

## **APPENDIX 2.133    INDIVIDUAL SETTLEMENT AGREEMENTS**

STATEMENT:            This portion of the Comprehensive Plan is dedicated to settlement agreements between the County, DCA, and individual applicants. These policies pertain to site specific restrictions that apply to a particular land use designation.

### **SECTION 2.133-A    CPA-97B SETTLEMENT**

**OBJECTIVE 2.133-A - Through stipulated settlement agreement of CPA 97B-03 this section of the plan enable this specific property to be developed with L/R land uses in a limited fashion. This agreement fulfills the objectives of DCA, the applicant and the County.**

POLICY 2.133-A1: DESIGNATION AND MAPPING -- Leisure/Recreation lands for this settlement agreement shall be designated and mapped on the Future Land Use Map Series as "Leisure/Recreation X" or "L/RX." to denote that there are further restrictions on this particular L/R designated property.

POLICY 2.133-A2: LOCATION CRITERIA — These policies apply to the property legally described as Lots 9 through 13, inclusive, LAKEVIEW MEADOWS, according to the plat map thereof recorded in Plat Book 103, pages 20 and 21, public records of Polk County, Florida

POLICY 2.133-A3: DEVELOPMENT CRITERIA — Development within this L/R area shall conform to the following criteria:

- a. Permitted uses include, but are not limited to: fish camps, commercial campgrounds, recreational-vehicle (RV) parks, golf courses, and accessory minor commercial uses necessary to support these facilities, such as bait shops and convenience stores.
- b. Retail commercial uses within the project area shall be sized primarily for the purpose of serving the short-term visitor to Polk County, or supporting the active-recreational or leisure uses within the L/R area. No more than 7% of the net usable land within a specific L/R area shall be used for commercial uses.
- c. The project shall be designed to provide:
  1. Adequate parking to meet the present and future demands of the use and overflow parking designated and maintained for peak season events so as to prevent parking from encroaching upon public thoroughfares;
  2. Buffering where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc. are examples of facilities which may require special buffering provisions; and

3. Direct access to a paved publicly maintained road with adequate Level-of-Service (LOS) capacity.
  - d. Permitted land uses are intended for resource-based recreation and passive recreation including but not limited to golfing, horseback riding, water-sports, and fishing. Residential structures are limited to detached single dwelling family units and RVs. Residential development densities may not exceed one dwelling unit per five acres (1 du/5 ac.) if there is no centralized community or public potable water system. Residential densities may reach two dwelling units per acre (2 du/ac.) if there is centralized community or public water provided. With central water and sewer, residential development may reach three units per acre (3 du/ac.) and up to four units per acre (4 du/ac.) if development is clustered in order to provide an optimal amount of natural resource protection. A minimum of 50% openspace is required within the development. Event facilities may be permitted through the Conditional Use Permit (CUP) process or its functional equivalent.
  - e. Golf courses located near lakes designated as Outstanding Florida Waters must have a Chemical and Pest Management Plan approved by the Florida Department of Environmental Protection.
  - f. No habitable structures or stormwater retention/detention ponds may be located within one hundred and fifty feet (150') of the mean high water mark of any surface water body, lake, river, cypress dome, or jurisdictional wetland. Furthermore, all development activities must adhere to all requirements of the Polk County Surface Water Protection Ordinance.