

1 **Summary of Ordinance**

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3 The purpose of this Ordinance is to amend Section 14.09.01, Lake County Code, Appendix E,
4 Land Development Regulations, entitled *Site Plans*, to clarify applicability of major and minor site
5 plan review and better define these categories.
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7 Changes are shown as follows: ~~Strikethrough~~ for deletions and Underline for additions to existing
8 Code sections. The notation “* * *” shall mean that all preceding or subsequent text remains
9 unchanged (excluding any renumbering or re-lettering that might be needed).

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12 **ORDINANCE NO. 2026-__**
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14 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE**
15 **COUNTY, FLORIDA; AMENDING SECTION 14.09.01, LAKE COUNTY CODE,**
16 **APPENDIX E, LAND DEVELOPMENT REGULATIONS, ENTITLED *SITE PLANS*;**
17 **SIMPLIFYING APPLICATION REQUIREMENTS; CLARIFYING APPLICABILITY**
18 **OF REQUIREMENTS FOR MAJOR AND MINOR SITE PLAN REVIEW; PROVIDING**
19 **FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING**
20 **FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN**
21 **EFFECTIVE DATE.**

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23 **WHEREAS**, Section 14.09.01, Lake County Code, Appendix E, Land Development
24 Regulations (LDR), entitled *Site Plans*, sets forth the process for applying for site plan approval
25 for development; and
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27 **WHEREAS**, major and minor site plan reviews are associated with different types of
28 development and different review fees as detailed in the approved fee schedule; and
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30 **WHEREAS**, the Board of County Commissioners (Board) has determined that
31 amendments to the code are necessary to clarify the types of development that require a major site
32 plan review and the types for which a minor site plan review is sufficient; and
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34 **WHEREAS**, the Board has determined that the amendments and modifications contained
35 herein are in the best interests of the residents of Lake County, Florida.
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37 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of
38 Lake County, Florida as follows:
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40 **Section 1. Legal Findings of Fact.** The foregoing recitals are hereby adopted as
41 legislative findings of the Board of County Commissioners and are ratified and confirmed as being
42 true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.
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44 **Section 2. Amendment.** Section 14.09.01, Lake County Code, Appendix E, Land
45 Development Regulations, entitled *Site Plans*, is hereby amended to read as follows:

14.09.00 Site Plans.

14.09.01 Generally. The County may approve site plans for non-residential development or multi-family development if found to be in compliance with the requirements of these regulations. Additionally, site plans Shall be required for all ancillary uses to a residential subdivision, mobile home or recreational vehicle park, including, but not limited to, clubhouses, community buildings, active recreation sites, golf courses, and community pools. No application for a building permit on a parcel requiring site plan approval Shall be granted unless the site has been approved by the County Manager or designee. No site plan which authorizes the development of five (5) or more lots or dwelling units Shall be approved by the County Manager, or designee, unless the School Board has provided a certification in accordance with Chapter V-A of these regulations indicating that there is or will be sufficient school capacity to provide education services for the students who will live in dwelling units placed or constructed on such lots.

A. Applications. Applications for site plan review Shall be available ~~at the office of~~ from the County Manager or designee. A completed application Shall be signed by all owners, or their agent, of the property subject to the proposal, and notarized. Signatures by agents will be accepted only with notarized proof of authorization by the owners. In a case of corporate ownership, the authorized signature Shall be accompanied by a notation of the signatory office in the corporation.

B. Major or Minor Site Plan. The type of site plan required shall be based on the type of development, as follows:

1. Major site plan review shall be required for:

- a. Non-residential development of undeveloped land area;
- b. Non-residential development approved through a rezoning, including change of use;
- c. Previously approved development which adds land area;
- d. Previously approved development that expands fifty percent (50%) of the approved impervious surface ratio (ISR) or approved building square footage; and
- e. Development that requires permitting from a governmental agency other than Lake County.

2. Minor site plan review shall be required for:

- a. Non-residential development of structures for single purpose use that do not contain permanent habitable space such as model homes, sales trailers, construction trailers, communication towers, non-residential ancillary support services (mailbox kiosks, pavilions), parking lot expansion;
- b. Non-residential development approved through a rezoning including change of use that does not require a traffic study or where the traffic study was approved through the rezoning and does not require permitting from a governmental agency other than Lake County;

- c. Non-residential minor expansions to uses or structures nonconforming to the Comprehensive Plan may be made to meet regulatory requirements so long as the expansion does not exceed ten (10) percent of the nonconforming use or structure to facilitate continuing activity consistent with Section 1.08.02, Land Development Regulations;
- d. All common area hardscape features that require a building permit, such as fences, landscape monuments/statues, signage, decorative towers, development entrance features, etc.;
- e. Any existing mobile home or recreational vehicle (RV) parks that have no record of a previously approved master park plan (MPP) for the purpose of establishing an approved MPP conforming to current Land Development Regulations; and
- f. Development that does not require permitting from a governmental agency other than Lake County.

BC. Submittal requirements.

1. Format Requirements. All site plans Shall include the following submittal format requirements:
 - a. All plans Shall be drawn to a scale of one (1) inch equals one hundred (100) feet, unless the County Manager or designee determines that a different scale is sufficient or necessary for proper review of the proposal, or another provision of these regulations requires a different scale.
 - b. The plans Shall be digital, signed, and sealed ~~twenty-four (24) inches by thirty-six (36) inches in size. A three-quarter (¾) inch margin Shall be provided on all sides except for the left binding side where a two (2) inch margin Shall be provided~~ unless the County Manager or designee determines that a different size is sufficient or necessary for proper review of the proposal.
 - c. If multiple sheets are used, the sheet number and total number of sheets must be clearly indicated on each.
 - d. All plans Shall set aside a space five (5) inches by six (6) inches on the front page of each set of submittals to be used for County approval stamps.
2. Requirements for all Submittals. The front cover sheet of each plan Shall include:
 - a. A general vicinity or location map drawn to scale (both stated and graphic) showing the position of the proposed site in the Section(s), Township and Range, together with the principal roads, city limits, and/or other pertinent orientation information.
 - b. A complete legal description of the property.

- c. The name, address and telephone number of the owner(s) of the property. Where a corporation or company is the owner of the property, the name and address of the president and secretary of the entity shall be shown.
- d. Name, business address, and telephone number of those individuals responsible for the preparation of the drawing(s).
- e. Each sheet shall contain a title block with the name of the site, stated and graphic scale, a north arrow, and date.
- f. The plan shall show the boundaries of the property with a metes and bounds description reference to Section, Township and Range, tied to a Section or Quarter-section or subdivision name and lot number(s).
- g. The area of the property shown in square feet and acres.
- h. An aerial photograph no older than the most recent aerials available from the County Manager or designee with property boundaries overlain.
- i. Existing Conditions.
 - (1) The location of existing property or right-of-way lines both for private and public property, streets, sidewalks, railroads, buildings, transmission lines, sewers, bridges, culverts, drain pipes, water mains, stormwater management systems fire hydrants, and any public or private easements.
 - (2) Any land rendered unusable by deed restrictions or other legally enforceable limitations.
 - (3) Contour lines at two (2) foot intervals, unless shorter intervals are requested by the County Manager or designee based upon specific conditions of the project.
 - (4) All water courses, water bodies, floodplains, wetlands, important natural features, all protected trees and wildlife areas, U.S.D.A. Soil Conservation Service soil types, Florida Land Use Classification System (FLUCS) vegetative cover overlain on the concept plan, and pre-site survey for designated species when native habitat is being altered or cleared.
 - (5) Existing zoning district of the parcel and future land use map designation as appearing in the Comprehensive Plan.
 - (6) A depiction of the abutting property within five hundred (500) feet of the proposal, not including public right-of-way in the measurement showing:
 - (a) Land uses and locations of principal structures and major landscape features.
 - (b) Intensities of non-residential use.

- (c) Traffic circulation systems including median cuts.
- (d) Existing and proposed driveways and roadways.
- (7) Location of proposed site in relation to any established urban service areas and utilities.

j. Proposed Site Activities and Design.

- (1) The approximate location and intensity or density of the proposed site.
- (2) A general parking and circulation plan.
- (3) Points of ingress to and egress from the site with relation to existing or planned public or private road rights-of-way, pedestrian ways, or bicycle paths, and proposed access points to existing or planned public transportation facilities.
- (4) Proposed stormwater management systems on the site and proposed linkage, if any, with existing or planned public water management systems.
- (5) Location and availability of capacity for potable water and wastewater facilities to serve the proposed site, including a description of any required improvements or extensions of existing off-site facilities.
- (6) Proposed open space areas on the site and types of activities proposed to be permitted on them.
- (7) Lands to be dedicated or transferred to a public or private entity and the purposes for which the lands will be held and used.
- (8) A description of how the plan mitigates or avoids potential conflicts between land uses, including incorporation of all noise study recommendations to mitigate noise impacts.
- (9) The location of proposed ground signs.
- (10) ~~Landscape plan.~~ A landscape plan Shall be prepared by a registered landscape architect if the plan proposes development of three (3) or more dwelling units or any commercial, industrial, or community facility project. The plan Shall include the following:
 - ~~(a)-~~ A detailed plan, illustrating the irrigation system Shall be provided to meet the requirements of Section 9.01. .00 of these regulations. Irrigated areas Shall be graphically shown, including areas not irrigated, and their areas quantified in square feet or acres in relative percentages on the landscape plan.
 - ~~(b)-~~ Designation by common and botanical (scientific) name, including applicable cultivar name, size, and

location of plant material to be installed or preserved in a natural state in accordance with the requirements of this Section;

(c) Landscaping on adjacent property intended to count towards any landscaping requirement;

(d) Location of all required buffers, showing width and number of required trees, shrubs, and landscape features;

(e) Location of preserved trees, or clusters of trees, intended to count for landscape credits with the species and Diameter at Breast Height Caliper called out or a certification by a registered Landscape Architect or certified Arborist stating that a group of trees will meet the minimum size for required trees;

(f) A tree removal permit application for any protected trees proposed to be removed, showing their location.

(11) Architectural renderings, elevations, drawings, pictures, or other documents necessary to demonstrate compliance with commercial design criteria, if applicable.

k. Environmental survey/assessment of natural areas, and wildlife habitats and corridors identified as part of: in accordance with Section 6.04.00, Land Development Regulations.

(1) An Inventory of Natural Areas and Critical Habitats as prepared by a state agency, the Nature Conservancy, or a local land trust;

(2) A required Biological & Ecological Site Assessment (BESA); and/or

(3) An independent site study conducted by a trained botanist and/or biologist.

3. Information for development in flood hazard areas.

a. The site plan or construction documents for any development subject to the requirements of the floodplain regulations shall be drawn to scale and shall include, as applicable to the proposed development:

(1) Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.

(2) Where base flood elevations, or floodway data are not included on the Flood Insurance Rate Map (FIRM) or in the Flood Insurance Study, they shall be established in

accordance with subsection c below. ~~Section 14.09.01(B)(3)e.(2) or (3).~~

- (3) Where the parcel on which the proposed development will take place will have more than fifty (50) lots or is larger than five (5) acres and the base flood elevations are not included on the Flood Insurance Rate Map (FIRM) or in the Flood Insurance Study, such elevations shall be established in accordance with subsection c below. ~~Section 14.09.01 (B)(3)e.(1).~~
- (4) Location of the proposed activity and proposed structures, and locations of existing buildings and structures.
- (5) Location, extent, amount and proposed final grades of any filling, grading or excavation.
- (6) Where the placement of fill is proposed, the amount, type and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
- (7) Existing and proposed alignment of any proposed alteration of a watercourse.

b. The Floodplain Administrator is authorized to waive the submission of site plans, construction documents and other data that is required by the floodplain regulations, but that are not required to be prepared by a registered design professional, if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with the floodplain regulations.

c. ~~Information on flood hazard areas without base flood elevations (approximate Zone A).~~ Where flood hazard areas are delineated on the Flood Insurance Rate Map (FIRM) and base flood elevation data have not been provided, the Floodplain Administrator shall:

- (1) Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.
- (2) Obtain, review and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.
- (3) Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are

known to be scientifically or technically incorrect or otherwise inadequate:

(a) Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or

(b) Specify that the base flood elevation is two (2) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet; or

(4) Where the base flood elevation data is to be used to support a Letter of Map Change from Federal Emergency Management Agency (FEMA), advise the applicant that the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

d. Additional analyses and certifications. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:

(1) For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to Federal Emergency Management Agency (FEMA) as specified in Section 14.09.01(~~BC~~)(3)e- below and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.

(2) For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the Flood Insurance Rate Map (FIRM) and floodways have not been designated, hydrologic and hydraulic analyses that demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a

riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.

- (3) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Section 14.09.01(~~BC~~)(3)e below.

- e. Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from Federal Emergency Management Agency (FEMA) to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on the Flood Insurance Rate Map (FIRM), and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

~~14.09.03~~ 14.09.02 Expiration of Approvals.

- A. Site plan approval Shall be effective for a period of eighteen (18) months from issuance. The applicant Shall commence construction in accordance with the approved site plan within this time period and continue in good faith towards the completion of the construction.
- B. The applicant may submit a written request for a single two (2) month extension. Such written request Shall be submitted at least thirty (30) calendar days prior to the expiration of the effective period, otherwise such site plan approval Shall expire. If submitted on time, the extension Shall be granted where the applicant has demonstrated a good-faith effort to commence construction in accordance with the approved plans and has diligently worked with the County Manager or designee towards such commencement and completion. However, the extension Shall be denied if any portion of the site plan is inconsistent with the Comprehensive Plan.
- C. In the event the construction is not commenced within the initial eighteen (18) month site plan approval period, and an extension is either (a) not applied for; (b) applied for and denied; or (c) applied for, granted, and expired, the applicant Shall be required to submit a new application for site plan approval. Such re-submittal Shall be reviewed in accordance with the provisions of the Comprehensive Plan and the Land Development Regulations in effect at the time of re-submittal.

1 **Section 3. Amendment.** The following sections of the Lake County Code, Appendix
2 E, Land Development Regulations (LDR) shall be amended to adjust references to portions of
3 LDR Section 14.09.00:

- 4 • 14.20.04 Change 14.09.01(B)(3)d.1 to 14.09.01(C)(3)d.(1)
- 5 • 9.07.02.D Change 14.09.01-(B)(3) to 14.09.01(C)(3)
- 6 • 14.15.03.C Change 14.09.01(B)(3)d to 14.09.01(C)(3)d
- 7 • 14.07.04.A.9 Change 14.09.01(B)(3)(c)(1) to 14.09.01(C)(3)c.(1)

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10 **Section 4. Severability.** If any section, sentence, clause, or phrase or word of this
11 Ordinance is for any reason held or declared to be invalid, unconstitutional, inoperative or void by
12 any court of competent jurisdiction, then said holding shall in no way affect the validity of the
13 remaining portion of this Ordinance; and it shall be construed to have been the Commissioners'
14 intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and
15 the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and held
16 to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions
17 thereof shall be held inapplicable to any person, groups of persons, property, kind of property,
18 circumstances or set of circumstances, such holding shall not affect the applicability thereof to any
19 other person, property or circumstances.

20
21 **Section 5. Inclusion in the Code.** It is the intent of the Board of County
22 Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake
23 County Code and that the sections of this Ordinance may be renumbered or re-lettered and the
24 word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase
25 in order to accomplish such intentions.

26
27 **Section 6. Filing with the Department of State.** The Clerk shall be and is hereby
28 directed forthwith to send an electronic copy of this Ordinance to the Secretary of State for the
29 State of Florida in accordance with Section 125.66, Florida Statutes.

Section 7. Effective Date. This Ordinance shall become effective as provide for
by law.

Enacted this _____ day of _____, 2026.

Filed with the Secretary of State _____, 2026.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

Gary J. Cooney, Clerk
Board of County Commissioners
of Lake County, Florida

Leslie Campione, Chairman

This _____ day of _____, 2026.

Approved as to form and legality:

Melanie Marsh
County Attorney