



TO: Cindy Hall, County Manager
FROM: Brian T. Sheahan, AICP, Planning & Community Design Director
Amye King, AICP, Sr. Growth Management Director
DATE: June 12, 2009

SUBJECT: Comprehensive Plan Workshop – June 9, 2009

Please accept this memo as a summary of the first Comprehensive Plan workshop. This memo is divided into three parts, *General Direction*, *Discussion on Staff Comments and Public Input*. Please let me know if you have any questions.

General Direction

- Change references to “PUD Zoning” to “PUD” to allow the Conditional Use Process to be used in lieu of a specific zoning district.
- Extend timelines wherever possible.
- Change “should” to “shall” throughout.

Discussion on Staff Comments

- **Comment 3:** Readdressed to ensure that the new policies are placed as a subset to the Urban Land Use Series
- **Comment 36:** Option A - Amend polices to be consistent with adopted Wekiva Amendments.
- **Comment 37:** Option B.
- **Comment 38:** Option B.
- **Comment 39:** Option A.
- **Comment 40:** Option A.
- **Comment 41:** Option A.
- **Comment 42:** Option A.
- **Comment 43:** Option A, but move text of this policy to end of Policy 4.1.5
- **Comment 44:** Option B.
- **Comment 45:** Option A.
- **Comment 46:** Option A.
- **Comment 47:** Option A.
- **Comment 48:** Option A.
- **Comment 49:** Option A, with the following revisions for further discussion. Changes are shown as double underline/~~strike through~~—and proposed additional changes are highlighted:

Policy I-4.4.8 Treatment of Wetlands for Development Approval

Wetlands within a project shall be placed in a conservation easement that shall run in favor of and be enforceable by the County, other governmental agency or a qualified non-profit conservation organization. The conservation easement shall require that the wetlands be ~~maintained~~ remain in their natural and unaltered state. If such

wetlands and buffer areas are not in a natural state due to the presence of invasive species, changes in hydrology, or the removal of natural vegetation, such wetlands and buffers shall be restored by the removal of invasive species, replacement/revegetation with suitable native species and restoration of natural hydrology to the greatest extent possible feasible. The entity accepting said conservation easement shall enforce its provisions. In addition, wetlands shall not be included as part of any platted lot, except as provided herein. Wetlands shall be shown on the plat as a common area which shall be deeded to the homeowners' association or the County at its option, for ownership and maintenance. Wetlands may be included in the platted lots for subdivisions which have no homeowners' association and which contain ten (10) lots or less. Wetlands between an upland lot and a water body may be included in the lot to allow the lot owner access to the water. Any isolated wetland of less than one acre may be included in a platted lot shall be exempt from these requirements.

Policy I-7.4.4 Protection of Wetlands and Wetland Classification Program

Within 12 months of the effective date of this Comprehensive Plan, the County shall implement a wetlands classification program and adopt regulations within the LDRs that accomplish the following:

- Regulate development activities according to wetland significance;
- Require the identification of wetland type, land use, extent, significance, development compatibility, and applicable performance standards prior to County review and approval of development activities;
- Require, at a minimum, compliance with all performance standards set forth in the LDRs of Lake County, which standards and guidelines are accepted herein verbatim by this reference; and
- Depending on wetland significance provide for development flexibility through mitigation/compensation measures where more beneficial environmental results may be achieved.

The County shall require dedication of a conservation easement to the County or other agency of all post-development wetlands, to the extent allowed by law. This conservation easement shall require that the wetlands and wetland buffers be maintained in their natural and unaltered state. If such wetlands and buffer areas are not in a natural state due to the presence of invasive species, changes in hydrology, or the removal of natural vegetation, such wetlands and buffers shall be restored by the removal of all invasive species, replacement/revegetation with suitable native species, and, to the greatest extent possible, restoration of natural hydrology. The entity accepting a conservation easement shall enforce its provisions.

Comment 50: Option B.

Comment 51: Further discussion after Landscape Ordinance.

Comment 52: Option A.

Comment 53: Option A.

Comment 54: Option A with additional revision to make policy read similar to Policy I-5.3.2 discussed in Comment 55.

- Comment 55:** Option A.
Comment 56: Option A.
Comment 57: Option A.
Comment 58: Option A.
Comment 59: Option A.
Comment 60: Option A.
Comment 61: Option A.
Comment 62: Option A.
Comment 63: Option A.
Comment 64: Option A.
Comment 65: Option A.
Comment 66: Option A, but keep “*The Land Development Regulations shall address, but may not be limited to, scale, parking, hours of operation and usage of accessory structures.*”
Comment 67: Option A.
Comment 68: Option A.
Comment 69: Option B.
Comment 70: Option C, but add conversion criteria to Policy I-7.2.10.
Comment 71: Option A, with additional revisions:

Policy I.7.2.11 Industrial Uses near Residential Areas

The County shall ensure that new industrial uses, ~~or expansion of existing industrial uses,~~ adjacent to or in close proximity to residential areas shall be limited to light industrial uses to protect residences from the adverse impacts ~~of smoke, fumes, emissions, vibrations, light, glare, odors, noise and other negative externalities.~~ Expansion of existing industrial uses may be allowed through a conditional use process.

- Comment 72:** Further discussion after Landscape Ordinance.
Comment 73: Option A.
Comment 74: Further discussion. After further review, the additional language provided in Option A is not necessary since the submittal requirements for DRI’s and FQD’s are already part of their respective processes. Therefore, Option B is recommended to leave the policy “as proposed.”
Comment 75: Option A and extend timeline to 36 months.
Comment 76: Option A and revise as follows:

Policy I-7.4.5 Platting of Wetlands and Water Bodies

Except as provided below, wetlands and water bodies shall not be included as part of any platted lot, except as provided herein. Wetlands and water bodies shall be shown on the plat as a common area, which shall be deeded to the homeowners’ association, the County, a conservation agency, or non-profit conservation organization for ownership and maintenance. A portion of wetlands between an upland lot and a water body may be included in the lot to allow the lot owner access to the water. Wetlands and water bodies may be included in the platted lots for subdivisions which do not have a homeowners’ association and which contain ten (10) lots or less. Wetlands between an upland lot and a water body may be included in the lot to allow the lot owner access to the water. Any isolated wetland of less than one acre may be included in a platted lot shall be exempt from these requirements.

Comment 77: Option A. Remove “approved” from 5th bullet, revise last paragraph as follows:

The Land Development regulations will specify additional ~~methods~~ criteria to preserve required open space, which may include standards based upon size thresholds and type of open space, to limit future encroachment or development of required open space, drainage areas, recreation areas, and any other areas set aside as a requirement for development approval.

Comment 78: Option B.

Comment 79: Option B.

Comment 80: Option A.

Comment 81: Option A.

Comment 82A: Further Discussion. The following language is suggested:

Policy I-7.8.2 Integration of the DRI Process with Local Comprehensive Planning

~~In order to better integrate the DRIs process with County planning activities and ensure consistency with growth management objectives of this Comprehensive Plan, the Local Planning Agency shall be notified of any Development of Regional Impact under consideration within or affecting Lake County when said DRI comes to the attention of the County.~~

~~The Local Planning Agency as a body shall be updated on activities involving County staff with respect to DRIs and anticipated Future Land Use Map amendments associated with DRIs.~~

Notifications of any Development of Regional Impact received by the County Manager or designee, made pursuant to Chapter 380.06 shall be forwarded to the Local Planning Agency for their information.

Comment 82: Revise Policy as follows:

Policy I-7.10.3 Municipal Annexations

The County shall monitor municipal annexations. If a municipality initiates action to annex property that is not reasonably compact, contiguous to the present municipal corporate limits, or creates an enclave as described per Florida Statute, the County shall ~~may~~ object to the annexation and ~~shall~~ may, when appropriate, legally challenge the annexation.

Comment 83: Option A, but revise as follows:

Policy I-7.11.4 Private Investment for Infrastructure

The County shall ~~may~~ require private investment in infrastructure improvements or impact fees (e.g., ~~schools, feeder roads, aerial fire apparatus, right of way, signalization, access improvements, for mass transit facilities and stormwater, etc.~~) where a rational nexus demonstrates that the improvements are needed to

accommodate the development and to minimize attendant public costs associated with growth.

Comment 84: Option A.

Comment 85: Option A.

Comment 86: Option A.

Comment 87: Option A, but revise policy further as follows:

Policy I-7.13.6 Standards of Review for Amending the Future Land Use Map

The County shall include within its Land Development Regulations provisions for the review of amendments to the Future Land Use Map consistent with this Comprehensive Plan. At a minimum, the Land Development Regulations shall include the following standards of review:

- Demonstration by signed affidavit that, if requested by a private individual or entity, the proposed FLUM amendment is sought or supported by the landowner(s) subject to the amendment;
- Demonstration that additional lands for residential use are needed to accommodate population projections consistent with the Comprehensive Plan if the FLUM amendment involves a potential increase in residential density, and that lands subject to the proposed amendment are in the most appropriate location with respect to the efficient use of public facilities and services for this increase in density, with respect to all other policies of this comprehensive plan; or a demonstration of need for non-residential and commercial lands based upon population and employment within the service area, vacancy rates for similar uses, and ability to reduce overall future transportation demands on the road network (reduction in Vehicle Miles Travelled-VMT);
- Demonstration ~~Description~~ of purpose for the proposed FLUM amendment and explanation of desired use, including ~~a general description submission of a conceptual site plan depicting~~ important features including but not limited to the location of major roads, structures, significant limitations (e.g. wetlands, karst features, steep slopes), and environmentally sensitive areas, and required open space;
- Demonstration that facilities and services are or will be available within the levels of service adopted throughout the Comprehensive Plan (or the levels of service adopted by the municipality in whose utility area the proposed amendment is located and as adopted in the Capital Improvements Element or by joint agreement with the County), including but not limited to water supplies (including permitted quantities) and facilities, ~~and~~ sewer services, transportation, parks and recreational facilities, and schools;
- Demonstration that the amendment will not fiscally burden County services;
- Demonstration that the amendment would not cause unnecessary and unmitigated negatively impacts to natural resources, including but not limited to wetlands, uplands, habitat, wildlife corridors, wildlife, groundwater and surface water, recharge and karst features and further demonstration that the integrity of interconnected ecosystems of local, state, regional and federal significance will be preserved;

- Demonstration that historic and cultural resources will not be affected by unnecessary and unmitigated negatively impacted;
- Demonstration that any proposed ~~urban~~ Future Land Use Map amendment to an Urban Future Land Use Category is contiguous to existing urban development outside of the Rural Future Land Use Series so as to discourage urban sprawl; and
- Demonstration that the proposed Future Land Use Map amendment provides an appropriate transition of land uses adjacent to the rural area, and that the amendment shall create a final area of transition between the rural area and existing urban development to constrain future intrusion into the rural area. Adequate transition shall be required to maintain compatibility with adjacent, existing communities and may require flexible lot sizes and variable buffers.

Comment 88: Option A.

Comment 89: Option A.

Peggy Belflower

- Requested meeting between the LPA and the BCC
- Comments to may change tenor of plan

Keith Schue

- Comment 87 and others
- Caution is necessary to ensure that policies for land use amendments are clear.
- Requested urban sprawl as specific bullet

John Popisol

- Comment 49 - wetland platting too restrictive
- Grated communities-should be allowed

Bill Wray – agrees with Mr. Popisol comment. Revisit Policy 1-7.4.4

- Comment 75 - be clear of definition of Clarification vs. Assessment
- Comment 80 - Need to be clear on who is responsible for Agricultural Buffer

Rob Kelly

- Comment 74 - leave as is
- Comment 77 - Wanted Board to consider substitute for word “permanent” in regards to easements.
- Comment 82A – Purpose is to make public aware of DRIs earlier in process.
- Comment 87 - Language should not be made too broad.