

FUTURE LAND USE

GOAL 1.0

The Town shall retain its quaint character through growth management techniques that ensure land use decisions consistent the Town's vision, ensure that public services and facilities are provided, discourage sprawl, encourage infill and redevelopment, encourage creativity in land use and design, and protect historical and environmental resources.

OBJECTIVE 1.1

To coordinate future land uses with adjacent uses and natural features.

Policy 1.1.1 FLU

Enforce and update as needed, development regulations that promote quality development and ensure compatible land uses.

1. Impacts to be regulated include noise, traffic, light, drainage, water quality, toxic and hazardous materials, litter, dust, visual, and other impacts.
2. Regulations shall include zoning, subdivision, site plan, parking, signage and design standards.
3. Techniques to be used to mitigate impacts include buffers, landscaping, setbacks, parking, traffic flow and connections, lighting, sign control, pedestrian and bicycle circulation and other factors which enhance the appearance of the built environment while providing an effective buffer between uses.
4. These standards and techniques will also be applied to public projects.

Policy 1.1.2 FLU

Decisions on amendments to the FLUM shall be based on an analysis of the suitability and compatibility of the allowable uses, based on the following factors:

1. Type and density or intensity of surrounding uses;
2. Zoning districts in the surrounding area;
3. Appropriateness of the size of the parcel compared to the allowable uses;
4. Physical condition of the site, and the suitability of soils and topography for the allowable uses;
5. Suitability of the site based on the presence or absence of natural resources, environmentally sensitive areas, flood zones, or historic resources;
6. Compatibility factors; and
7. Impact on adopted levels of service.

Policy 1.1.3 FLU

The Town will coordinate with the Orange County School Board to plan and establish, if possible, future school sites throughout the Town and ensure adequate lands proximate to neighborhoods are available to meet the needs of the Oakland's student population. In planning future educational sites, the Town will

utilize every opportunity to collocate public facilities such as parks, libraries, and community centers adjacent to schools.

Policy 1.1.4 FLU

The Town shall amend its land development regulations to be consistent with the comprehensive plan within one year of adoption.

OBJECTIVE 1.2

To provide services and facilities adequate to meet adopted levels-of-service.

Policy 1.2.1 FLU

The Town shall maintain a Concurrency Management System (CMS) as part of the land development regulations. The CMS shall provide that no final permit for development be issued unless the facilities necessary to serve the development exist and meet the level of service standards set out in this plan, or that the permit is conditioned on the necessary facilities meeting level of service standards by the time demand for services results from the development. The CMS shall be implemented as follows:

- A. The facilities for which infrastructure capacity shall be evaluated shall include: roadways, potable water facilities, sanitary sewer facilities, schools, drainage facilities, solid waste facilities, and parks.
- B. A CMS report shall be prepared by August 1st of each year showing which infrastructure facility is inadequate to meet the adopted level of service standards.
- C. The report shall be reviewed annually (in conjunction with the annual update of the CIP) to determine deficiencies with respect to level of service standards.
- D. If a facility has reached 90 percent of capacity; the Town shall undertake periodic reviews on a quarterly basis rather than annually.
- E. The report may be reviewed more frequently upon a finding by the Town Commission that there is reason to suspect facilities shown as having adequate levels of service do not and/or facilities shown as having inadequate levels of service in fact are not deficient.
- F. The report shall be adopted prior to October 1 each year, and shall be effective for the subsequent fiscal year or until amended.
- G. The report shall be based on an evaluation of the total capacity of each relevant facility component and the total actual demand placed on that facility. Total capacity of the facility shall include existing capacity as well as additional capacity from planned projects, subject to the limitations of Rule 9J-5.0055(2)(a) through (c), Florida Administrative Code. Total demand shall include actual current use as well as the potential use of properties which have not been developed but which are considered as "vested" under the terms of the plan adoption ordinance.
- H. The following standards shall apply to the use of the infrastructure deficiency report in reviewing development:
 - 1. All applications for change in future land use, zoning, preliminary subdivision approval, or any development approval shall be reviewed to determine if the facilities serving the area in which

the development is located meet the level of service standards herein. The results of this review shall be presented to the applicant and, when applicable, to the Planning and Zoning Board and the Town Commission. Where review by the Planning and Zoning Board and/or Town Commission is not required, the results of the concurrency review shall be presented to the applicant. The purpose of the concurrency review and report at the review stage shall be to explicitly place the applicant on notice (1) to the status of the proposed development concerning concurrency, and (2) to the restrictions against final approval where the concurrency requirement is not met.

2. All applications for final approval (including any applications for final subdivision approval, final site plan approval which involves approval of density and intensity, any change of zoning where a specific enforceable plan of development is included) shall be reviewed to determine if the facilities serving the area in which the development is located meet the level of service standards herein. No such application may be approved unless the infrastructure is found to be adequate.
3. Where no change of zoning, subdivision approval, site plan approval, or other approval is required, the concurrency determination shall be made at the time of building permit review. No building permit shall be issued unless the facilities serving the area in which the development is located meet the level of service standards herein.
4. In the event capacity is inadequate to meet the established level of service standard for the property in question, approval may be issued conditioned on the provision of adequate infrastructure prior to any occupancy of the development (such conditional approval shall identify the specific facilities which are deficient and the specific actions which must be taken before the development may be occupied).

Policy 1.2.2 FLU

Oakland's Concurrency Management System requires that one of the following standards will satisfy the concurrency requirement for potable water, solid waste, drainage, recreation, police and transportation:

1. The necessary facilities and services are in place at the time a development permit is issued.
2. A development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur.
3. The necessary facilities are under construction at the time a permit is issued.
4. The necessary facilities and services are guaranteed in an enforceable development agreement that includes the provisions of Rules 9J5.0055(2)(a) 1.-3., F.A.C. The agreement must guarantee that the necessary facilities and services will be in place when the impacts of the development occur.
5. Parks and recreation facilities required to serve new development must be in place or under construction no later than one year after the issuance of a certificate of occupancy or its function equivalent.

Policy 1.2.3 **FLU**

The Town shall use impact fees and other methods to assess new development its pro-rata share of costs in order to maintain level of service standards.

Policy 1.2.4 **FLU**

The Town shall deny the approval and issuance of development permits and development orders for developments which reduce the level of service standards for roads, wastewater, potable water, solid waste, stormwater, and recreation, as set forth in this plan. For recreation, the level of service standards shall be deemed to be met for development if the required land for such facilities is available at the time a Certificate of Occupancy is issued and necessary facilities are developed on such land within one year of Certificate of Occupancy issuance.

Policy 1.2.5 **FLU**

New development shall be responsible for mitigating its impact on public facilities and services when the development causes the facility to fall below the level of service standards established in this plan. Mitigation shall be satisfied through the provision of new or upgraded facilities or by paying a sum equivalent to the cost of the needed improvements.

Policy 1.2.6 **FLU**

The Town's Concurrency Management System shall include reservation criteria and safeguards that allow for varied reservation time periods depending upon the size, land use type, phasing, capacity availability, and geographic location of the development.

Policy 1.2.7 **FLU**

The Town's Concurrency Management System shall include a vesting and appeals review process that establishes vesting criteria and procedures, to be applied on a case by case basis.

Policy 1.2.8 **FLU**

All development approvals shall have a time period specified in the development order or permit in which development must commence. The time period may involve two or more phases but the timing of each phase shall be specified in the development order or permit. If necessary, the development order or permit may prescribe a time schedule for the initiation of the various components of the development process such as, but not limited to, land clearing, filling, and foundation pouring.

OBJECTIVE 1.3

To encourage the maintenance, renewal and infill of existing urban areas.

Policy 1.3.1 **FLU**

Pursue funding options and coordinate public/private efforts targeted toward redevelopment and renewal of blighted areas.

Policy 1.3.2 **FLU**

The Town shall consider establishing overlay districts along existing and emerging urban corridors to protect the Town's unique character as well as promoting urban infill that is compatible with this character.

Policy 1.3.3 **FLU**

By December 1, 2009, the Land Development Code shall be updated to include zoning standards to promote affordable housing by changing setbacks, vacating right of way when feasible, and other regulations. In addition, the Town shall ensure the promotion of affordable housing through the Housing

Element policies 1.1.1, 1.1.2, and 1.1.3 which establish affordable housing requirements for new developments.

OBJECTIVE 1.4

The Town shall eliminate or reduce nonconforming land uses and nonconforming structures.

Policy 1.4.1 FLU

Nonconforming land uses and nonconforming structures shall not be expanded to increase the nonconformity.

Policy 1.4.2 FLU

The Town shall adopt land development regulations for such issues as the cessation, repair and maintenance, and amortization of nonconforming uses and nonconforming buildings.

OBJECTIVE 1.5

To ensure that suitable land is available for residential, commercial, industrial, and public use.

Policy 1.5.1 FLU

Suitability shall be based on the availability of services and facilities including consistency with the Future Transportation Map as depicted in Figure 11 and the ability of the land to be developed, while respecting the integrity of the built and natural environment.

Policy 1.5.2 FLU

The following future land use categories shall be depicted on the Future Land Use Map in Figure 6 and shall comply with the use, density and intensity standards provided below:

1. **Agriculture** - Permissible uses include agriculture and silviculture activities; farm dwellings, and associated accessory structures that are related to and supportive of these uses. Very low density residential land uses with net densities of one dwelling unit per five acres for single family residences are allowed. The A-1 zoning is consistent with this designation.
2. **Low Density Residential** – The Low Density Residential category is intended for single family detached residential dwellings up to 3.49 dwelling units per acre. Attached dwellings or clustering may be allowed provided density is maintained and undeveloped land remains as open space. Group homes and assisted living facilities may also be allowed. Zoning categories consistent with this future land use are PUD, R-1, R-1A and R-1AA.
3. **The Low-Medium residential** category is intended for attached single family, detached single family, and duplexes from 3.5 to 8 dwelling units per acre. Group homes and assisted living facilities may also be allowed. The town shall amend its Land Development Regulations to include design criteria in order to ensure compatibility with existing residential areas. Zoning categories consistent with this future land use are PUD, R-1, R-2, and RNC.
4. **Mixed Use Residential** - The Mixed Use Residential category is intended for residential areas with a mixture of non-residential uses. This mixture allows flexibility for planned unit developments to create walkable and livable communities. The mixture is 75 percent residential with 25 percent of commercial office. The allowable density is 3.5 to 8 dwelling units per acre.

Group homes and assisted living facilities may also be allowed. The town shall amend its Land Development Regulations to include design criteria in order to ensure compatibility with existing residential areas. Commercial intensities shall not exceed a floor area ratio (FAR) 0.35 on SR 50 and 0.25 in the remainder of the Town. The Planned Unit Development (PUD) zoning category is consistent with this future land use.

5. **Mixed Use Commercial** - The Mixed Use Commercial category is intended for commercial areas with a mixture of residential. This mixture allows flexibility for planned unit developments to create walkable and livable communities. The mixture allows up to 50 percent residential with the remainder as commercial office. The allowable density is 3.5 to 8 dwelling units per acre. Group homes and assisted living facilities may also be allowed. The town shall amend its Land Development Regulations to include design criteria in order to ensure compatibility with existing residential areas. Commercial intensities shall not exceed a floor area ratio (FAR) 0.35 on SR 50 and 0.25 in the remainder of the Town. The Planned Unit Development (PUD) zoning category is consistent with this future land use.
6. **Commercial** - The Commercial future land use category is intended to provide general commercial uses such as offices, retail, personal services establishments, restaurants, transient accommodations, repair shops, and other similar uses. Commercial intensities shall not exceed a floor area ratio (F.A.R.) of 0.25 with the exception of 0.35 on SR 50. Zoning categories consistent with this future land use are C-1 and C-2.
7. **Industrial** – The Industrial future land use category is intended to provide areas for manufacturing, assembling and distribution activities; warehousing and storage activities; general commercial activities; and other similar land uses. Industrial uses shall not exceed a floor area ratio which shall not exceed 0.25. Zoning categories consistent with this future land use are I-1, and I-2.
8. **Institutional** – The Institutional future land use category is intended to provide areas for educational facilities, governmental offices, churches, cultural facilities, public safety facilities, health care facilities, cemeteries, public utility and other infrastructure facilities. Institutional uses shall not exceed a floor area ratio of 0.25. The INS-1 zoning is consistent with this designation.
9. **Recreation** – Public and private parks and recreation facilities shall be allowable uses in the Recreation land use category. Outdoor recreation facilities may include fields, courts, playgrounds, pools, picnic areas, trails, paths, and active or passive open space. Recreation facilities may also include buildings to support outdoor recreation, such as restrooms, concessions, equipment storage, and offices related to the park and recreation uses. The maximum floor area ratio is 0.25. The INS-1 zoning is consistent with this designation.
10. **Conservation** – This designation shall provide for the long-term protection and preservation of environmentally sensitive natural resource systems including wetland, floodplains and endangered habitat. All identified wetland areas and other environmentally sensitive areas shall be included in the Conservation Future Land Use category. Most of these areas have been

identified through environmental assessments. The Town reserves the right to designate additional areas as Conservation. Once an area is identified through an environmental assessment, whether by the Town or through the analysis of a proposed development, it shall be added to the Conservation Future Land Use category. Uses that are permitted in the conservation overlay designation include hiking and biking trails, picnic areas, public restrooms, interpretive or educational centers, and boat docks. The INS-1 zoning is consistent with this designation.

Policy 1.5.3 **FLU**

Public schools shall be allowed in all Future Land Use categories with the exception of Industrial.

Policy 1.5.4 **FLU**

In order to encourage affordable housing options, accessory dwelling units shall be permitted in the Low Density Residential future land use designation with the condition of the lot being one and one-half (1½) times the required lot size and all septic drain field regulations are met. The lot size requirement does not apply to development zoned as a planned unit development, which requires a central wastewater service.

Policy 1.5.5 **FLU**

Land development regulations, including zoning categories shall be reviewed and amended to match the specifications of the future land use element and designations within one year of the adoption of this Comprehensive Plan.

OBJECTIVE 1.6

To ensure the protection of the Town's natural resources.

Policy 1.6.1 **FLU**

Publicly owned areas of environmental concern on the Future Land Use Map (Figure 6) shall be identified as part of the Conservation Future Land Use category. This will include flood prone areas and environmentally sensitive lands.

Policy 1.6.2 **FLU**

The Town shall encourage the provision of conservation and open space by allowing the clustering of new development in areas that have the least environmentally sensitive areas on the site. The Town shall consider offering incentives, such as density credits or other programs, to developments that provide conservation easements or land dedications for the preservation of environmentally sensitive areas or other open space.

Policy 1.6.3 **FLU**

Monitor results through the development review and approval process and provide updates to the Comprehensive Plan and land development regulations through the Evaluation and Appraisal Report process.

Policy 1.6.4 **FLU**

The Town shall allow the use of septic tanks for development only in soils of slight difficulty or moderate difficulty, such as sands or gravels based on a geotechnical report demonstrating soil analysis and ground water analysis demonstrating that surface or ground waters will not be polluted and that constraints can be modified by excavating and back-filling with suitable materials such as a sand/gravel mixture.

Policy 1.6.5 FLU

The Town shall adopt new septic system regulations when the State adopts new septic system regulations that may be based upon the Department of Health's recommendations. Until then, septic tanks must meet all state standards as given in 64E-6.008 of the Florida Administrative Code. For industrial and commercial development drainfields, flows shall not exceed 2,500 gallons per acre and will require monitoring of each system.

Policy 1.6.6 FLU

All development served by septic tanks must meet state septic standards per 381.0065 Florida Statutes and shall connect to the Town's central water system. All existing and proposed development within the Town Limits shall be required to connect to the Town's central water system. Connection to a central sewer facility shall be required when it becomes available.

Policy 1.6.7 FLU

New subdivisions and commercial developments must install dry sewers as part of required infrastructure.

Policy 1.6.8 FLU

At such time as a central wastewater system is provided by the Town, the owner of any parcel within 1,000 feet of the system shall be required to connect to this system at their cost within 12 months.

Policy 1.6.9 FLU

The Town shall protect all potable water well fields within its jurisdiction as identified in Figure 12 of the data, inventory and analysis portion of this Plan by establishing a well protection area of a 500 foot radius of the well head and designating appropriate activities and land uses within these areas. Within the first 50 feet of the well protection area, no development activities other than the well and associated equipment and parks shall be permitted. Between 50 ft. and 200 ft., parks, water supply and treatment facilities, and existing development as of May 1, 2008 including associated septic tanks may be allowed. Low Density Residential uses, parks, and water utility infrastructure shall be allowed between a 200 foot and 500 foot radius of the well head including associated septic systems. In addition, the following uses shall be prohibited within the well protection area: animal feed lots, landfills, storage use or transportation of hazardous substances except those associated with water production and treatment, waste and wastewater treatment and similar facilities, mines, and excavation of waterways or drainage facilities that intersect with the water table.

Policy 1.6.10 FLU

The Town shall encourage green building techniques through the LEED certification of buildings.

Policy 1.6.11 FLU

The Town shall adopt a landscaping ordinance within one year of the adoption of this plan with the purpose of significant potable water consumption reduction within the Town in addition to the provisions outlined in CONS Policy 1.7.5 and FLU Policy 1.6.12.

Policy 1.6.12 FLU

The Town shall require the following in all new development:

1. The use of drought resistant and/or native Florida species, and xeriscaping techniques in all new development to conserve water resources including the use of Bahia grass or other drought resistant grasses in place of St. Augustine grass.

2. Soil moisture sensors for all irrigation systems in order to conserve water resources.
3. Dark sky lighting to decrease light pollution.

OBJECTIVE 1.7

To protect springs and springshed areas including surface water and groundwater resources of the Wekiva Study Area necessary for sustaining the community's quality of life, drinking water and health of the Wekiva River System.

Policy 1.7.1 FLU

The Town shall identify and protect the most effective recharge areas, karst features including springs, and natural habitats (for example, Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub) of the Wekiva River System. These features are displayed in Figure 8 and 14 in the data, inventory and analysis portion of this plan. Aquifer recharge areas are shown in Figure 14. The town shall protect and preserve these features within the Town through the following measures:

1. Limit new land use activities within and adjacent to most effective recharge areas, karst features and sensitive natural habitats, that have a relatively high potential to adversely impact ground water and surface water quality; such as mining, landfills, sprayfields, golf courses, heavy industrial, intense animal operations, high density residential using on-site septic systems for wastewater treatment, and other uses or activities with extensive impervious surface area, involve hazardous chemicals or materials that have the potential to contaminate groundwater.
2. Where avoidance of impacts through the limitation of land use activities is not feasible, implement Best Management Practices and development standards, such as buffering, setbacks and open space standards that will minimize the impact of land use and development within the Town.
3. Any new development must meet all environmental requirements outlined within the Town's land development code.

Policy 1.7.2 FLU

In order to protect those natural resources within the Wekiva Study Area listed above, the Town shall require all new site plans or subdivisions to preserve and dedicate open space, through comprehensive plan future land use map assignment as conservation or conservation easement, plat, or other recordable instrument. Open space shall be connected to the greatest extent possible within the development site and to natural areas or open space within adjacent property in order to provide larger contiguous corridors. In determining the location of open space, all development shall follow the Town's vision as identified in the Comprehensive Plan. The vision includes general locations of desired land uses, neighborhood centers as well as a grid system of streets that connects to the Town's original platted street grid. As the entire Town is located within the Wekiva Study Area, any new development is required to meet the following requirements for open space:

1. For developments in areas already platted, the minimum open space requirement is 50 percent for those areas containing Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub. Those containing karst features must meet the minimum buffer requirements as outlined in FLU Policy 1.7.7.

2. For developments or groups of developments in areas not yet platted that submit a master plan deemed by Town staff to be consistent with the Town's vision and utilize clustering, the minimum open space requirement is 25 percent. Property owners are encouraged work together to submit a master plan that incorporates the greatest number of properties possible.
3. For developments in areas not yet platted that do not submit a master plan deemed by Town staff to be consistent with the Town's vision the minimum open space requirement is 35 percent.
4. Special exception uses to the open space requirement include the following: institutional uses of two acres or less, schools, supporting infrastructure and public facilities of two acres or more, horticultural nurseries as a primary use, and infill or redevelopment of less than five acres.

Policy 1.7.3 **FLU**

Other significant resources, such as wetlands and floodplains and other sensitive natural habitats, within the Town, shall be protected consistent with the other comprehensive plan's objectives and policies requiring their protection. Wetlands and floodplains are identified in Figure 15 of the data, inventory and analysis of this plan.

Policy 1.7.4 **FLU**

Open space designated as part of a development project shall remain undeveloped and protected in perpetuity through the use of conservation easements, plat restrictions, deed restrictions or similar legal instruments that run with the land and establish the conditions and restrictions on the use of open space areas. The boundaries of the designated open space shall be clearly delineated on project site plans, including recorded plats, and marked in the field to distinguish from areas designated for development. Permitted uses within the minimum required open space areas shall be limited to those in REC Policy 1.1.4.

Policy 1.7.5 **FLU**

Ownership and maintenance of open space shall be by one or a combination of the following, which shall be designated prior to development:

1. Conservation Agency such as the FDEP or SJRWMD
2. Non-profit conservation organization or land trust
3. The Town of Oakland, subject to the Town's approval
4. Homeowners Association providing for binding legal commitments regarding preservation and management
5. Community Development Districts

An open space management plan shall be required as part of the development plan, subject to the Town's review and approval. The management plan shall establish conservation based management objectives, outline procedures and define the roles and responsibilities for managing the open space.

Policy 1.7.6 FLU

As of the effective date of this plan, all development within the Town shall meet the conservation design standards as set forth below:

All residential and non-residential development for a site plan, subdivision plan or its functional equivalent within the Town may choose clustering, with the exception of the Agricultural Land Use category with lot size of 10 acres or greater. If clustering is chosen, development shall receive a five percent density bonus. All clustered developments must also follow the PUD process. Clustering standards shall include the following:

1. Clustering of dwelling units on small lots in the areas with the lowest priority for open space and concentration of non-residential development on site to create contiguous tracts of common open space for the protection of wildlife, natural habitat, karst features, and aquifer recharge;
2. Establishment of open space, which shall be connected whenever possible, and protected by recorded conservation easements, dedicated plat, or other similar recorded instrument;
3. Protection and enhancement of corridors for wildlife movement in coordination with adjacent properties;
4. Minimal site disturbance and alteration of terrain through use of design techniques that protect native vegetation and minimize earth movement;
5. Use of drought-tolerant Florida Friendly landscaping, and limiting areas requiring irrigation is required;
6. Design of stormwater systems as natural amenities, providing for treatment and infiltration, and enhanced with native vegetation;
7. Use of central water and sewer treatment facilities.
8. Use of shared septic drain fields will be allowable in open space areas.

Policy 1.7.7 FLU

Where feasible, a swale and berm shall be required as a buffer wherever a karst feature with a direct connection to the aquifer exists. The swale and berm shall be designed to direct drainage away from the karst feature. The following chart identifies the required buffer in feet for each karst feature:

FEATURE	MINIMUM BUFFER (FEET)
Springs	300
Springs runs	150
Sinkholes, with a direct connection to the aquifer	200, measured from the top of bank
Other sinkholes	100, measured from the top of bank
Caves	1/2 mile, measured on the surface from the centerline of the cave system

Other karst features with a direct connection to the aquifer (swallet or stream to sink)	200, measured from the top of bank
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Where a lot of record is too small to accommodate development in compliance with the buffers set forth above, all allowable use may be established provided that the building and associated paved areas are located the maximum distance possible from the karst features identified, and further provided that a swale and berm (designed to direct drainage away from the karst feature) are located between the development and karst feature.

Policy 1.7.8 **FLU**

The Town shall initiate an ordinance to prevent abrupt changes in topography such as high retaining walls. New and redeveloped parcels shall be required to construct individual walls no higher than four feet above grade. Minimum spacing between walls shall be twice the lower wall height. Any spaces between walls shall use xeriscaping.

Policy 1.7.9 **FLU**

Development shall use joint or shared access to the maximum extent feasible in order to minimize impervious surfaces.

Policy 1.7.10 **FLU**

Non-residential development shall use shared parking to the maximum extent feasible in order to minimize impervious surfaces. All parking lots with 100 or more parking spaces shall be designed with a minimum of twenty (20) percent of the parking spaces with pervious surfaces.

Policy 1.7.11 **FLU**

Design of parking lots, sidewalks, buildings, and other impervious surfaces shall minimize connections between impervious surfaces through techniques shown on a site plan such as:

1. Directing flows from roof drains to vegetated areas or to rain barrels or cisterns for reuse of the water;
2. Directing flows from paved areas to vegetated areas;
3. Locating impervious surfaces so that they drain to vegetated buffers or natural areas; and
4. Breaking up flow directions from large paved surfaces.

Policy 1.7.12 **FLU**

Porous pavement materials, pervious concrete, and pervious asphalt should be used to minimize the amount of impervious surface within new development and redevelopment. These areas shall only count as 50 percent impervious surfaces for impervious surface requirements as long as a maintenance plan is provided for these facilities as part of the approval process.

Policy 1.7.13 **FLU**

Drainage for streets and roads within new development shall allow roadside swales and berms. Where curb and gutter is approved and to the extent feasible, the curb and gutter shall be designed to provide adequate curb cuts to allow run-off to be directed to roadside landscaped swales for infiltration and treatment prior to discharge.

Policy 1.7.14 FLU

Development shall be designed to minimize site disturbance by limiting clearing to the minimum area necessary to accomplish development through the following:

1. Avoid or minimize the removal of existing trees and vegetation;
2. Minimize soil compaction by delineating the smallest disturbance area feasible;
3. Maximize disconnection of impervious surfaces to reduce water runoff flows and increase opportunities for infiltration.

Policy 1.7.15 FLU

The following landscaping best management practices shall be instituted to reduce nitrate loading:

1. Planted turf grass and landscaping within residential lots shall be restricted wherever feasible to minimize the use of fertilization and water for irrigation;
2. Drought tolerant and native landscaping shall be required including grasses;
3. All development shall require best management practices as dictated by the principles and practices of the Florida Yards and Neighborhood Program.

Policy 1.7.16 FLU

The Town shall protect sensitive natural habitat including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub within the Town limits. A site analysis shall be performed during the development review process to identify sensitive natural habitat where they exist.

Policy 1.7.17 FLU

Design shall be accomplished to maintain sensitive natural upland habitat in functional, clustered and contiguous configurations that maximize use by wildlife and maintain the long-term viability of natural communities. This includes linkages to habitat corridors and greenways where possible.

Policy 1.7.18 FLU

Sensitive natural habitat protected on-site shall require a permanent conservation easement and be incorporated in the required open space.

Policy 1.7.19 FLU

The Town shall require a management plan as part of the development submittal for sensitive natural habitat areas greater than two (2) acres in size that are protected on or off-site as the result of a development project. The management plan shall be prepared by a qualified professional biologist, and provide for the following:

1. Removal of invasive plants
2. Maintenance of biodiversity, with special emphasis on the protection of listed plant and animal species
3. Removal of debris, articles, and structures not permitted by the management plan

OBJECTIVE 1.8

The Town shall work to ensure compact growth and development and to prevent the proliferation of urban sprawl by implementing the following policies:

Policy 1.8.1 FLU

Expansion of the Town Limits through annexation shall occur in a compact and contiguous manner, shall not create enclaves, discourage the creation of pockets, and otherwise comply with all State regulations.

Policy 1.8.2 FLU

The Town shall ensure that the location, scale, timing, and design of development are coordinated with the availability of public facilities and services through prohibiting the following:

1. Areas of urban development or uses, which are not functionally related to land uses which predominate the adjacent area;
2. Areas of urban development or uses which fail to maximize the use of existing public facilities;
3. Areas of urban development or uses which fail to use public services that are currently provided; and
4. Leapfrog/scattered development or ribbon/strip commercial development patterns.
5. Eliminate enclaves through coordination with Orange County and by requiring new developments that require urban services to annex into the town.

Policy 1.8.3 FLU

All land annexed into the Town, either voluntarily or not, shall connect to the Town's water system as a condition of annexation. A minimum water service fee shall be charged to all property owners whether connected to the system or not.

OBJECTIVE 1.9

To ensure the availability of suitable land for utility facilities necessary to support proposed development.

Policy 1.9.1 FLU

Identify necessary lands needed for expansion of facilities to the Joint Planning Area by December 1, 2008. Identify costs and schedules for acquisition of needed sites, and include the costs in the Capital Improvements Element.

Policy 1.9.2 FLU

Use equitable funding mechanisms for existing and new development to pay a fair-share cost for lands necessary to support growth. Such mechanisms shall be included in adopted land development regulations and implemented through the annual budget process and through impact fees to be implemented as appropriate.

Policy 1.9.3 FLU

The Town shall develop a wastewater facility plan including those areas scheduled to be serviced by the City of Winter Garden.

Policy 1.9.4 FLU

Allow Planned Unit Developments (PUD) in order to achieve a superior community form through innovative, flexible and alternative development designs including mixed use.

OBJECTIVE 1.10

To establish the option of Planned Development Zoning District in order to achieve superior community form through flexible and alternative development designs including mixed use, Traditional Neighborhood Development, and more sustainable community designs.

Policy 1.10.1 FLU

The Planned Development (PD) Zoning District shall be a zoning district allowed in all future land use categories. The PD zoning shall be compatible with the Mixed Use Residential and Mixed Use Commercial future land use designations.

Property rezoned to PD must meet the requirements of the rezoning procedure, including proper notification and the adoption of a site-specific ordinance approving the Planned Development Zoning District (the PD Ordinance).

Any proposed change to an approved Planned Development which would increase the land use intensity within the Planned Development without a corresponding decrease in some other portion of the Planned Development and which results in greater off-site impacts, shall be reviewed to determine consistency with the Comprehensive Plan and to determine if a Plan amendment is necessary.

The Planned Development (PD) Zoning district will allow flexibility in land development and land use placement, including compatibility measures, mixture of uses, additional uses, restrictions on use, and development standards. Flexibility may include, but is not limited to, the following: negotiated development standards to achieve community character; connectivity between uses; increased height in exchange for increased building setbacks; reduced lots sizes and/or setbacks in exchange for increased common area park or open space; joint-use facilities, or any other measure agreed upon by the Town and the developer to achieve the goals of the Town of Oakland Comprehensive Plan.

Policy 1.10.2 FLU

A Planned Development (PD) zoning designation will require the adoption of a Site-Specific PD Ordinance (rezoning) and approval of a Site-Specific PD Concept Plan at the time of the rezoning. The PD Ordinance and PD Concept Plan shall reflect the negotiated land uses and development standards for each use, appropriate compatibility measures, and conditions of approval and shall constitute an agreement between the parties, the developer (and his assigns) and the Town of Oakland.

Policy 1.10.3 FLU

The land uses proposed within the Planned Development shall be consistent with the land uses identified on the Town of Oakland Comprehensive Plan Future Land Use Map.

Policy 1.10.4 FLU

Sub Areas shall be identified in The Oakland Comprehensive Policy Plan in the form of a comprehensive policy plan text amendment, which will create a named sub area. Sub areas shall be defined by specific property boundaries, including a complete legal description and sketch or survey of property boundaries.

Policy 1.10.5 FLU

The overall residential densities, non-residential intensities and generalized land uses within a sub area shall be consistent with the future land use categories identified in the Town of Oakland Future Land Use

Element. Subject to approval of a Planned Development Concept Plan that identifies the proposed location of each land use, specific land uses within the sub area may float/move within the boundary of the sub area, such that the overall densities, intensities and land uses shall not exceed that allocated on the underlying comprehensive policy future land use designation. These changes will not require a new Comprehensive Plan amendment, but will require approval by the Town Commission.

Policy 1.10.6 FLU

Sub areas that are defined in the Oakland Comprehensive Policy Plan will require a Development Zoning approval by the Town of Oakland in order to achieve the benefits of the specific sub area policies. If not included as part of an approved sub-area Planned Development, individual lots may only develop under their existing future land use designation.

Policy 1.10.7 FLU

A Planned Development Sub Area shall be a minimum of 25 gross acres in size with a maximum of 5 acres as wetland or water bodies. Final developable land area for all sub-areas shall be determined with the Planned Development, including appropriate state and local reviews of designated wetlands.

Policy 1.10.8 FLU

The Planned Development sub-area may include a mixture of residential uses, including single family detached residential, single-family attached residential, and multi-family residential, such that the overall density shall not exceed the residential density allocated to the property by the underlying comprehensive future land use designation. Sub-areas with residential future land uses may allow a limited amount of secondary commercial uses with Town Commission approval within the residential future land use area. Such secondary commercial uses shall be community-serving and shall not exceed five percent of the developable land area of a defined sub area. Commercial acreage and uses within any residential portion of a sub-area are not allowed by right, but through Town Commission approval.

Policy 1.10.9 FLU

The North Oakland/Lake Apopka Sub Area shall be defined by the Sub-area Map and the legal description and shall include a gross land area of approximately 102 acres.

Policy 1.10.10 FLU

The Oakland Avenue/Village Center Sub Area shall be defined by the Subarea Map and legal description and shall include a gross land area of approximately 32 acres.

Policy 1.10.11 FLU

The Sub Area may include single-family detached residential uses, single-family attached residential uses, civic/institutional uses, open space and recreational uses, and community-serving commercial uses, including a marina and bed and breakfast. The Sub area will not include any heavy commercial or industrial uses. Commercial uses shall be approved by the Town Commission as part of the Concept Plan approval process.

Policy 1.10.12 FLU

The PD Concept Plan shall establish the specific development standards for the single-attached residential land and the single-family detached residential including, but not limited to, minimum lot size, minimum lot width, maximum height, minimum living area, maximum lot coverage, minimum buffers and compatibility with adjacent uses. The Concept Plan shall include a pattern book, including typical lot and block details, road sections, and proposed architectural design. Residential densities shall be consistent with the underlying Future Land Use designation

Policy 1.10.13 FLU

For lands designated for residential uses on the Town of Oakland Comprehensive Plan Future Land Use map a limited amount of secondary, neighborhood-serving commercial uses may be permitted. Secondary uses shall not exceed five (5) percent of the developable land area designated for residential use and must be clearly identified on the PD Concept Plan. Intensities for secondary commercial uses shall be limited to 0.25 floor area ratio (FAR) and shall meet typical parking standards for the approved use.

Policy 1.10.14 FLU

Non residential PDs may allow residential uses up to 25 percent of developable land area.

Policy 1.10.15 FLU

The PD Concept shall establish the specific permitted and prohibited non-residential uses. The PD Concept Plan shall identify the location of any proposed non-residential uses. Non-residential uses shall be limited to neighborhood-serving commercial and office uses, including a community marina. The Planned Development Zoning shall establish the specific development standards for the non-residential uses consistent with the Comprehensive Plan, including, but not limited to maximum FAR, total square footage of development, maximum height, maximum impervious, minimum open space and compatibility with adjacent uses.

Policy 1.10.16 FLU

The Planned Development will include compatibility measures to ensure that the proposed community is compatible with adjacent development. Compatibility measures may include height restrictions, buffers, setbacks, and location of uses.

Policy 1.10.17 FLU

The Sub Area will be a master planned community, including a master transportation plan and a master drainage plan. Infrastructure will be required to meet the concurrency requirements of the Town of Oakland.

The Planned development will include a master planned transportation network, identifying major streets, pedestrian and bicycle facilities, mass transit facilities. Designed as a Traditional Neighborhood Development (TND), the project may include alley access to residential units. Minimum design requirements for the pedestrian/bicycle facilities, the roads and the alleys will be defined on the Planned Development.

Policy 1.10.18 FLU

Subject to approval by Town Commission, specific land uses within the Sub Area may float or move within the boundary of the Sub Area, such that the overall residential density or intensity of non-residential uses does not exceed that allocated on the underlying comprehensive policy future land use designation and such that the movement of uses is compatible with the adjacent surrounding future land use designations and the uses on the PD Concept Plan.

OBJECTIVE 1.11

To protect resources important to the history of Oakland and its residents.

Policy 1.11.1 FLU

The Town shall apply for funding sources by January 1, 2009, such as grants from the Florida Department of State, to identify, map and protect local historic and cultural resources.

Policy 1.11.2 FLU

The Town shall consider the adoption of an ordinance that provides for the protection and preservation of historic resources. To be considered for inclusion as a historic resource, a structure, location, or property shall meet one or more of the following criteria:

1. Is or is likely to be archeologically significant;
2. Represents a distinct characteristic of a period or time in the history of the Town;
3. Is associated with the lives of persons significant in Oakland's past;
4. Is associated with events that have made a significant contribution to the history of Oakland; or
5. Be more than 50 years old.

Tubb Street/Oakland Avenue Overlay District Sub Element

GOAL 2.0

Create and implement the Tubb Street/Oakland Avenue Overlay District to preserve existing neighborhood character and manage change in the area through planning, community participation and design/development standards along the corridors.

OBJECTIVE 2.1

Protect and enhance the Tubb Street and Oakland Avenue corridor as a community focal point by creating a vibrant mix of uses, transportation modes, and green spaces.

Policy 2.1.1 FLU

Review all development proposals within the District to preserve and enhance existing single family residential neighborhood character.

Policy 2.1.2 FLU

Encourage a mix of uses in new development or redevelopment projects in the overlay district, including infill projects and conversions.

Policy 2.1.3 FLU

Develop an overall parking strategy that effectively integrates parking into the existing neighborhood structure and character that emphasizes rear-loaded parking. The strategy shall consider on-street parking to preserve street character depending on parking needs.

Policy 2.1.4 FLU

Construct new streetscaping including street furniture such as benches and trash receptacles along both corridors to reinforce the pedestrian environment. Existing development shall replace existing street furniture as needed.

Policy 2.1.5 FLU

Promote walkability by improving the sidewalk environment through public private partnerships.

Policy 2.1.6 FLU

Encourage the development of low-medium density housing types along Oakland Avenue and Tubb Street, such as semi-detached or attached single family residential units.

Policy 2.1.7 FLU

Allow the conversion of residential properties within this Overlay District to office, live/work residential arrangements, first floor office and second floor residential arrangements, bed and breakfasts, artist studios, etc.

Policy 2.1.8 FLU

Integrate open space opportunities such as parks and trails (including the West Orange Trail) into the overlay district.

OBJECTIVE 2.2 NODE 1 –WATERFRONT

Create an attractive and functional node along the Lake Apopka waterfront at Tubb Street that encourages active use of the lakefront.

Policy 2.2.1 FLU

Create a stepped, landscaped plaza at the Lake Apopka waterfront as an event place for the community.

Policy 2.2.2 FLU

Improve the existing fishing pier with seating and lighting.

OBJECTIVE 2.3 NODE 2 - BED/BREAKFAST AND ARTIST LIVE/WORK RESIDENTIAL

Create a bed/breakfast and/or artist live/work residential area along Tubb Street between Lake Apopka and the West Orange Trail.

Policy 2.3.1 FLU

Maintain and enhance existing residential character in this area by encouraging restoration/renovation of existing homes and promoting vernacular architectural styles for new residences.

Policy 2.3.2 FLU

Allow conversion of single family homes to bed and breakfast establishments or artist live/work residential units.

Policy 2.3.3 FLU

Provide additional parking around Speer Park with design considerations for park setting.

Policy 2.3.4 FLU

Improve the utility of Speer Park by providing additional amenities such as restrooms.

OBJECTIVE 2.4 NODE 3 - CIVIC/TOWN CENTER

Create a lively and functional commercial/retail and civic focus for the community along Tubb Street between West Orange Trail and Henshen Avenue.

Policy 2.4.1 FLU

Encourage neighborhood retail/services, such as restaurants/cafes, produce stand, salons, flower shops and boutiques/galleries.

Policy 2.4.2 FLU

Encourage vernacular architectural styles and low scale (1 to 2 stories) for all new buildings in this area.

OBJECTIVE 2.5 NODE 4 – CROSSROADS

Create a market feasible professional and personal services/offices node at the intersection of Tubb Street and Oakland Avenue. This node applies to Tubb Street between Henshen Avenue and Hull Avenue, and Oakland Avenue between Cross Street and Arrington Street.

Policy 2.5.1 FLU

Encourage mixed use buildings with frontage on Tubb Street and Oakland Avenue that reflects the vision of the Town and the Green Mountain Scenic Byway.

Policy 2.5.2 FLU

Encourage personal and professional services and office uses such as beauty salons, accounting firms, medical offices, law office, and the like.

Policy 2.5.3 FLU

Encourage vernacular architectural styles and medium scale (1 to 2 stories) for all new buildings in this area.

OBJECTIVE 2.6 NODE 5 - GATEWAY

Create a commercial/office area along Tubb Street between Hull Avenue and Ryan Court that serves as a gateway to the Tubb Street/Oakland Avenue overlay district.

Policy 2.6.1 FLU

Encourage commercial/office buildings with frontage on Tubb Street.

Policy 2.6.2 FLU

Encourage vernacular architectural styles and medium scale (2 stories) for all new buildings in this area.

OBJECTIVE 2.7 NODES 6 AND 7: RESIDENTIAL AND OFFICE

Create a neighborhood office and residential mixed use areas on Oakland Avenue between Cross Street and Jefferson Street and from Arrington Street to the Oakland Avenue Charter School.

Policy 2.7.1 FLU

Encourage live/work residential types, such as semi-detached or attached single family units, with frontage along Oakland Avenue.

Policy 2.7.2 FLU

Allow conversion of single family residential to office, especially at ground level. Second story maybe used as residential in those units with office uses on the first story.

Policy 2.7.3 FLU

Encourage vernacular architectural styles and medium scale (2 stories) for all new buildings in this area.

Policy 2.7.4 FLU

Maintain and enhance existing residential character in this area by encouraging restoration/renovation of existing homes and promoting vernacular architectural styles for new residences.

TRANSPORTATION

GOAL 1.0

To develop a comprehensive multimodal transportation system which safely, conveniently, and efficiently serves the travel needs in the Town of Oakland, while protecting established neighborhoods and retaining the historic charm of the Town and its environs.

OBJECTIVE 1.1

To adopt and implement a long-range transportation plan which supports and is consistent with the Future Land Use Plan of Oakland.

Policy 1.1.1 TRANS

The transportation policies outlined within this document constitute the transportation plan within the Town of Oakland.

Policy 1.1.2 TRANS

The Town's Future Land Use Plan and Future Transportation Plan will be designed to encourage the location of higher traffic-generating development adjacent to the arterial network and to encourage the use of alternative modes of transportation.

Policy 1.1.3 TRANS

The Town's Future Land Use Plan and Future Transportation Plan will be coordinated to minimize the disruptions of commercial and residential neighborhoods.

Policy 1.1.4 TRANS

The 5 year Transportation Capital Improvements Program of the future transportation plan will be updated annually in conjunction with state, Metroplan Orlando and Orange County transportation improvement programs, as necessary.

OBJECTIVE 1.2

To maintain and create transportation facilities which are safe, efficient, and financially feasible, and maintain the Town's character.

Policy 1.2.1 TRANS

The minimum acceptable roadway operating conditions on Town roads will be LOS C at peak hour, except Oakland Avenue, which will reflect a LOS standard of D. The minimum acceptable LOS for state roads shall be LOS D at peak hour, per policies adopted by the Florida Department of Transportation and Orange County, with the exception of SR 50 from the Turnpike to Avalon Road, which has a LOS standard of E.

Policy 1.2.2 TRANS

Facilities projected to operate at an unacceptable LOS and not designated as constrained or scenic facilities will be improved prior to reaching an unacceptable LOS. The Town shall coordinate with Metroplan Orlando and FDOT to obtain funding for these improvements. By December, 2009, the Town shall adopt a proportionate fair share ordinance that requires developers to contribute to an improvement that, upon completion, will mitigate additional traffic generated by the proposed development.

Policy 1.2.3 TRANS

To maintain the Town's unique character and compact scale, Oakland shall designate all local roadway facilities, including Oakland Avenue, within the Town limits as policy constrained to two lanes. The Town

shall coordinate with the FDOT and Orange County on planned and programmed capacity improvements to the following non-local or regionally significant roadways:

6. CR 438
7. SR 50
8. Florida's Turnpike

Policy 1.2.4 TRANS

For all roadways designated as constrained, the Town will work to maintain the adopted level of service through multimodal transportation improvements, increased street connectivity and a better mix of land uses. A development order shall not be issued for projects that degrade the constrained roadway more than 10% of its service volume for the adopted LOS. If the service volume is exceeded by 10%, only de minimis growth may be applied to the roadway segment, or the developer can mitigate the impacts of the development through an approved corridor management plan. The plan shall employ at least one of the following mechanisms:

9. Adding to the roadway network through the continuation of the grid;
10. Constructing multi-modal improvements to the constrained road, including but not limited to sidewalks and bicycle facilities;
11. Small-scale operational improvements to the constrained roadway.

Policy 1.2.5 TRANS

The Town of Oakland recognizes the designation of Oakland Avenue and Old CR 50 as the Green Mountain Scenic Byway. The Oakland Avenue/Tubb Street Overlay District has been established to protect and enhance the intrinsic resources and rural character of the area around the Byway.

The vision of the Byway is to preserve, maintain, protect and enhance the cultural, historical, archaeological, recreational, natural, and scenic resources of the Green Mountain Scenic Byway Corridor. These resources include scenic vistas, the beautiful oak canopy, the West Orange Trail, and the unique use of the Scenic Byway as a recreational resource by touring cyclists. The Town supports the Goals, Objectives and Strategies of the Green Mountain Scenic Byway and through the Oakland Avenue/Tubb Street Overlay District shall regulate land development within the area.

In recognition of Oakland Avenue's status as the Green Mountain Scenic Byway (See Appendix B for map), the Town of Oakland shall by policy constrain the corridor to two lanes. The Town shall pursue appropriate streetscaping and traffic calming measures such as, but not limited to, street plantings, landscaped medians and roundabouts as well as improvements to encourage alternative modes of transportation.

Policy 1.2.6 TRANS

Design of transportation facilities will consider those criteria published on the federal, state, and local level. These include the FDOT Manual of Uniform Minimum Standards for Design, Construction and Maintenance of Streets and Highways; the American Association of State Highway and Transportation Engineers Policy on Geometric Design of Highways and Streets; and the ITE/CNU publication Context Sensitive Solutions in Designing Major Urban Thoroughfares for Walkable Communities.

Policy 1.2.7 TRANS

Oakland shall cooperate with Orange County and the FDOT, in their regular traffic counting programs on Oakland Avenue, SR 50, Florida's Turnpike, and any future collector or arterial roadways. The purpose of

this program will be to adequately monitor traffic conditions so that the Town can anticipate future capacity improvements required on the Town's street network to maintain the adopted level of service standard.

Policy 1.2.8 TRANS

The Town will annually review FDOT and Orange County traffic volumes and crash data within the Town to monitor conditions for safety and mobility.

Policy 1.2.9 TRANS

The number of access points on the arterial road network shall be kept to a minimum following appropriate access management techniques, including shared use of access points and application of cross access treatments by adjacent developments where appropriate.

Policy 1.2.10 TRANS

Safe and effective street signing procedures will be observed with consideration given to preserving the character of the town and maintaining safety.

OBJECTIVE 1.3

To coordinate the development of the Town's transportation system with the plans and programs of any applicable governments and agencies to ensure intergovernmental consistency.

Policy 1.3.1 TRANS

Review and comment on all relevant Orange County, Lake County, MPO, FDOT, and neighboring municipality transportation improvement plans to ensure compatibility of such plans with the development objectives and patterns established in this Comprehensive Plan.

Policy 1.3.2 TRANS

Oakland will coordinate with the planning and programming of local transportation improvements with Orange County, Lake County, the MPO and the Florida Department of Transportation (FDOT) as well as neighboring municipalities.

OBJECTIVE 1.4

Continue to minimize the Town's capital outlay in the construction of new transportation facilities and the improvement of existing facilities through the implementation of land development regulations carrying out the policies described below.

Policy 1.4.1 TRANS

Town land development regulations shall require new development to provide the needed rights-of-way to extend the grid street network that exists in the Town of Oakland, potentially as a portion of its proportionate fair share.

Policy 1.4.2 TRANS

New development will be required to pay its proportionate fair share of transportation improvements through impact fee assessments, construction of roadway and other transportation facilities (such as sidewalks, transit stops, and bicycle facilities), and/or dedication of needed rights-of-way.

Policy 1.4.3 TRANS

Paved roads, lighting, street trees, drainage and sidewalks will be required in all new developments. New developments may be required to pave adjacent unpaved roads serving the development.

Policy 1.4.4 TRANS

The Town will adopt a proportionate fair share ordinance consistent with state requirements within two months of the adoption of this plan.

OBJECTIVE 1.5

Establishing connectivity and right of way standards for the Town in order to maintain the existing character, implement the Town’s vision, and minimize traffic congestion.

Policy 1.5.1 TRANS

The Town shall adopt the Future Transportation Map identifying conceptual corridors based upon the Future Land Use Element of this Plan.

Policy 1.5.2 TRANS

Develop a road network west of the current Town limits should these areas become incorporated in the future. This network will follow a standard grid format in order to maintain community character, improve connectivity, disperse traffic and reduce traffic congestion.

Policy 1.5.3 TRANS

Collector roadways shall be spaced no more than one-half mile (2,640 feet) from principal arterials (except interstates) or minor arterials. Collector roadways shall provide through connections between two consecutive principal/minor arterials. Major local streets shall be spaced no more than one-quarter mile (1,320 feet) from collectors. At a minimum, major local streets shall provide a through connection between two consecutive collectors. Major local streets shall provide through connections between two consecutive principal/minor arterials. Local streets shall be spaced no more than one-eighth mile (660 feet) from major local streets.

Policy 1.5.4 TRANS

The Town shall adopt minimum right-of-way requirements for new roadways containing the following provisions:

12. Arterial Roadways - 200 foot right-of-way
13. Collector Roadways - 100 foot right-of-way (with swale drainage); and 82 foot right-of-way (curb and gutter)
14. Local Roads - 60 foot right-of-way (swale drainage); and 50 foot right-of-way (curb and gutter)

Policy 1.5.5 TRANS

The Town shall work to reduce the use of the Florida Intrastate Highway System by local traffic to protect its interregional and intrastate functions per Rule 9J -5.019(4)(c)13 F.A.C. through expanding the Town’s local network of streets in a grid pattern, improving access management along SR 50 and Oakland Avenue, lowering the required level of service on Oakland Avenue to D, improving the jobs to housing balance within the Town, and implementing the Town’s vision to create a more multimodal, compact, walkable and bikable community.

OBJECTIVE 1.6

The Town will encourage improved transit service within its municipal boundaries and will work with LYNX, developers, MetroPlan Orlando and Lake County through the following policies:

Policy 1.6.1 TRANS

Encourage 30 minute frequencies for transit service along the existing fixed route.

Policy 1.6.2 TRANS

Create a park and ride facility along SR 50 with express bus service to Orlando and create additional connections to Lake and Orange Counties via transit.

Policy 1.6.3 TRANS

Enhance existing and future LYNX bus stops within the Town to include accessible and comfortable waiting areas for patrons.

Policy 1.6.4 TRANS

Encourage its resident to conserve energy and reduce costs by consolidating trips through the utilization of ride sharing, by requiring employers to submit a transportation demand management plan to the Town and through providing informational brochures regarding the region's Transportation Demand Management program.

Policy 1.6.5 TRANS

The Town shall strive to reduce the number of motorized vehicle trips. The achievement of its mobility goals shall be measured by an improvement in the following measures:

15. Percent of population living within 1/4 mile of transit service;
16. The total number of transit routes serving the Town;
17. The total number of transit stops;
18. Total miles of multi use paths and sidewalks;
19. The volume to capacity ratio, and
20. The measure of vehicle delay on SR 50.

OBJECTIVE 1.7

The provision of motorized and non-motorized vehicle parking and bicycle and pedestrian ways shall be regulated and improved by the implementation of the following policies.

Policy 1.7.1 TRANS

The Town shall enforce the parking requirements and pedestrian access provisions in the adopted Land Development Code, and amend the Land Development Code as necessary to ensure adequate parking and safe accommodation for pedestrian accessibility is provided by new development or redevelopment.

Policy 1.7.2 TRANS

The Town shall provide bicycle and pedestrian ways in planning for transportation facilities in order to connect residential areas, recreation areas, schools, shopping areas, and transit stops as appropriate, and which shall be required as part of the site plan process.

Policy 1.7.3 TRANS

Bicycle storage areas at shopping and recreational areas shall be enforced through the provisions contained in the Land Development Code and required as part of the site plan review process.

INFRASTRUCTURE

Potable Water

GOAL 1.0

To provide central water service to the Town of Oakland in a manner that protects natural resources and meets adopted levels of service.

OBJECTIVE 1.1

To provide adequate central potable water service to meet adopted levels of service.

Policy 1.1.1 INFRA

The level-of-service standard is 100 gallons per capita per day for potable water.

Policy 1.1.2 INFRA

Monitor water operations daily to ensure proper conditions and results.

Policy 1.1.3 INFRA

Review water and service areas annually to ensure efficient line layouts, connection patterns and service patterns consistent with the future land use map of this plan.

Policy 1.1.4 INFRA

As part of the annual budget process, monitor facility capacities conditions and funding to ensure that needed upgrades, occur in a timely manner consistent with the Future Land Use and Capital Improvements Elements of this Comprehensive Plan. The Five Year Capital Improvements Plan shall be updated to correct identified deficiencies to meet the adopted level of service.

Policy 1.1.5 INFRA

New developments are required to offset their impacts on the system through the development review and permitting process consistent with concurrency management system. Prior to approval of a building permit or its functional equivalent, the Town shall determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance by the local government of a certificate of occupancy or its functional equivalent.

Policy 1.1.6 INFRA

No development order shall be issued for any project that would require the withdrawal of water over and above that which is approved in the Town's Consumptive Use Permit.

OBJECTIVE 1.2

The Town of Oakland shall promote development patterns that utilize the existing water facility investments and available capacity to discourage urban sprawl by implementing the following policies:

Policy 1.2.1 INFRA

Water will be provided based on the following order of priority: 1) Areas within the Town Limits 2) Annexation of areas contiguous to the Town 3) Non contiguous areas within the JPA.

Policy 1.2.2 INFRA

Water will be provided to areas outside the Town Limits upon condition of annexation by the Town.

Policy 1.2.3 INFRA

The Town will adopt a Joint Planning Agreement with Orange County and neighboring municipalities to outline water service areas.

Policy 1.2.4 INFRA

The cost of connection will be the responsibility of the developer or individual property owner, including the extension of lines and the upgrades to all central water system facilities. The proportionate shares for facility expansion may be reimbursed after a developer agreement is signed.

Policy 1.2.5 INFRA

The Town of Oakland shall require the developer to pay 100 percent of the public facility improvement costs needed to maintain the adopted LOS standard due to the impact of the proposed development.

OBJECTIVE 1.3

The Town shall work to conserve its water resources through conservation regulations and incentives.

Policy 1.3.1 INFRA

The Town shall conserve water resources by the following:

21. Implementing land development regulations to require xeriscape landscaping and limit irrigation to twice per week.
22. Utilizing techniques to increase water infiltration such as bioswales, rain gardens, street planters and other green infrastructure designs.
23. Requiring irrigation moisture sensors on all new irrigation systems in accordance with the Florida Standard Building Code.
24. Requiring the use of low flow plumbing devices in new construction and renovations in accordance with the Florida Standard Building Code.
25. Designating an employee to coordinate water conservation methods including educational programs and materials, and leak detection programs.
26. Investigating progressive rate structures by January 1, 2009.

Solid Waste

GOAL 2.0

Provide solid waste services to meet existing and future demands.

OBJECTIVE 2.1

Maintain a safe, reliable and environmentally sound system for the collection and disposal of solid waste.

Policy 2.1.1 INFRA

The Town will continue to work with the contractor and monitor conditions to ensure compliance with applicable regulations and to ensure that capacity is available.

Policy 2.1.2 INFRA

The Town's level-of-service standard for solid waste disposal capability is 6 pounds per capita per day.

Policy 2.1.3 INFRA

The Town will oversee the collection service provider to ensure that residential and commercial refuse is collected.

Policy 2.1.4 INFRA

The Town will promote reduction of solid waste volumes through its on-going recycling program.

Policy 2.1.5 INFRA

The Town will work with Orange County to have "amnesty days" for collection of hazardous wastes.

Policy 2.1.6 INFRA

The Town of Oakland shall restrict uses that generate hazardous or toxic waste.

Storm Water Management

GOAL 3.0

Protect the quantity and quality of surface waters, groundwater recharge areas, springs, and springsheds.

OBJECTIVE 3.1

To ensure that new development within Oakland does not result in the permanent degradation of surface waters and groundwater supplies.

Policy 3.1.1 INFRA

Development projects must be properly designed and engineered to handle drainage retention so as not to adversely impact off-site conditions in terms of both water quality and quantity. The following level of service standards are hereby adopted for drainage for new and existing development:

This level of service shall require

1. Stormwater management of the mean annual (2.3 year), 10 year and 25 year frequency, 24-hour duration storm;
2. Require that discharge from the stormwater management facilities shall not degrade receiving surface water bodies below the minimum conditions as established by the State water quality standards;
3. That developments shall provide pollution abatement by requiring stormwater management systems to meet one of the following options:

Retain off-line the first one-half inch of run-off from developed sites or 1.25 inches of run-off from the impervious area, whichever is greater; or on-line retention of an additional one-half inch of run-off over that volume previously specified;

Wet detention of the first inch of run-off or 2.5 inches of run-off from the impervious area, whichever is greater;

Dry detention of the first inch of run-off or 3.0 inches or run-off from the impervious area, whichever is greater;

swale systems that percolate 80% of the run-off from the 3 year, 1 hour storm; or

Wetland stormwater systems that meet the criteria of Section 40C-42.0265, F.A.C.; and that the stormwater management facility shall limit peak discharge of a developed site to the discharge from the site in an undeveloped condition during the mean annual (2.3 year), 10 year, and 25 year, 24-hour frequency storm events.

Policy 3.1.2 INFRA

Monitor conditions and identify any sources of pollution, unauthorized discharge or unauthorized use, and pursue corrective measures, if needed.

Policy 3.1.3 INFRA

The Town of Oakland will ensure that major drainage systems are inspected and receive required maintenance on a regular basis. The Town will provide adequate maintenance of the existing drainage system in the Town by repairing or replacing any improperly functioning facilities which may be identified.

Policy 3.1.4 INFRA

Infill residential development within improved residential areas or subdivisions existing prior to the adoption of this comprehensive plan must ensure that its post-development stormwater runoff will not contribute to pollutants which cause the runoff from the entire improved area or subdivision to degrade receiving water quality and their quality as stated above.

Policy 3.1.5 INFRA

Adopted land development regulations shall require industries which use hazardous materials or generate hazardous wastes to be sited, designed, operated and monitored to ensure compliance with applicable state water quality standards.

Policy 3.1.6 INFRA

The Town shall implement the findings of the St. Johns River Water Management District regional stormwater study and identify a funding source, such as a stormwater utility fee, to fund implementation of the plan and maintenance program.

Policy 3.1.7 INFRA

The Town shall investigate the feasibility of a water reuse and irrigation program that allows for reuse of stormwater on a site basis for development over a size threshold to be determined by the local government or on a jurisdiction-wide basis to minimize pumpage of groundwater for non-potable usage.

Policy 3.1.8 INFRA

Regulations will require the consideration of natural drainage features in the design of stormwater management systems for new developments.

Policy 3.1.9 INFRA

The Town will work with SJRWMD, as well as establish a joint planning agreement with neighboring governments, to ensure the following measures recommended in the Regional Stormwater Master Plan will be implemented through the annual amendment to the Five Year Capital Improvements Plan process by January 2009:

1. For those sub-basins in the Wekiva Study Area with predicted percent increases in pollutant loads between existing and future conditions, the Town will work with SJRWMD to evaluate the use of controls and determine which Best Management Practices are most feasible and beneficial.

2. Implement recommendations for existing deficiencies in the Town based on the prioritization developed in the Regional Master Stormwater Management Plan.
3. Apply the surface water treatment, flood control management strategies, surface water conservation, and groundwater protection and reuse strategies to the sub-basins in the Wekiva Study Area using the methodology identified in the Regional Stormwater Master Plan to identify capital improvement projects where most beneficial and where feasible.
4. Evaluate individual maintenance programs to identify areas where improvements can be made, potentially through use of a standard rating system, such as a level of service for maintenance.

Policy 3.1.10 INFRA

Future drainage facility needs will be met through implementation of the master stormwater plan. The Town will also implement the plan through the use and enforcement of the Land Development Regulations and the development review process.

Policy 3.1.11 INFRA

New development will, at a minimum, maintain surface and groundwater flow rates and volumes at pre-development levels, or enhance recharge so that the natural function of groundwater recharge areas is maintained, or improved. New development projects or expansion of existing development within the Town shall be required to follow best management practices (BMPs) for stormwater design and treatment. The land development regulations shall be revised to implement these best management practices.

Policy 3.1.12 INFRA

Redevelopment projects that result in an increase in impervious surface area ratio (ISR) greater than 10 percent of existing ISR shall be considered substantial and comply with all stormwater requirements for new development.

Policy 3.1.13 INFRA

All new development, except non-substantial redevelopment projects per Policy 3.1.12, shall utilize best management practices to protect water quality and minimize flooding. BMP's shall be used in the design of stormwater management facilities and systems.

Policy 3.1.14 INFRA

The following stormwater BMPs shall be instituted to reduce nitrate loading within the Town:

1. All residential development shall use swales with swale blocks or raised driveway culverts whenever possible, except when soil, topography, or seasonal high water conditions are inappropriate for infiltration as determined by a professional engineer licensed in the State of Florida.
2. Vegetated infiltration areas shall be used to provide stormwater treatment and management on all sites except when soil, topography, or seasonal high water conditions are inappropriate for infiltration as determined by a professional engineer licensed in the State of Florida. Design of the stormwater systems for residential and commercial uses shall use bio-retention areas (below grade vegetated areas) to increase stormwater treatment and reduce stormwater volume.

Downspouts for both residential and commercial development shall be directed from the roof to vegetated areas for uptake.

3. If dry infiltration systems are not feasible, wet detention systems shall be used for stormwater treatment and management only.
4. Where designed, wet detention systems shall be sized to be a source of stormwater reuse, especially along the SR 50 corridor. The design methodology shall be in accordance with Section 31.6 of the SJRWMD Applicant's Handbook for 70 percent reuse.
5. Sensitive karst features, including sinkholes with a direct connection to the aquifer and stream-to-sink features, shall not be utilized as stormwater management facilities. Prior to subdivision approval, all depressions will be investigated by a licensed professional geologist using a professionally acceptable methodology for suitability of water retention area using generally accepted geo-technical practices with an emphasis on identification of potential connections to the aquifer. If connections are determined to exist, the depression shall not be used for stormwater retention and the area draining to this feature under pre-development conditions shall be preserved through a conservation easement.
6. All development approval by the Town shall require the applicant to submit to the Town a copy of the SJRWMD or DEP stormwater permit and the NPDES notice of intent to be covered by the construction generic permit prior to any land clearing.
7. Karst features with a direct connection to the aquifer will be identified and placed in a conservation easement so that they will be thereafter protected.
8. All components of the stormwater treatment and management system shall be owned and maintained by the responsible legal entity identified in the SJRWMD or DEP stormwater permit.

Aquifer Recharge

GOAL 4.0

Protect the Town's high aquifer recharge areas.

OBJECTIVE 4.1

Protect the functions of natural groundwater recharge areas (as depicted in Figure 8) and natural drainage features through the adoption and implementation of land development regulations that match the following policies:

Policy 4.1.1 INFRA

New development will, at a minimum, maintain surface and groundwater flow rates and volumes at pre-development levels, or enhance recharge so that the natural function of groundwater recharge areas is maintained, or improved. New development projects or expansion of existing development within the Town shall be required to follow best management practices for stormwater design and treatment.

Policy 4.1.2 INFRA

The Town's land development regulations will limit the amount of impervious surface to be allowed in each zoning category according to the following:

R1A and R1AA: 65 percent

All other zoning categories: 75 percent

Policy 4.1.3 INFRA

The Town shall promote shared parking for businesses and joint development to reduce impervious surfaces and thus enhance recharge.

Policy 4.1.4 INFRA

The Town shall allow the use of impervious and semi pervious surfaces for smaller parking areas to decrease the need for stormwater treatment systems and increase pervious surfaces.

Policy 4.1.5 INFRA

The Town shall allow the use of grassed parking areas for intermittent and temporary uses.

Waste Water

GOAL 5.0

To ensure the Town's residents have adequate wastewater services.

OBJECTIVE 5.1

Define a Planned Wastewater Service Area for those areas where central sewer service is anticipated.

Policy 5.1.1 INFRA

The Town, in cooperation with municipal and private wastewater utility providers, shall define a Planned Wastewater Service Area within the Town where central sewer services are anticipated to become available within five years.

Policy 5.1.2 INFRA

New development, located in the planned wastewater service area where central sewer facilities are not yet available may develop using conventional treatment system during the interim, but must connect to central sewer facilities when available. The developer is required to install dry lines in order for the development to connect to sewer service as soon as it is available.

Policy 5.1.3 INFRA

New development within the planned wastewater service area shall install water lines for reused water in order to ensure the availability of lines for future service.

Policy 5.1.4 INFRA

The cost for all wastewater infrastructure in the planned wastewater service area shall be borne by the developer. Maintenance shall be provided by the developer and/or the wastewater provider at their cost. The Town may assist wastewater service provision through facilitation of service and the collection of associated fees.

OBJECTIVE 5.2

To adhere to all legal standards pertaining to septic tank use, and identify and correct existing facility deficiencies to protect natural resources and quality of life.

Policy 5.2.1 INFRA

Conventional septic systems shall be required for any use until new State regulations are implemented to require upgraded systems to limit nitrogen in the effluent. Land development regulations shall be amended within six months of approval of the new State regulations to provide for these new requirements.

Policy 5.2.2 INFRA

The Town shall adopt a mandatory septic maintenance and inspection program within a year of the State adopting regulations stipulating this program. The Town will provide educational materials in the form of newsletters and workshops to homeowners on best management practices in maintaining their existing system.

Policy 5.2.3 INFRA

Require, where feasible, the installation of future septic tanks in front yards or other areas which will provide a convenient and economical connection to any future central sewerage system, should such connections eventually become necessary.

Policy 5.2.4 INFRA

Shared septic drainfields shall be permitted as long as they meet state requirements.

Policy 5.2.5 INFRA

Cooperate and coordinate with adjacent governmental entities to provide water and sewer services in a manner which prevents fragmentation, duplication of effort, overlapping jurisdictions and excessive costs.

Policy 5.2.6 INFRA

Enforce Subdivision Regulations pertaining to the installation and use of septic tanks. Prohibit septic tanks where hazardous wastes are generated.

Policy 5.2.7 INFRA

The Town shall work with the Orange County Health Department to monitor septic tank use and operation within the Town, recording septic tank failures, and identifying impacts on the existing potable water supply wells.

Policy 5.2.8 INFRA

At the time existing septic systems fail or require repairs based on a determination by the Department of Health that a permit or permit modification is required, the system shall be replaced with a system that meets current State requirements.

Policy 5.2.9 INFRA

Issuance of development orders or permits will be conditioned upon compliance with applicable Federal, State and local permit requirements for septic tank systems.

Policy 5.2.10 INFRA

The Town of Oakland shall continue to periodically monitor and test the public well within the Town, and assist the Department of Environmental Protection and Department of Natural Resources in the monitoring of private wells in the area.

Policy 5.2.11 INFRA

Development shall be required to connect to central sewer facilities when they become available.

CONSERVATION

GOAL 1.0

Conserve, protect and enhance all natural resources, including air quality, surface water, groundwater, vegetative communities, environmentally sensitive lands, endangered species, soils, flood plains, recharge areas and wetlands to ensure that adequate natural resources are available for present and future generations.

OBJECTIVE 1.1

To maintain or improve air quality and to ensure that applicable air quality standards continue to be met.

Policy 1.1.1 CONS

Cooperate with the Orange County Environmental Protection Department in maintaining a comprehensive monitoring and enforcement program to protect and maintain air quality under the adopted Air Quality Control provisions of the Orange County Code.

Policy 1.1.2 CONS

Businesses which have a negative impact on air quality shall be discouraged unless suitable mitigation measures are utilized. Existing industries shall utilize and maintain proper pollution control devices and shall be subject to enforcement by the Orange County Environmental Protection Department.

Policy 1.1.3 CONS

Open burning and other practices which have an adverse impact on air quality, shall be subject to enforcement by the Orange County Environmental Protection Department. The use of alternatives to open burning such as mulching, composting, leaving the existing vegetation where possible, and best available control technology shall be utilized.

Policy 1.1.4 CONS

The Town shall encourage the planting of trees and vegetation along the roadways and enforce the landscaping, buffering and open space requirements of the Oakland zoning regulations in order to reduce the level of carbon dioxide in the air, dilute air pollutants, and reduce noise impacts.

OBJECTIVE 1.2

The Town shall protect its waters from surface pollution and cooperate with Orange County, State and Federal agencies in the development of methods and programs for the abatement of surface water pollution.

Policy 1.2.1 CONS

Support and participate in the "Friends of Lake Apopka" program and adopt the Lake Apopka Guidelines as feasible for the Town within one year of this plan's adoption.

Policy 1.2.2 CONS

Protect shoreline vegetation to the maximum extent possible by enforcing the adopted Orange County Code Pumping and Dredging Control provisions, Sections 15-216 through 15-228, the Lakeshore Protection Regulations, Sections 15-251 through 15-256, the Boat Dock Construction Ordinance, Sections 15-321, 15-322, 15-341 through 15-346 and the Boat Ramp Ordinance, Sections 15-601 through 15-606. Lakefront building setbacks shall be measured from the normal high water elevations adopted by the Orange County Board of County Commissioners.

Policy 1.2.3 CONS

Identify any sources of water pollution and, with the assistance of the Orange County Environmental Protection Department, develop programs to reduce the harmful impacts of those sources on the natural environment.

Policy 1.2.4 CONS

The Town adopted the St. Johns River Water Management District design standards and construction and maintenance requirements as amended for stormwater retention/detention systems and shall ensure compliance with these requirements to prevent degradation of the receiving surface water bodies.

Policy 1.2.5 CONS

The Town shall prohibit the discharge of hazardous, toxic, chemical, petroleum, nuclear waste or liquid sludge into surface waters of wetlands.

Policy 1.2.6 CONS

The Town shall investigate the creation of its own wetlands regulations to raise the standards for wetlands protection within the Town limits. At a minimum, Orange County's environmental regulations as outlined within the Orange County Land Development Regulations will be adopted. To ensure the Town's natural environment is protected, all development shall be subject to both sets of regulations and subsequent reviews by both SJRWMD and Orange County. If the Orange County regulations are adopted, an Interlocal Agreement with Orange County EPD will be executed authorizing them to review wetland and lakeshore permits for the Town.

OBJECTIVE 1.3

The Town shall protect the natural functions of flood plains and flood zone areas to maintain flood-carrying and flood-storage capacities, to protect life and property, and to continue to maintain its eligibility for the National Flood Insurance Program by implementing the following policies.

The Town adopted and shall enforce the St. Johns River Water Management District Stormwater Management Systems Regulations as amended, Section 40C-42 FAC. The Management and Storage of Surface Water Regulations, Sections 40C - 4 and 40C - 40, F.A.C. and Wetland Resource Management Regulations, Section 62-312, F.A.C. and shall require compensatory storage for encroachment in floodways and require habitable structures to be flood proofed.

Policy 1.3.1 CONS

The Town shall identify and recommend to the State and the Water Management District flood plains that would warrant acquisition under the Conservation and Recreation Land Program.

OBJECTIVE 1.4

All ecological communities and wildlife, especially endangered, threatened and rare species, shall be identified, managed and protected.

Policy 1.4.1 CONS

Prior to development approval, a proposed development must demonstrate that all rare upland communities, wetlands, and wildlife especially endangered, threatened and species of special concern, are protected.

Policy 1.4.2 CONS

Assist in the application of and compliance with all State and Federal regulations which pertain to endangered, threatened and rare species.

Policy 1.4.3 CONS

Consult with the Florida Game and Fresh Water Fish Commission prior to the issuance of a land use approval that would result in an adverse impact to any endangered, threatened or rare species, where such species are known or likely to exist.

Policy 1.4.4 CONS

Require private landowners to use Best Management Practices as outlined by the Florida Department of Environmental Protection, the SJRWMD, and the Florida Game and Fresh Water Fish Commission to protect critical habitat for endangered, threatened and rare species.

Policy 1.4.5 CONS

The St. Johns River Water Management District Environmental Wetlands were adopted by Ordinance as Conservation Areas in order to protect and preserve wetland areas. The Conservation future land use category on the Future Land Use Map and depicted in Figure 15 shall serve as a conceptual indicator of conservation and wetland areas. The precise delineation of these areas shall be determined through site specific studies and field determinations which assess the extent of wetlands. The following shall protect and preserve the wetland areas within the Town of Oakland:

4. All land uses other than those allowed within the Conservation future land use category are not compatible with the protection and conservation of the natural functions of wetlands.
5. All uses other than those allowed within the future land use category are prohibited within any areas designated as wetlands through specific studies and field determinations.

Policy 1.4.6 CONS

Cooperate with Orange County, to conserve, appropriately use or protect unique vegetative communities located within more than one jurisdiction.

Policy 1.4.7 CONS

Assist Orange County in their efforts to designate environmentally sensitive lands, especially native vegetative communities, for protection.

Policy 1.4.8 CONS

The Town shall adopt subdivision regulations, a conservation ordinance and lakeshore protection ordinance as needed to reflect the policies outlined within the Comprehensive Plan in order to better protect the Town's natural resources, such as wetland, soils, ground water, flood plains, and aquifer recharge areas.

Policy 1.4.9 CONS

Dual compartment septic tanks, or other designs which reduce nitrogen deposition as outlined within the Infrastructure and Future Land Use Elements of this Plan, shall be required for all residential, commercial, or industrial use development within the Town.

Policy 1.4.10 CONS

The Town shall coordinate with Orange County, the U.S. Army Corps of Engineers, the Florida Department of Environmental Protection, and the St Johns River Water Management District to identify and regulate wetland areas under their jurisdiction, and adopt the St. Johns River Water Management District Environmental Wetland areas as Conservation Areas, and the Management and Storage of Surface Waters Permitting Program.

Policy 1.4.11 CONS

The Town shall assist in the application of and compliance with, all State and Federal regulations which pertain to plants and wildlife listed as threatened, endangered, or species of special concern.

Policy 1.4.12 CONS

In addition to consulting with the appropriate County and State agencies, the Town, as a condition of development approval, shall require management plans for land use permits that would result in harm to any wildlife or plants listed as threatened, endangered, or species of special concern found on-site or which have been determined to use the site. Such requirements shall require a habitat survey and management plan approved by or otherwise satisfactory to and in full compliance with the regulations promulgated by the Florida Game and Fresh Water fish Commission, the County, and any other State or Federal agency with jurisdiction.

Policy 1.4.13 CONS

The Town shall require the preservation of valuable tree species, prohibit indiscriminate clearing, and require replacement and maintenance measures for all new development.

Policy 1.4.14 CONS

The Town shall continue to protect land determined to contain plants and wildlife listed as threatened, endangered, or species of special concern and amend it's land use regulations as needed to protect these resources as outlined in this element. The Town shall also consider incentive programs such as density bonuses, transfer of development rights, acquisition, or purchase of development rights as a means of preserving these areas.

Policy 1.4.15 CONS

The Town shall identify and recommend to the State and other appropriate agencies uplands that would warrant acquisition under the Conservation and Recreation Land Program.

Policy 1.4.16 CONS

The Town shall amend its land development regulations by December 2009 to reflect the policies contained in this element to protect rare upland vegetative communities, and wildlife and open space corridors, through buffering, setback requirements, and restrictions on land use intensities and densities.

Policy 1.4.17 CONS

The Town will coordinate with Orange County in the use of the Conservation Trust Fund and other available funding sources to acquire rare upland and wetland vegetative communities.

OBJECTIVE 1.5

The Town shall require proper soil management practices to avoid erosion. This objective shall be made measurable by implementing the following policies.

Policy 1.5.1 CONS

The Town accepts the United States Department of Agriculture Soil Conservation Service development potential analyses of Orange County soils as they have been classified within the Town limits.

Policy 1.5.2 CONS

The Town shall assist the Soil Conservation Service with those activities directed at minimizing soil erosion, including the use of Best Management Practices (S.C.S. Technical Guide 3) for all agriculture and urban development.

Policy 1.5.3 CONS

The Town shall assist the St. Johns River Water Management District, Florida Department of Environmental Protection, and other applicable agencies to improve soil management along surface water bodies.

Policy 1.5.4 CONS

The Town shall enforce the Management and Storage of Surface Waters Permitting Program and Subdivision Regulations concerning the suitability of soils for future development. These regulations include restricting development in hydric soils in order to preserve the natural function of wetlands, preservation of groundwater recharge areas, and controlling the use of stormwater and individual on-site sewage disposal facilities.

OBJECTIVE 1.6

The Town shall conserve energy resources for future generations. This objective shall be made measurable by implementing the following policies.

Policy 1.6.1 CONS

The Town is subject to current Orange County Building Code criteria that require new developments to incorporate energy efficient buildings and site design techniques to the extent practical and feasible.

Policy 1.6.2 CONS

The Town shall investigate and implement ways to reduce its new paper products consumption by such means as using recycled paper products.

Policy 1.6.3 CONS

The Town shall investigate and implement ways of reducing fossil fuel consumption in new Town facilities by such means as including solar panels, solar water heaters, double or triple pane windows, and higher insulation values.

OBJECTIVE 1.7

The Town shall protect and conserve groundwater quantity and quality by implementing the following policies.

Policy 1.7.1 CONS

Through its code enforcement program, the Town shall work to eliminate sources of potential pollution such as malfunctioning drainage wells and improperly installed or malfunctioning septic tanks that have a negative impact on the quality of recharge.

Policy 1.7.2 **CONS**

Enforce the Oakland Subdivision Regulations to protect the natural recharge capabilities of the Floridan Aquifer and to require that stormwater management facilities be designed to maximize recharge of the aquifer.

Policy 1.7.3 **CONS**

The Town shall protect all potable water well fields within its jurisdiction as identified in Figure 12 of the data, inventory and analysis portion of this Plan by establishing a well protection area of a 500 foot radius of the well head and designating appropriate activities and land uses within these areas. Within the first 50 feet of the well protection area, no development activities other than the well and associated equipment and parks shall be permitted. Between 50 ft. and 200 ft., parks, water supply and treatment facilities, and existing development as of May 1, 2008 including associated septic tanks may be allowed. Only Low Density Residential uses, parks, and water utility infrastructure shall be allowed between a 200 foot and 500 foot radius of the well head including associated septic systems. In addition, the following uses shall be prohibited within the well protection area: animal feed lots, landfills, storage use or transportation of hazardous substances except those associated with water production and treatment, waste and wastewater treatment and similar facilities, mines, and excavation of waterways or drainage facilities that intersect with the water table.

Policy 1.7.4 **CONS**

The Town shall cooperate with the applicable Water Management Districts in the enforcement of the provisions of their emergency water shortage plans.

Policy 1.7.5 **CONS**

The Town shall require xeriscaping and the use of native vegetation or other drought resistant species, in order to reduce the irrigation demand for potable water in all new developments or redevelopment.

Policy 1.7.6 **CONS**

The Town shall amend its land development regulations by December 2009 to be consistent with the policies of this Comprehensive Plan in regards to use, water quality and quantity protection, preservation, and conservation measures as designated in the objectives and policies of the Potable Water, Drainage and Natural Groundwater Aquifer Recharge Elements, to protect groundwater quality and quantity.

Policy 1.7.7 **CONS**

The Town adopted the St. Johns River Water Management District regulations supporting the use of stormwater run-off for irrigation of agricultural areas, open space and landscaped areas.

Policy 1.7.8 **CONS**

The Town shall require a detailed soils report prepared by a geotechnical engineer to be submitted to the Town prior to site development plan approval if Hydrologic Soil Group Type "A" soils exist on-site. If the site is determined to be within a high recharge area, retention of the total run-off generated by a 25-year frequency, 24-hour duration storm event from the developed site shall be required.

Policy 1.7.9 **CONS**

Support of public education regarding fertilizer use based on six best practices for lawn care elements developed by the Institute of Food and Agricultural Sciences (IFAS), as well as a set of supplemental landscape management tips. The six best practices are:

- Choose a fertilizer designed for lawns.

- Apply fertilizer when grass is actively growing.
- Apply fertilizer to the lawn and keep off other surfaces and away from water.
- Mow lawn at highest lawnmower setting.
- Use water wisely through proper irrigation.
- Spot treatments for pests and weed problem.

Policy 1.7.10 CONS

Nitrogen fertilizer must contain at least 50 percent slow release nitrogen. No more than four pounds of nitrogen per 1,000 square feet may be applied to turf or landscape plants each year.

Policy 1.7.11 CONS

No fertilizer may be applied to impervious (non-porous) surfaces, and any spillage must be removed. Fertilizer may not be applied within 10 feet of any water body or wetland.

Policy 1.7.12 CONS

A six-foot low-maintenance zone of native landscape plants appropriate to preventing fertilizer runoff is recommended for any water body or wetland.

OBJECTIVE 1.8

Protect and preserve the Town's most effective recharge areas, karst features, and sensitive natural habitats including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub as identified by the Wekiva Parkway and Protection Act through acquisition and management of these natural resources.

Policy 1.8.1 CONS

By January 1, 2009, the Town will survey its citizens to determine the willingness to pay for general obligation funds for the purpose of acquiring environmentally sensitive lands and open spaces including but not limited to most effective recharge areas, karst features, and sensitive natural habitats such as Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub. The Town will investigate establishing an agreement with a Conservation entity for the purpose of preserving environmentally sensitive lands.

Policy 1.8.2 CONS

The Town shall continue to support and seek acquisition of environmentally sensitive land through joint Town/County and State partnerships. The purchase of permanent conservation easements shall also be considered.

Policy 1.8.3 CONS

The Town shall coordinate with pertinent state and regional land acquisition and wildlife agencies to identify natural area greenways and wildlife corridors to link existing public parks, preserve area and similar areas for aquifer recharge, conservation and habitat preservation purposes.

HOUSING

GOAL 1.0

To provide for a full range of housing choices within Oakland for all incomes, ages and lifestyles with an emphasis on meeting the needs of low and moderate income households.

OBJECTIVE 1.1

The Town of Oakland will provide very low, low and moderate income housing opportunities needed to ensure affordable housing for current and future residents.

Policy 1.1.1 HOU

By December 1, 2009, the Land Development Code shall be updated to include zoning standards to promote affordable housing by changing setbacks, vacating right of way when feasible, clustering development, allowing zero lot line in certain cases and other regulations.

Policy 1.1.2 HOU

A density bonus program for projects providing housing for very low, low, and moderate income households shall be implemented. These categories shall follow the established HUD definitions for income levels. The bonus program shall include the following provisions:

1. Developers shall ensure that the units developed under this option remain affordable to the income households they were built to serve for a period of no less than 50 years through deed restrictions or other legally binding instruments.
2. Developments must maintain all other requirements outlined within the Comprehensive Plan and land development regulations including septic drainfield requirements.
3. The Town of Oakland will provide density bonuses for developments containing over 15 percent affordable housing as follows:
 - Extremely low-income households –a 50% increase of units/acre
 - Very low-income households –a 25% increase of units/acre
 - Low Income households: 15% increase in units/acre.

Policy 1.1.3 HOU

All new developments within the Town of Oakland must ensure at least 15 percent of their dwelling units are affordable to people with qualifying incomes according to the HUD definitions of low income. In lieu of this requirement, developments may work with the Town of Oakland to establish an affordable housing land bank and donate the equivalent of the cost of the units including land required by this policy.

Policy 1.1.4 HOU

All new development shall not isolate and separate income levels either spatially or through community design techniques including walls, gates, or a poorly connected street network.

Policy 1.1.5 HOU

All new commercial and industrial developments within the Town shall make an effort to hire residents from the local community.

Policy 1.1.6 **HOU**

The Town may provide property acquired through the code enforcement process to affordable housing providers or to an affordable housing land bank for the purpose of constructing new housing.

Policy 1.1.7 **HOU**

The Town will work with Orange County to utilize its portion of the William Sadowski Affordable housing Act and any future state housing funding to develop new or maintain affordable housing units.

Policy 1.1.8 **HOU**

The Town shall allow manufactured housing and modular housing in all designated residential land use categories, provided the housing meets the Town's building, site development, and architectural requirements, and is consistent with state standards.

Policy 1.1.9 **HOU**

The Town shall continue to work with the Orange County Community Development Department and non-profit agencies, such as Habitat for Humanity in providing affordable housing for low income households.

OBJECTIVE 1.2

To improve the Town's neighborhoods by improving the housing stock through code enforcement, rehabilitation, and condemnation and removal of vacant structures according to the policies listed below.

Policy 1.2.1 **HOU**

The Town shall research and utilize mechanisms to provide low interest rehabilitation loans and grants.

Policy 1.2.2 **HOU**

The Town shall enforce all existing housing ordinances and amend current ordinances as needed.

Policy 1.2.3 **HOU**

The Town shall develop regulations for providing relocation housing in necessary cases within one year of this plan's adoption.

OBJECTIVE 1.3

Create housing opportunities for special needs and citizens in all stages of their life-cycles within the Town of Oakland.

Policy 1.3.1 **HOU**

The Town shall permit assisted living facilities and group homes within the Low, Low Medium Density Residential, Commercial Mixed Use, and Residential Mixed Use future land categories and amend the land development regulations by December 1, 2009 to reflect these changes. The Land Development Regulations may regulate the over-concentration of these uses through spacing requirements.

Policy 1.3.2 **HOU**

The Town shall permit accessory dwelling units in the low density residential future land use category if the lot size is one and a half (1/2) times the minimum lot size. These units must meet all other development regulations including septic drain field requirements. Planned unit development areas do not need to meet the extra lot size requirement because central wastewater is required for these developments.

Policy 1.3.3 HOU

The Town shall coordinate with the Florida Department of Health and Rehabilitative Services to aide in the integration of appropriate foster homes and group homes into the community as the need arises.

OBJECTIVE 1.4

Protect the Town's historic and community character through innovative funding mechanisms.

Policy 1.4.1 HOU

The Town shall pursue a grant or other funding for a survey of historic houses and landmarks by January 1, 2009. To be considered for inclusion as a historic resource a structure, location, or property shall meet one or more of the following criteria:

1. Is or is likely to be archeologically significant;
2. Represents a distinct characteristic of a period or time in the history of the Town;
3. Is associated with the lives of persons significant in Oakland's past;
4. Is associated with events that have made a significant contribution to the history of Oakland; or
5. Be more than 50 years old.

Policy 1.4.2 HOU

The Town shall work to establish a community redevelopment area for the protection and revitalization of its historic town center.

RECREATION

GOAL 1.0

Provide a fiscally and environmentally sound recreation/open space system which offers opportunities for a variety of passive and active recreation and enhances the overall image of the Town.

OBJECTIVE 1.1

The Town shall provide open space as necessary to protect the environment, provide visual breaks from development and allow for recreation opportunities.

Policy 1.1.1 REC

The Town shall, through the Land Development Code, regulate private open space with the use of impervious surface ratios and landscaping requirements.

Policy 1.1.2 REC

The Town shall actively pursue the preservation of environmentally sensitive lands.

Policy 1.1.3 REC

Where adequate wastewater service is available to allow for smaller lots, cluster developments shall be permitted, through the Planned Unit Development rezoning process, to promote the protection of open space.

Policy 1.1.4 REC

Open Space shall be defined as any parcel or area of land set aside, dedicated, designated or reserved for the use and enjoyment of the property owners and/or general public. Typical uses of common open space include, but are not limited to, recreation, parks, resource protection and conservation, wetlands, stormwater ponds, undeveloped land, and bufferyards. Common open space areas may include such complementary structures and improvements as are necessary and appropriate as approved by the Town Commission. In no case shall common open space include required setback areas of lots, parking areas, existing or proposed road right-of-way, drainage ditches, or plazas/hardscapes. In addition, the cumulative acreage for stormwater ponds, and/or conservation areas cannot account for more than 50% of the required common open space. The stormwater ponds, as noted, may be counted toward common open space if they are unfenced, accessible and usable to the public, and 5% to 10% of the land area above the design high water level is landscaped.

OBJECTIVE 1.2

The Town shall provide sufficient user-oriented parkland to meet the needs of the community.

Policy 1.2.1 REC

The Town shall maintain a minimum Level of Service standard of 2 acres of user-oriented parkland per 1,000 residents.

Policy 1.2.2 REC

The Town shall acquire land, as necessary, to maintain the adopted level of service and meet the established park criteria.

Policy 1.2.3 REC

The Town shall seek new opportunities for trail development including abandoned railroad corridors and utility right-of-way.

Policy 1.2.4 REC

The Town shall adopt regulations requiring recreational acreage, necessary to maintain the adopted level of service, in conjunction with the approval of new residential developments. Recreational acreage may be provided through the use of deed restrictions, dedications or payment of impact fees. Pursuant to the requirements of Section 163.3180(2), F.S., recreation facilities shall be in place or under actual construction no later than 1 year after issuance by the local government of a certificate of occupancy or its functional equivalent. Parks and recreation facilities required to serve new development must be in place or under construction no later than one year after the issuance of a certificate of occupancy or its function equivalent.

Policy 1.2.5 REC

The Town shall encourage private developers to allow public access to private recreation facilities.

Policy 1.2.6 REC

The Town shall create a program to inform citizens of recreation opportunities and locations.

Policy 1.2.7 REC

New parkland should be developed in accordance with the established park criteria.

Policy 1.2.8 REC

The Town shall seek opportunities to increase recreation opportunities in underserved areas of the community.

OBJECTIVE 1.3

The Town shall provide a variety of recreation opportunities for its residents.

Policy 1.3.1 REC

By January 1, 2009, the Town shall prepare a programming guide regulating joint use of the Charter School's recreation facilities by the community.

Policy 1.3.2 REC

The Town shall survey the community every five years to stay current with the changing recreation needs of the community.

Policy 1.3.3 REC

The Town shall seek opportunities to expand or upgrade existing facilities to meet the established park criteria.

Policy 1.3.4 REC

The Town shall seek opportunities to provide a community center for its residents whether through joint-use of existing facilities or the development of a new facility.

Policy 1.3.5 REC

The West Orange Trail provides opportunities for activity nodes on adjacent public lands. To more fully utilize this community asset, the Town shall seek opportunities to co-locate activities along the trail including festivals and farmer's markets.

OBJECTIVE 1.4

The Town shall seek opportunities to increase access to public recreational facilities.

Policy 1.4.1 **REC**

Right-of-way should be acquired as necessary to ensure public access to recreational facilities and natural resources.

Policy 1.4.2 **REC**

Multi-modal access and parking should be provided at recreation facilities.

Policy 1.4.3 **REC**

The Town shall design and maintain recreation facilities in a manner that promotes handicap accessibility.

Policy 1.4.4 **REC**

The Town shall seek opportunities to provide trail connections between the existing trail network and recreation facilities.

Policy 1.4.5 **REC**

The Town shall seek opportunities to provide boat access to Lake Apopka.

OBJECTIVE 1.5

The Town shall seek funding to assist in the development of new recreation facilities and programs and review periodically for adequacy.

Policy 1.5.1 **REC**

The Town shall continue to require a parks and recreation impact fee on new residential developments.

Policy 1.5.2 **REC**

The Town shall actively seek State and Federal grants to help fund recreation projects and programs.

Policy 1.5.3 **REC**

The Town shall review and update the Capital Improvements Plan every year to ensure the financial feasibility of planned improvements.

OBJECTIVE 1.6

The Town shall maintain recreation facilities in a manner that promotes the safe and effective use of such facilities.

Policy 1.6.1 **REC**

The Town shall perform annual maintenance inventories to identify maintenance deficiencies based on the established classification system.

Policy 1.6.2 **REC**

The Town shall correct deficiencies which prevent access to or enjoyment of the recreational facilities under its auspices.

Policy 1.6.3 **REC**

The Oakland Public Works Department shall be responsible for maintaining public parks and recreation facilities.

INTERGOVERNMENTAL

GOAL 1.0

Establish processes among adjacent governmental entities to achieve compatible land use, coordination of development activities and efficient use of available resources

OBJECTIVE 1.1

Ensure development plans of adjacent governmental entities are compatible with the existing and proposed land use within Oakland.

Policy 1.1.1 ICG

Actively pursue and encourage the development of a Joint Planning Area Agreement with Orange County that designates annexation and future development areas, delineates future land uses within these reserve areas and strictly defines utility service areas.

Policy 1.1.2 ICG

Consider existing and proposed land uses within adjacent local governments when reviewing proposed development in Oakland.

Policy 1.1.3 ICG

Transmit copies of proposed changes to the Oakland Comprehensive Plan and annexation proposals to appropriate adjacent governments for review and comment.

Policy 1.1.4 ICG

The Town will work with neighboring governments to establish a joint process by January 1, 2009 for the siting of facilities of county-wide significance including locally unwanted land uses such as solid waste disposal.

OBJECTIVE 1.2

Participate in activities carried out by area-wide planning bodies.

Policy 1.2.1 ICG

Consider participation in planning activities sponsored by quasi-regulatory agencies, East Central Florida Regional Planning Council and State planning agencies designed to improve the quality of the environment and eliminate health and safety hazards.

Policy 1.2.2 ICG

The Town of Oakland shall pursue the creation of a dialogue on future land use and its transportation impacts on east Lake County and west Orange County. The dialogue shall include Lake County, Orange County, The Town, neighboring municipalities, and affected regional and state agencies.

Policy 1.2.3 ICG

Oakland will utilize the services of the East Central Florida Regional Planning Council for mediation when development issues cross jurisdictional boundaries and cannot be resolved by Oakland alone.

Policy 1.2.4 ICG

Support the efforts of the St. Johns River Water Management District.

Policy 1.2.5 ICG

Propose joint strategies for protection of water resources through water supply planning, specifically addressing identification and use of alternative water sources.

Policy 1.2.6 ICG

Propose joint strategies to coordinate land acquisition efforts for protection of water resources, environmentally sensitive lands and open spaces.

Policy 1.2.7 ICG

Through its code enforcement program, the Town will coordinate with the Orange County Health Department regarding on-site sewage treatment and disposal systems located in the Wekiva Study Area to ensure a coordinated approach to the provision of wastewater treatment.

Policy 1.2.8 ICG

Through its code enforcement program, the Town shall coordinate with the Orange County Health Department regarding the owners of on-site sewage treatment and disposal systems that will be required to connect to central sewer facilities, and owners of on-site sewage treatment and disposal systems that will remain, including those that require a Health Department permit or permit modification, because of failing systems or systems requiring major repairs. Failing systems will be subject to the requirements of FLU Policy 1.6.5.

Policy 1.2.9 ICG

The Town shall coordinate with publicly owned or investor owned sewage system regarding the process for notification of existing owners of the availability of central sewer facilities.

OBJECTIVE 1.3

Throughout the planning period, the Town of Oakland shall promote the efficient provision of public educational facilities concurrent with development impacting such facilities. The Town shall coordinate with Orange County Public Schools (OCPS) to ensure that sufficient school capacity is available to support proposed development and that necessary infrastructure is available to accommodate new schools.

Policy 1.3.1 ICG

The Town shall comply with the Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency adopted in 2008 along with the goals, objectives and policies of the Public School Facilities Element. In addition, the Town shall support the use of interlocal agreements for the joint-use of School Board and Town facilities.

Policy 1.3.2 ICG

The Town shall coordinate with the School Board to research and identify alternative planning and funding mechanisms to provide sufficient school capacity for future growth.

Policy 1.3.3 ICG

The Town of Oakland shall designate an OCPS representative to serve on the Technical Advisory Committee to discuss issues and formulate recommendations regarding the coordination of land use and schools.

Policy 1.3.4 ICG

The Town shall provide projected development data to OCPS on a regular basis to assist in the development of a long range planning model to project student enrollment.

Policy 1.3.5 **ICG**

As a member of the OCPS Interlocal School Planning Committee, the Town shall review OCPS model projections for consistency with the Town's projections and, if necessary, shall recommend additions or modification to the model results.

Policy 1.3.6 **ICG**

The Town of Oakland shall participate in the periodic school impact fee study/ordinance update process, providing input and recommendations to Orange County and OCPS as appropriate.

SCHOOL

GOAL 1.0

To establish plans, regulations and programs in conjunction with Orange County Public Schools (OCPS) to facilitate the future availability of public school facilities to serve Town residents, consistent with the adopted level of service for public schools and with State of Florida concurrency statutes and regulations.

OBJECTIVE 1.1

The Town of Oakland shall coordinate with OCPS to implement a School Concurrency Management System that ensures adequate classroom capacity to accommodate impacts of new residential development throughout the planning period. I.

Policy 1.1.1 SCH

The School Concurrency Management System shall include standards and procedures to ensure that new residential development complies with the Level of Service (LOS) standards provided in the Interlocal Agreement between the Town of Oakland and OCPS and as provided in the Town's adopted Capital Improvements Element and Intergovernmental Coordination Element. The adopted LOS shall be used to determine the available capacity of Elementary, Middle and High Schools within the designated Concurrency Service Area (CSA) where the development is proposed. The adopted LOS must be achieved in all CSAs by April 1, 2012, except for deficient CSA's where improvements needed to achieve adequate classroom capacity are specifically identified in the OCPS ten (10) Year District Capital Outlay Plan for funding by April 1, 2017.

In accordance with 9J-5.025(3)(c)7, F.A.C., the adopted LOS standards except for backlogged facilities for the purposes of implementing school concurrency shall be:

School Type	Standard*	Concurrency Service Area (CSA)
Elementary	110%	Modified Middle School Attendance Zones
K through 8	110%	K through 8 School Attendance Zones
Middle	100%	Middle School Attendance Zones
High	100%	High School Attendance Zones

** Permanent FISH + "In-Slot" school, not to exceed Core Capacity for Elementary, K through 8, and Middle school types. Permanent FISH, not to exceed Core Capacity for High Schools.*

A development shall be deemed to meet school concurrency if there is sufficient capacity in the CSA where the development is located or where sufficient capacity exists in one or more contiguous CSA's, so long as the LOS in the adjacent zone does not exceed 95% of the LOS and the School District does not exceed 100% of capacity on a district-wide basis for the school type. The evaluation of capacity in the adjacent CSA's will also take into account transportation costs and court-ordered desegregation plans. CSA boundaries are depicted in the support document of the Public School Facilities Element.

Any changes or modifications to the adopted LOS shall follow the process and guidelines as outlined in Section 13 of the Amended Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency.

Policy 1.1.2 SCH

The Town of Oakland shall cooperate with and encourage OCPS to initiate and implement any appropriate combination of the following strategies to ensure compliance with adopted LOS standards:

- Build new schools to relieve over-capacity schools in CSA's that exceed the adopted LOS;
- Renovate over-capacity schools to add permanent capacity and replace on-campus portables;
- Rezone students from over-capacity schools to under-capacity schools;
- Move special programs from over-capacity schools to under-capacity schools to utilize excess permanent capacity where it exists.

Policy 1.1.3 SCH

The Town shall utilize the OCPS calculation of school capacity, which is annually determined by OCPS using the Adjusted FISH Capacity for each school and CSA within the school district. Consistent with the Interlocal Agreement, Adjusted FISH Capacity shall be defined as the number of students who can be served in a permanent public school facility as provided in FISH (Florida Inventory of School Houses) Capacity, adjusted to include the design capacity of modular or In-Slot classrooms on the campuses designed as Modular or In-Slot schools, not to exceed the adopted Core Capacity for that school.

Policy 1.1.4 SCH

The number of elementary, middle and high school students generated by a residential development shall be calculated by multiplying the number of dwelling units by the student generation rates by school type as set forth in Table 12 of the Appendix to the Public School Facilities Element.

Policy 1.1.5 SCH

The Town shall cooperate with OCPS in its efforts to meet adopted LOS standards through the adoption of a ten (10) year, financially feasible District Capital Outlay Plan (DCOP). Where the LOS cannot be achieved through the construction of new school capacity as provided in the five (5) year DCOP, the Town shall cooperate with OCPS in its efforts to adopt a long range ten (10) year DCOP as part of the School District's annual capital planning process.

Policy 1.1.6 SCH

Where adequate school facilities will be in place or under actual construction within three (3) years after the issuance of final subdivision or site plan approval, or the functional equivalent, the Town of Oakland shall not deny an application for site plan approval, final subdivision approval, or the functional equivalent thereof, for any development or phase of a development that includes residential uses, based solely on failure to achieve and maintain the adopted LOS in a CSA.

Policy 1.1.7 SCH

The Town of Oakland, in conjunction with OCPS, shall review LOS standards for public school facilities annually, and any changes to those standards shall be processed as amendments to this element and the Capital Improvements Element.

Policy 1.1.8 SCH

The Town of Oakland shall amend the Concurrency Management System in its Land Development Code in order to implement school concurrency.

OBJECTIVE 1.2

School capacity shall be calculated using School Concurrency Service Areas (CSA's) adopted by OCPS throughout the planning period. Such CSA's shall be used to evaluate capacity of schools available to accommodate students generated by proposed development.

Policy 1.2.1 SCH

OCPS, in coordination with Orange County, the Town of Oakland and other municipalities, has established CSA's that are less than district-wide. The CSA's are depicted in the support document of this element.

Policy 1.2.2 SCH

CSA's shall be reviewed annually in conjunction with the adoption of an updated ten (10) year DCOP. CSA boundaries may be adjusted to ensure that the utilization of school capacity is maximized to the greatest extent possible, taking into account transportation costs, court approved desegregation plans, and other factors.

Policy 1.2.3 SCH

Changes or modifications to the adopted CSA's shall follow the process and guidelines as outlined in Section 14 of the Amended Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency.

OBJECTIVE 1.3

The Town of Oakland and OCPS shall develop and maintain throughout the planning period a joint process for the implementation of School Concurrency as provided for in the adopted Amended Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency.

Policy 1.3.1 SCH

The Town of Oakland shall not adopt a developer-initiated Growth Management Plan amendment or rezoning that would increase residential density on property that is not otherwise vested until such time as OCPS has determined whether sufficient capacity will exist concurrent with the development or a capacity enhancement agreement is executed that provides for the needed capacity to accommodate the proposed development.

Policy 1.3.2 SCH

The Town of Oakland shall determine if a development is vested or exempt from school concurrency. Unless the development is determined to be vested or exempt from concurrency, the Town shall not approve a residential site plan, plat, or its functional equivalent, until a concurrency determination has been conducted by OCPS and a School Concurrency Certificate (or similar instrument) has been issued for the development consistent with the provisions of the adopted Interlocal Agreement. Vested rights and exemptions respecting concurrency and consistency shall be in accordance with applicable law.

Policy 1.3.3 SCH

School concurrency shall not apply to property within a Development of Regional Impact (DRI) for which a Development Order was issued prior to July 1, 2005, or for which a DRI application was submitted prior to May 1, 2005, unless the developer elects otherwise or unless the developer files a Notice of Proposed Change (NOPC) and/or Substantial Deviation to increase the total number of residential dwelling units.

Policy 1.3.4 SCH

The Town of Oakland shall include OCPS planning staff as members of the Town's Technical Review Committee. The TRC shall review all projects with a residential component including DRI's and shall specifically ensure that DRI Development Orders and Agreements for residential DRI's submitted after July 1, 2005 and proposed DRI amendments that increase the total number of residential dwelling units address the issue of school capacity. Where existing school capacity is exceeded, mitigation for school impacts shall be included in any mitigation agreements, Development Orders and agreements.

Policy 1.3.5 SCH

Any proposed residential development that creates an impact of less than one student shall be considered de minimis and therefore exempt from capacity review.

Policy 1.3.6 SCH

Consistent with Section 16.2 of the Interlocal Agreement, the following residential uses shall be exempt from the requirements of school concurrency:

- a. Any proposed residential development considered de minimis as defined by PSFE Policy 1.3.5
- b. One single-family house, one (1) duplex, and/or one accessory dwelling unit being developed on an existing platted residential lot of record.
- c. Any building or structure that has received a Building Permit as of the effective date
- d. Any new Residential Development that has Site Plan approval for a site pursuant to a specific development order approved prior to the effective date of school concurrency, including the portion of any project that has received final subdivision plat approval as a residential subdivision into one (1) dwelling unit per lot.
- e. Any amendment to any previously approved Residential Development, which does not increase the number of dwelling units or change the type of dwelling units (e.g. converts single-family to multi-family, etc.)
- f. Any age-restricted community that qualifies as one of the three types of communities designed for older persons as "housing for older persons" in the Housing for Older Persons Act, 42 U.S.C. § 3607(b). This exemption shall be applied in conformity with the principles set forth in Volusia County v. Aberdeen at Ormond Beach, L.P., 760 So. 2d, 126 (Fla.2000). Provided, however, that any senior housing community or dwelling unit that loses its qualification as housing for older persons shall be required to meet applicable school concurrency requirements in effect at the time the qualification as housing for older persons is lost.
- g. Alterations or expansion of an existing dwelling unit where no additional dwelling units are created.
- h. The construction of accessory buildings or structures which will not create additional dwelling units.

- i. The replacement of a dwelling unit where no additional dwelling units are created and where the replacement dwelling unit is located on the same lot. If the type of dwelling unit is different from the original dwelling unit type, the exemption shall be limited to an exemption based on the current student generation rate for the original dwelling unit type. Documentation of the existence of the original dwelling unit must be submitted to the concurrency management official.
- j. Developments of Regional Impact that have filed a complete application for a development order prior to May 1, 2005, or for which a development order was issued prior to July 1, 2005. This exemption shall expire upon withdrawal, denial, or expiration of the application for a development order. This exemption shall not apply where the developer files a Notice of Proposed Change and/or Substantial Deviation (as provided in statute) to increase the number of Residential Units. If such Development of Regional Impact has been approved, or is approved, through a development order, such exemption shall expire for any phase of the development order upon expiration of the development order build-out date for such phase, or for the entire development order upon expiration of the development order, or upon any material default of the school mitigation conditions of the development order or a related development agreement, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.
- k. The portion of any Residential Development that, prior to the effective date of school concurrency, is the subject of a binding and enforceable development agreement or Capacity Enhancement Agreement designated as a Capacity Commitment Agreement by resolution of the School Board; however, such exemption shall expire upon expiration of the development agreement, Capacity Enhancement Agreement, extension thereof, or upon any material default of the school impact mitigation conditions of such development agreement or Capacity Enhancement Agreement, unless such project, or portions of such project, remain exempt pursuant to another exemption provision.
- l. Any Residential Development with a letter from the Applicable Local Government vesting it for purposes of complying with school concurrency, or which would be vested at common law for purposes of such concurrency requirement implemented by this Agreement, provided that the School Board may contest a vested rights determination as provided in the Land Development Regulations of an Applicable Local Government.
- m. Group living facilities that do not generate students and including residential facilities such as local jails, prisons, hospitals, bed and breakfast, motels and hotels, temporary emergency shelters for the homeless, adult halfway houses, firehouse sleeping quarters, dormitory-type facilities for post-secondary students, and religious non-youth facilities, regardless of whether such facilities may be classified as residential uses.

OBJECTIVE 1.4

Upon completion of an OCPS Concurrency Review, a development that fails to meet school concurrency may be postponed until adequate public school capacity is created through the construction of new schools or any combination of the methods specified in Policy 1.1.2. As an alternative, the impact of a development may be mitigated by making a Proportionate Share contribution consistent with OCPS policy.

Policy 1.4.1 SCH

Proportionate Share, when used for mitigation, shall be calculated based on the number of elementary, middle, and high school students generated by the development at build-out. As provided for in the adopted Amended Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency, proportionate share shall be calculated based on reasonable methods of estimating cost of school construction, including the cost of land, equipment, school buses. Any Proportionate Share Mitigation must be directed by OCPS to a school capacity improvement identified in the capital improvement schedule in the financially feasible five (5) year district work plan of the District Facilities Work Program, and in Oakland's Capital Improvement Element to maintain financial feasibility based upon the adopted LOS standards. If a school capacity improvement does not exist in the District Facilities Work Program, OCPS may in its sole discretion, add a school capacity improvement to mitigate the impacts from a proposed residential development, so long as the financial feasibility of the District Facilities Work Program can be maintained and so long as the City agrees to amend its Capital Improvements Element to include the new school capacity improvement.

Policy 1.4.2 SCH

Proportionate Share mitigation may include payments of money, construction of schools, donations of land, expansion of permanent capacity of existing school campuses, payment of funds necessary to advance schools contained in the ten (10) year DCOP, establishment of charter schools that meet State Requirements for Educational Facilities (SREF) standards, payments into mitigation banks, establishment of an Educational Facilities Benefit District, Community Development District, or other methods identified in Section 17.6(b) of the Interlocal Agreement and as may be negotiated between the developer and OCPS, and as appropriate, the Town of Oakland.

Policy 1.4.3 SCH

Any of the Proportionate Share options set forth in Policy 1.4.2 that are utilized by developers as mitigation are eligible for school impact fee credits as provided by Florida Statutes.

GOAL 2.0

To maintain a high quality education system for the current and future residents of the Town of Oakland through enhanced and meaningful coordination between the Town, Orange County, and Orange County Public Schools (OCPS).

OBJECTIVE 2.1

Throughout the planning period, the Town of Oakland and OCPS shall establish and maintain coordination and review policies and procedures to ensure consistency with the adopted Comprehensive Plan.

Policy 2.1.1 SCH

Pursuant to the adopted Amended Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency, a Technical Advisory Committee comprised of representatives from the Town of Oakland, Orange County, other Orange County municipalities, OCPS and the East Central Florida Regional Planning Council shall be established to discuss issues of mutual concern. In accordance with

the Interlocal Agreement, OCPS shall be responsible for making meeting arrangements, providing notification and maintaining a written summary of meeting actions.

Policy 2.1.2 SCH

The Technical Advisory Committee shall meet quarterly, or as needed, to discuss issues and formulate recommendations regarding coordination of land use and school facilities. Specific areas addressed by the committee shall include, but shall not be limited to:

- Short and long range planning, population and student projections, and future development trends;
- Co-location and joint use opportunities, and ancillary infrastructure improvements needed to support the school facilities and ensure safe student access to schools;
- Planning for needed supporting infrastructure for schools such as utilities, roads, sidewalks, etc.;
- The need for new schools to meet the adopted LOS within the adopted CSA's and the coordination of annual revisions to the (10) ten year District Capital Outlay Plan (DCOP); and
- Update of the DCOP for inclusion in Oakland's Growth Management Plan.

Policy 2.1.3 SCH

The Town of Oakland shall provide updated residential dwelling unit and population projections (the Town of Oakland's Growth Projections Report), including approved developments, anticipated timing of development by phase, and estimated build-out by phase to the OCPS Planning Department on an annual basis.

Policy 2.1.4 SCH

The Town of Oakland shall review OCPS generated future enrollment and growth projections on an annual basis and provide input to the OCPS Planning Department.

OBJECTIVE 2.2

Throughout the planning period, the Town of Oakland and OCPS shall coordinate the citing of new public schools to ensure, to the extent possible, public school facilities are located to address the needs of future residential development, are coordinated with necessary services and infrastructure development, and provide for safe learning environments. School sites shall be reviewed for consistency with the adopted Future Land Use Map and shall comply with the applicable provisions of the Comprehensive Plan and Land Development Code.

Policy 2.2.1 SCH

Applications for Future Land Use Map amendments, rezonings, Conditional Use approvals and site development review for schools shall be given priority status. OCPS shall not be required to pay application fees or impact fees for the development of public school facilities, provided, however, OCPS shall not be exempt from payment of connection fees for water and wastewater.

Policy 2.2.2 SCH

The Town shall protect existing schools from the intrusion of incompatible land uses through the development review process. Likewise, the Town shall provide protection to existing residential

neighborhoods through the development review process as new schools or school renovations and/or expansions are proposed.

Policy 2.2.3 SCH

In an effort to enhance local communities and neighborhoods, the Town of Oakland shall work with OCPS in the school siting, design and development process so that the school serves as a focal point for the community and is compatible with the Future Land Use Map and with land uses and neighborhoods surrounding proposed school sites.

Policy 2.2.4 SCH

Where feasible, the Town shall work with OCPS to co-locate parks, libraries, community centers and/or other similar civic uses with public schools. Where such co-location occurs, both entities shall establish an ongoing management relationship via written agreement that permits the school's use of the park facilities and the public's use of school facilities for community meetings and sports activities.

Policy 2.2.5 SCH

In accordance with Section 1006.23, Florida Statutes, and as funding permits, the Town of Oakland shall ensure the construction of sidewalks along roadways and trails connecting neighborhoods that are within two miles of schools to the school facility. OCPS shall be responsible for the construction of sidewalks and trails on school property and shall provide connections to existing and future sidewalks and trails identified by the Town.

Policy 2.2.6 SCH

OCPS and the Town of Oakland will jointly determine the need for and timing of on-site and off-site improvements necessary to support each new school or the proposed significant renovation of an existing school, and where appropriate will enter into a written agreement as to the timing, location, and the party or parties responsible for constructing, operating and maintaining the required improvements.

Policy 2.2.7 SCH

The Town of Oakland shall coordinate with OCPS in their efforts to construct new school facilities and rehabilitate existing facilities to serve as emergency shelters as required by Section 1013.372, Florida Statutes.

GOAL 3.0

To work with OCPS to develop a financially feasible ten (10) Year District Capital Outlay Plan (DCOP) and consistent CPP Public School Facilities Element and Capital Improvements Element.

OBJECTIVE 3.1

Prior to June 1st of each year, OCPS shall coordinate with the Town of Oakland to develop a financially feasible ten (10) year DCOP for review and approval by the OCPS Board and adoption into the Town of Oakland's Capital Improvements Element through the CPP amendment process.

Policy 3.1.1 SCH

The ten (10) year DCOP shall include all capital projects which increase capacity of public schools within the Town of Oakland and address the deficiencies necessary to maintain or improve LOS.

Policy 3.1.2 SCH

The Town of Oakland shall include the ten (10) year DCOP in the annual update of the CPP Capital Improvements Element.

Policy 3.1.3 SCH

The Town of Oakland shall coordinate with OCPS to review and update the adopted Concurrency Service Area (CSA) boundaries, and associated enrollment projections in the annual update of the Public School Facilities Element and Capital Improvements Element, to ensure that the CPP Capital Improvements Element continues to be financially feasible and that the adopted school LOS will continue to be achieved.

Policy 3.1.4 SCH

The Town of Oakland shall coordinate with OCPS by reviewing and providing input into the annual update of the ten (10) year DCOP. Such coordination may include the review and update of adopted CSA boundaries, student enrollment projections, and LOS for each school and CSA within the Town.

Policy 3.1.5 SCH

In accordance with F.S. 163.3180 (9)(a), the Town of Oakland adopts a long-term school concurrency management system for the 2007/2008 – 2017/2018 ten (10) year planning period for areas where significant backlog exists.

CAPITAL IMPROVEMENT

GOAL 1.0

The Town of Oakland will adequately fund needed public facilities to its current residents. Additional growth must pay for itself.

OBJECTIVE 1.1

Capital improvements will be provided to correct existing deficiencies and accommodate the demands of future growth.

Policy 1.1.1 CIP

The Town of Oakland shall schedule and fund all capital improvement projects in the Five Year Schedule of Improvements which are designed to correct existing deficiencies that degrade the facilities LOS below adopted standards.

Policy 1.1.2 CIP

Capital improvements in the Five Year Schedule of Improvements that are not mandated by LOS standards, should be financed as soon as possible, so as to reduce long term cost and alleviate possible LOS deficiencies in the future.

Policy 1.1.3 CIP

Prioritization for non-mandatory capital improvements shall be evaluated and ranked according to the following guidelines.

1. The project is needed to protect public health and safety;
2. Increases the efficiency of use of existing facilities; and,
3. The project represents a logical extension of facilities and services within the designated urban reserve area.

OBJECTIVE 1.2

Future development will bear a proportionate cost of facility improvements necessitated by the development in order to maintain adopted LOS standards.

Policy 1.2.1 CIP

The Town CIE shall be reviewed annually and updated as necessary to reflect proportionate fair share contributions

Policy 1.2.2 CIP

The Town is responsible for ensuring the financial feasibility of all capital improvements in the adopted CIE.

Policy 1.2.3 CIP

New development shall pay the capital costs of connecting to the Town's water system.

Policy 1.2.4 CIP

The Town of Oakland shall continue to institute user fees for all present or future services that do not benefit all residents on an equal basis.

OBJECTIVE 1.3

The Town of Oakland will manage its fiscal resources to ensure the provision of needed capital improvements for previously issued development orders and for future development.

Policy 1.3.1 CIP

The Town will annually prepare and adopt a Five year Capital Improvement Program and Annual Capital Budget no later than December 1st as part of its budgeting process.

Policy 1.3.2 CIP

The Town will investigate the feasibility of utilizing ad-valorem taxes, general obligation and revenue bonds and special assessments to fund capital improvements.

Policy 1.3.3 CIP

The Town of Oakland should request Community Development funding from Florida Department of Community Affairs on a yearly basis to assist in financing capital improvements.

Policy 1.3.4 CIP

The Town of Oakland will retire present and future long term debt obligations in a timely fashion. The following apply to debt management:

1. The Town will be limited to issuing revenue bonds to the total amount of three years of annual revenues.
2. The maximum ratio of total debt service to total revenue will be the level the Town carried in Fiscal year 2006-07.
3. The maximum ratio of outstanding capital indebtedness to the property tax base will be 0.25.

Policy 1.3.5 CIP

Within two years of plan adoption, the Town will determine the cost of the improvements and maintenance needed to the Johns Lake/Lake Apopka (Motamassek) Ditch as outlined in the regional stormwater management plan and establish a joint planning agreement with neighboring governments such as Orange County and Winter Garden to determine responsibility and a funding source for these improvements and maintenance. Once improvements and responsibility have been determined, the Town will amend its five-year capital improvements plan to reflect the cost and source of funding for these improvements and/or maintenance.

OBJECTIVE 1.4

Decisions regarding the issuance of development orders and permits will be based upon the availability of necessary public facilities needed to support such development at the time needed.

Policy 1.4.1 CIP

The Town of Oakland shall use the following Level of Service (LOS) standards in reviewing the impacts of new development upon public facility provision:

ROADS	MINOR COLLECTOR ROADWAY - LOS STANDARD "GD" PRINCIPAL ARTERIAL ROADWAY - LOS STANDARD "C" LIMITED ACCESS FACILITY - LOS STANDARD "C"
Solid Waste	6.0 pounds per capita per day

Drainage:	Mean annual (2.3) year, 10 year, & 25 year frequency, 24 hour duration per Chapter 6, Policy 4.1.1
Potable Water:	100 gallons per capita per day
Parks and Recreation	2 acres of park land per 1,000 residents
Police Protection	2.5 law officers per 1,000 population

Policy 1.4.2 CIP

The Town shall ensure that prior to approval of a building permit or its functional equivalent, the Town shall determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance by the local government of a certificate of occupancy or its functional equivalent.

Policy 1.4.3 CIP

The Town shall ensure that that the parks and recreation facilities required to serve new development are in place or under construction no later than one year after the issuance of a certificate of occupancy or its function equivalent.

Policy 1.4.4 CIP

For the purpose of this element, public facilities shall pertain to the following: roads, schools, public transit, wastewater, potable water, solid waste, stormwater, and recreation and open space that are located within the Town. Needed public facilities and services that meet the capital improvements definition and are the Town’s fiscal responsibility shall be included in the Capital Improvements Element.

Policy 1.4.5 CIP

The following school LOS standards, except for backlogged facilities, shall be applied to new development consistent with Public School Facilities Element Policy 1.1.1:

School Type	Standard*	Concurrency Service Area (CSA)
Elementary	110%	Modified Middle School Attendance Zones
K through 8	110%	K through 8 School Attendance Zones
Middle	100%	Middle School Attendance Zones
High	100%	High School Attendance Zones

** Permanent FISH + “In-Slot” school, not to exceed Core Capacity for Elementary, K through 8, and Middle school types. Permanent FISH, not to exceed Core Capacity for High Schools.*

A development shall be deemed to meet school concurrency if there is sufficient capacity in the CSA where the development is located or where sufficient capacity exists in one or more contiguous CSA’s, so long as the LOS in the adjacent zone does not exceed 95% of the LOS and the School District does not exceed 100% of capacity on a district-wide basis for the school type. The evaluation of capacity in the adjacent CSA’s will also take into account transportation costs and court-ordered desegregation plans. CSA boundaries are depicted in the support document of the Public School Facilities Element.

Policy 1.4.6 CIP

The Town’s Concurrency Management System shall include the procedures, requirements, and analysis needed to ensure that the adopted level of service standards for roads, schools, public transit, potable

water, wastewater, solid waste, stormwater, and recreation and open space shall not be lowered by development below adopted LOS standards and that needed public facilities to serve the development shall be provided concurrent with development.

Policy 1.4.7 **CIP**

The Town shall deny the approval and issuance of development permits and development orders for development which would reduce the level of service standards for roads, schools, wastewater, potable water, solid waste, stormwater, and recreation and open space, as set forth in this plan.

Policy 1.4.8 **CIP**

School LOS standards and school concurrency shall be implemented through the application of the goals, objectives, policies and figures of this Element, the Intergovernmental Coordination Element, and the Public School Facilities Element.

Policy 1.4.9 **CIP**

Prior to June 1st of each year, OCPS shall coordinate with the Town to develop a financially feasible ten (10) year DCOP for review and approval by the OCPS Board and adoption into Oakland's Capital Improvements Element.

Policy 1.4.10 **CIP**

The Town shall review the updated ten (10) year DCOP to determine if the projected capacity, projected enrollment, and LOS for each school and Concurrency Service Area (CSA) within the Town's jurisdiction is consistent with its growth projections.

Policy 1.4.11 **CIP**

The Town shall review and update OCPS' adopted CSA's, adopted LOS and enrollment projections in the annual update of the CIE to ensure that the CIE continues to be financially feasible and that the LOS will be achieved.

Policy 1.4.12 **CIP**

The ten (10) year DCOP shall include all planned capital projects which increase the capacity of public schools within the Town.

Policy 1.4.13 **CIP**

The Town shall include the ten (10) year DCOP in the annual update of the CIE.

Policy 1.4.14 **CIP**

The Town hereby incorporates by reference the OCPS 10-Year Capital Outlay Plan, Orange County Public Schools student projections, and current Florida Inventory of School Houses (FISH) data for 2008-2009, as adopted by the Orange County School Board, and as amended annually, which includes school capacity sufficient to meet anticipated student demands projected by OCPS.

Policy 1.4.15 **CIP**

The Town may cooperate with the School Board to ensure that future needs are addressed consistent with the adopted LOS standards for public schools.

Policy 1.4.16 **CIP**

The LOS standards to implement school concurrency, except for backlogged facilities, shall be calculated as a percentage of the Adjusted FISH Capacity as follows:

- Elementary: 110% of Adjusted FISH using Modified Middle School Attendance Zones as CSA's
- K through 8: 110% of Adjusted FISH Capacity using K through 8 School Attendance Zones as CSA's
- Middle: 100% of Adjusted FISH using Middle School Attendance Zones as CSA's
- High, including ninth grade centers: 100% of Adjusted FISH using High School Attendance Zones as CSA's (Note: Adjusted FISH for High Schools does not include in-slots.)

Policy 1.4.17 CIP

In accordance with F.S. 163.3180 (9)(a), the Town hereby adopts a long-term school concurrency management system with the ten (10) year planning period of 2007/2008 - 2017/2018 for areas where significant backlogs exist.

Policy 1.4.18 CIP

Consistent with Section 13 of the Interlocal Agreement, the LOS standards shall be applied consistently by all of the local governments within Orange County and by the School Board to all schools of the same type. However, within backlogged CSA's, the ratio of student enrollment to school capacity may not increase beyond its interim level of service of April 1, 2008. During the period covered by the 10-year schedule of capital improvements the backlogged CSA's will be improved to the adopted LOS standard. The LOS standards are initially set as follows:

School Type	Adopted LOS
Elementary, K through 8	<p>110% of Adjusted FISH Capacity by 2011</p> <p>The interim LOS for backlogged facilities is shown in Figure 13 of the Data, Inventory and Analysis.</p> <p>The following elementary school CSA's are designated as backlogged facilities: A, DD, U, and Arbor Ridge.</p> <p>The utilization of these CSA's may not increase beyond its level of April 1, 2008, as designated in Figure 6 of the Data, Inventory and Analysis, and must achieve a LOS of 110% by 2017.</p>
Middle	<p>100% of Adjusted FISH Capacity by 2011.</p> <p>The interim LOS for backlogged facilities is shown in Figure 14 of the Data, Inventory and Analysis.</p> <p>The following middle school CSA's are designated as backlogged facilities: Apopka MS, Chain of Lakes MS, Gotha MS, Meadow Woods MS and Walker MS.</p> <p>The utilization of these CSA's may not increase beyond its level of April 1, 2008, as designated in Figure 8 of the Data, Inventory and Analysis, and must achieve a LOS of 100% by 2017.</p>
High	<p>100% of Adjusted FISH Capacity by 2011.</p> <p>The interim LOS for backlogged facilities is shown in Figure 15 of the Data, Inventory and Analysis.</p> <p>The following high school CSA's are designated as backlogged facilities: Freedom HS and University HS.</p> <p>The utilization of these CSA's may not increase beyond their level of April 1, 2008 as designated in Figure 10 of the Data, Inventory and Analysis, and must achieve a LOS of 100% by 2017.</p>