39 ~~3. The location, type, and area of the protected space and open space proposed~~
40 ~~in the subdivision, including spaces to be preserved:~~

41 ~~a. In a separate lot or lots under the ownership of a homeowner's~~
42 ~~association.~~

43 ~~b. As part of individually owned lots through a conservation easement~~
44 ~~applicable to multiple lots.~~

- ~~e. In a separate lot or lots through dedication for public use, such as a park site, to a unit of local government, state government or a private land conservancy.~~
- ~~d. The location of proposed water supply and sewage disposal facilities, including:
 - ~~i. Well sites for individual and community water systems.~~
 - ~~ii. Nitrification fields and land application areas for community sewage disposal systems employing subsurface disposal and spray irrigation, respectively.~~
 - ~~iii. Nitrification fields and land application areas for individual sewage disposal systems employing subsurface disposal and spray irrigation, respectively.~~
 - ~~iv. Public water and sewer lines, where such facilities are available or capable of being extended.~~~~

~~**17.07.05 Sketch Plan Submission and Review.** Copies of a diagrammatic Sketch Plan, meeting the requirements described above, shall be submitted to the County Manager or designee for presentation to the Planning and Zoning Board and Board of County Commissioners. The Sketch Plan diagrammatically illustrates initial thoughts about a conceptual layout for Open Space lands, house sites, and street alignments, and shall be based closely upon the information contained in the Site Analysis Map. The Sketch Plan shall also be designed in accordance with the four-step design process described herein.~~

17.08.00 Management Plan.

17.08.01 Management Plan.

A. The Management Plan shall outline the comprehensive guidelines and procedures for maintenance, operation, and stewardship of all the Protected Space, Open Space and Common Facilities ("Plan"). The plan shall ensure that these spaces and facilities are properly maintained, operated, and compliant with local regulations and goals to include debris and litter removal, fostering the long-term preservation, environmental health, and community accessibility of the spaces. As per Section 17.01.05, the Plan shall establish conservation objectives, outlining procedures, and defining the roles and responsibilities of managing the space, including the establishment of a Qualified Management entity as appropriate. The Plan shall also address wildfire mitigation requirements to include vegetation management practices to prevent hazardous fuel buildup and possible wildfire threat within the community.

AB. Applicants shall submit simultaneously with the application for Conceptual Sketch Plan a Plan for Management of all the Protected Space, ~~and~~ Open Space, and Common Facilities ("Plan") that:

- 1. Allocates responsibility and guidelines for the maintenance and operation of the protected space and pen space and any facilities located thereon, including:
 - a. The required management or maintenance task;

- b. The season, month, or other date at which time the task should be carried out;
- c. The location at which the task should be carried out;
- d. Contractors, certified professions, or volunteers necessary to carry out the task;
- e. The estimated cost of equipment, labor, materials, and other activities associated with carrying out the maintenance or management task.

f. If there is a cemetery or an archeological site within a Secondary Conservation Area, the Plan shall incorporate best management practices as set forth by an appropriate State or Federal agency including, but not limited to, Florida Public Archaeology Network, the Florida Division of Historical Resources, or utilize a cultural resource management firm to provide management standards.

g. If a cemetery exists on the property, the Plan shall incorporate best management practices developed by a cultural resource management firm. Additionally, the site shall be maintained by a cultural resource management firm or other entity with knowledge and experience in maintaining sites of this nature. This function cannot be delegated to a homeowners' association, but the homeowners' association may contract with an appropriate entity to carry out this requirement.

- 2. Estimates the costs and staffing requirements needed for maintenance and operation of, and insurance and outlines how such funding will be obtained or provided;
- 3. Provides that any changes to the Plan be approved by the County Manager or designee; and
- 4. Provides for enforcement of the Plan.

BC. Annually, after the approval of the Conceptual Sketch Plan, the managing entity shall submit to the County a report demonstrating compliance with the approved Management Plan. The County Manager or designee shall also annually inspect the property to ensure compliance with the conditions of approved Management Plan. An annual inspection fee will be assessed. Additionally, the managing entity agrees and acknowledges that the County Manager or designee may inspect at any time, with or without notice, to ensure compliance with the Management Plan.

ED. In the event the party responsible for maintenance of the protected space or open fails to maintain all or any portion in reasonable order and condition, the County may avail itself of all legal remedies to enforce compliance with the Plan.

17.09.00 ~~Legal Instrument for Permanent Protection~~Reserved.

~~17.09.01 Legal Instrument for Permanent Protection.~~

~~A. As required in Section 17.01.04, protected space and open space (comprising both Primary and Secondary Conservation Areas) shall be preserved in perpetuity by a binding legal instrument that is recorded in the public records of Lake County, Florida, such as:~~

- ~~1. A permanent conservation or open space easement in favor of either:
 - ~~a. A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instrument shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions;~~
 - ~~or~~
 - ~~b. A governmental entity with an interest in pursuing goals compatible with the purposes of this Chapter. If the entity accepting the easement is not the County, then a third right of enforcement favoring the County shall be included in the easement.~~~~
- ~~2. A plat restriction that establishes the conditions and restrictions on the uses for each protected space or open space.~~
- ~~B. The instrument for permanent protection shall include clear restrictions on the use of the Open Space, including all restrictions contained in this Chapter as well as any further restrictions the applicant chooses to place on the use of the protected space or open space.~~
- ~~C. All provisions contained in Section 17.01.00 above, pertaining to open space management, shall be observed.~~

(Section 17.10.00 shall remain unchanged)

Section 3. Severability. If any section, sentence, clause, or phrase or word of this Ordinance is for any reason held or declared to be invalid, unconstitutional, inoperative or void by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion 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 4. Inclusion in the Code. It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake County Code and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

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

