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Insights

Florida House Considers Proposal to Limit Lake County Development Densities

Article
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HB 1171, a bill sponsored by Florida Representative Taylor Yarkosky, would codify the boundaries of Lake County's three Rural Protection Areas (RPAs), as well as set maximum densities for development.

Under the bill, property that falls within the designated rural protection areas, regardless of whether it's in Lake County or an incorporated municipality, would be subject to density limitations. Development would be limited to 1 dwelling unit per 5 net buildable acres; or 1 dwelling unit per three net buildable acres (with a minimum of 35% open space); or 1 dwelling unit per acre (with a minimum of 50% open space). Open space is defined rather restrictively, as it cannot include water bodies, wetlands, residential lots, street rights-of-way, parking lots, impervious surfaces, and active recreation areas. Golf courses are also generally excluded from the open space definition.

If the bill passes, the only way that densities can be modified is if the County and subject municipality enter into a joint planning agreement. These JPAs can take a significant amount of time to work out and are completely voluntary for the local governments, so there is no requirement that either approve any such density modification.

HB 1171 would apply to all residential development applications filed *after* its effective date, including properties located within established interlocal service boundary agreements and properties that are annexed subsequent to the effective date of this act. If a property is annexed after the bill is passed, the municipality will not have control over allowable density, short of the JPA referenced above being executed.

The Lowndes Land Use, Zoning & Environmental Group will continue to monitor and follow HB 1171 as it makes its way through the legislature during the 2023 Regular Session. Please contact Tara Tedrow with any questions.

Related Attorneys

Tara L. Tedrow

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