



Office of Planning and Zoning

Mining Conditional Use Permit Submittal Guide

The following information required shall be submitted and be ADA compliant pursuant to Section 508 of the Rehabilitation Act when applying for Mining Conditional Use & Operating Permits:

Mining Conditional Use Permit Approval and Operating Plan Requirements:

Prior to beginning a New Mine or expanding an existing Mine into new acreage not included within an existing Lake County authorization to operate, the Applicant Shall apply for and obtain:

- 1) Approval of a Mining Conditional Use Permit for the new mining activity or non-authorized expanded mining activity, whichever is applicable.
- 2) An Operating Plan for the new mining operation or the non-authorized expanded mining activity, whichever is applicable.

STEP 1:

Mandatory Pre-application Conference (Pre-submittal):

At least ten (10) working days prior to the scheduled conference date, the applicant shall submit the following:

- ____ 1. Completed DRS Pre-Submittal Application.
- ____ 2. Property record card or current tax receipt and current warranty deed.
- ____ 3. One (1) copy of conceptual plan (11" x 17") and any supporting material (i.e. location map, most recent aerial, wetlands map, proposed haul route, concept plans/drawings, proposed mining activity sand/peat/clay, electric or diesel, floating dredge, or mechanical harvesting, etc.)
- ____ 4. Pre-Submittal Application fees. Make checks payable to the **LAKE COUNTY BOARD OF COUNTY COMMISSIONERS**. A 2% service charge will apply if paying with debit or credit card.

STEP 2:

Mining Conditional Use Permit Requirements:

The applicant will be required to submit an application that meets the following minimum requirements below. Please produce your responses in the same order, numbering them, as presented in the checklist section below (1-21). Along with the following:

- ____ a) One (1) digital copy of completed or revised Mining Conditional Use Permit application and project narrative.
 - The application shall be signed by all owners, or their agent(s), and notarized. Signatures by agents will be accepted only with notarized proof of authorization by the owners. In the case of corporate ownership, the authorization signature shall be accompanied by a notation of the signatory's office in the corporation.
- ____ b) Mining Conditional Use Permit Application fees. Make checks payable to the **LAKE COUNTY BOARD OF COUNTY COMMISSIONERS**. A 2% service charge will apply if you pay by credit card.

Mining Conditional Use Permit Application Checklist:

Application for approval or amendment of a Mining Conditional Use Permit Shall be by submission of a Mining Conditional Use Permit prepared in accordance with an application form provided by the County and sealed by a Professional Engineer or professional geologist, as applicable, registered in the State of Florida. Said application Shall contain at a minimum the following information:

- ____ 1. Property Owner's name, address and telephone number. Evidence of ownership such as current tax receipt or property record card(s) and warranty deed shall be provided as well as the written consent of all landowners. Copies of the said consent agreement shall be attached to the application. Ownership and Encumbrances (O&E) or opinion of title may be required.
- If the legal description shown on the Warranty Deed is incorrect you may be required to submit a Boundary Survey or Sketch of Description of the property proposed for a Mining Conditional Use Permit, certified by a professional land surveyor. The legal description should appear on the face of the survey or description. Please provide a copy of the legal description as described in the deed in a Word document for incorporation into the ordinance, unless the legal description is incorrect then you shall provide the legal description as described on the boundary survey or sketch of description.
- ____ 2. Mine operators' name, address and telephone number and the Applicant's name, address and telephone number (if applicant is not landowner), or person that will physically alter the land.
- ____ 3. Proposed date mining activities will commence.
- ____ 4. Projected completion date of mining activities.
- ____ 5. Accurate legal description of the specific parcel(s) on which mining activities are to be conducted. Attach legal description, which will be used in the advertising of the property and in the preparation of the MSP ordinance.
- ____ Property street address (if any).
 - ____ Area of property in square feet _____ acres _____
 - ____ A current survey of such property may also be required.
- ____ 6. List of property owners contiguous to and within 500 feet of proposed mining property, based on real property tax roll (provided by Staff).
- ____ 7. Concept plans showing dimensions and location of all existing and proposed buildings, signs, driveways, off-street parking areas, loading and unloading areas, exterior walls and fences.
- ____ Specifications for the paving of streets, parking areas and walks, provisions for parallel service roads and exterior walls and fences.
- ____ 8. Plans or reports describing the method of handling any traffic conditions created by the proposed use.
- ____ 9. Plans or reports showing the proposed treatment of the following:
- ____ proposed treatment and disposal of sewage and waste
 - ____ treatment of glare
 - ____ handling of hazardous gases, liquids and other materials
- ____ 10. Attach copies of any approved permits or permit applications submitted to, or required to be submitted to all state, federal, regional and local permitting agencies such as FDEP, St. John's, SWFWMD, Consumptive Use Permits, ERP, ACOE, FFWCC, etc.
- ____ 11. Wetlands Alteration and Mitigation Plans (if wetland alteration is proposed)
- ____ location and type of wetlands to be altered
 - ____ location and type of wetland mitigation areas
 - ____ mitigation ratios
 - ____ methods to be utilized for mitigation
- ____ 12. Uplands Alteration and Mitigation Plans (Xeric oak communities)
- ____ location and type of uplands to be altered
 - ____ location and type of upland mitigation areas
 - ____ mitigation ratios

_____ methods to be utilized for mitigation

_____ 13. A map or series of maps prepared at a scale of 1" = 200' or 1" = 400' (the scale of the maps shall be consistent with the scale of the aerial photograph required) which depicts:

_____ Date, North arrow and scale.

_____ Size, shape, and geographic location of the proposed mining operation and location of the nearest major highways.

_____ Existing topography of the proposed mining site and its relationship to the existing watershed; contour lines shall be drawn at five-foot intervals of actual ground contours.

_____ An aerial photograph (same scale as all other required maps) of proposed mining site and surrounding property (photos of flight most recently available through the County Engineer's office, DOT, SCS or other agency will be accepted).

_____ Existing on-site natural or manmade features, and on property within 300' of the proposed mine if said information is available for the off-site property, including but not limited to:

_____ Watercourses

_____ Soils

_____ Wetlands

_____ Roads

_____ Railroads

_____ Wells

_____ Dikes

_____ Canals

_____ Chemical storage

_____ Existing buildings and structures

_____ Hazardous materials storage (on-site only)

_____ Designated vegetative and wildlife species

_____ Right-of-way lines and easement lines (on-site only)

_____ Pumps and other water-handling devices and systems

_____ Utility lines (above and below ground on-site only and above ground off-site)

_____ Fuel storage tanks (surface and sub-surface on-site and surface only off-site)

_____ Flood-prone areas and flood elevations (based on 100-year frequency flood conditions, FEMA maps)

_____ Proposed features to include but not limited to:

_____ Fences

_____ Railroads

_____ Mining pits

_____ Utility lines

_____ Property lines

_____ Easement lines

_____ Right-of-way lines

_____ Air emissions sources

_____ Potable water facilities

_____ Ingress/egress roads

_____ Facilities and Structures

_____ Wetland mitigation areas

_____ Sewage treatment facilities

_____ Septic tanks and drain fields

_____ Hazardous materials storage

_____ Chemical and fuel storage tanks

- ___ Permanent internal access roads
 - ___ Fences, walls or vegetative buffer (identify materials)
 - ___ Setbacks from right-of-way, easements, and property lines
 - ___ Map depicting proposed major access routes in Lake County, including impacted intersections closest to the mining operation, proposed daily volume of vehicles hauling excavated materials during the first year of operation.
- ___ 14. Estimates or computations of total acreage within proposed mine acreage required for waste storage, acreage in actual mining pits, acreage of existing and/or anticipated water bodies.
- ___ 15. A schedule showing the proposed sequence of mining activities that will be revised and reviewed on a yearly basis (phasing plan).
- ___ 16. Cross-sectional drawing referenced to NGVD showing the proposed depth of the excavation area and the slope of the site and depth of the water, if any, in the mining area at the time of completion of the mining activity (reclamation plan).
- ___ 17. A hydrogeologic report on surface and groundwater conditions and the hydrogeologic impact of the proposed activity. The report shall be prepared by a person licensed by the State of Florida as a professional geologist.
- ___ 18. An Environmental Report identifying the location and extent of designated species as identified in Chapter 39, Sections 39-27.003, 39-27.004 and 39-27.005, Florida Administrative Code and Florida Statutes Chapter 581, 581.185(5)(a) and (b). The environmental report should address at a minimum the impact of the proposed activity on such species and the methods to be used to mitigate adverse impacts.
- ___ 19. Conceptual plans, which include provisions for the stabilization of disturbed soils to prevent erosion by water and wind, and provisions for landscaping and buffering (i.e. berms, natural existing landscape screening and planted landscaping).
- ___ 20. A workable, environmentally sound reclamation plan which follows the requirement of the Code, including:
- ___ Plan view with cross sections
 - ___ Depict and describe manmade and natural features to exist upon completion.
 - ___ Depict at least two typical cross sections generally oriented at 90° to each other.
 - ___ Plan view with contours showing areas to be filled, back-filled, reconstructed and reshaped.
 - ___ Identify size, type, location and planting schedule for all vegetation to be planted or seeded.
 - ___ Water elevation shall be shown when a lake creation is proposed.
 - ___ Bottom depth contours of impacted or manmade water bodies
- ___ 21. Site-specific information requirements may be modified, or additional information may be requested by the County. Additional aquifer testing and/or water quality testing, including sampling of wells in the Florida Aquifer, may be required in areas of known groundwater contamination or in prime recharge areas. The applicant shall bear all costs associated with testing.
- ___ 22. If the Department of Natural Resources shall issue a determination of confidentiality pursuant to F.S. Ch 378, 378.406, the County shall honor said determination.

A Traffic Impact Study (TIS) will generally not be required for projects, meeting the following conditions: The proposed development meets the “De Minimus” criteria specified by LDR Chapter 5.01.03 (A&B), Exemptions for Development with “De Minimus” Impact and the development site is on a roadway currently operating at vehicles/capacity (V/C) ratio below 0.5.

For development sites that do not meet the “De Minimus” criteria but generate less than 25 net new vehicular trips based upon weekday A.M. peak-hour, weekday P.M. peak hour and or weekend peak-hour trips; a Request of Exemption Letter must be submitted. The minimum data required for this letter is described in Lake Sumter MPO Traffic Impact Study

Methodology Guidelines. A traffic impact study will be required as outlined in the MPO Manual for all other development sites.

Please contact the Lake County Public Works Department at 352-253-6000 with any questions regarding requirements.

Project Narrative Requirements:

Provide a narrative of the project including the existing and proposed operations and/or activities conducted on the property. Please attach a separate sheet titled "Project Narrative" for incorporation into the staff report. The narrative must also specifically address the following standards:

- A. Consistence with the Comprehensive Plan and Local Code. The proposed conditional use follows all requirements, and is consistent with the general purpose, goals, objectives, and standards of the Comprehensive Plan, the Lake County Code, and follows all additional standards imposed on it by the provisions of these regulations authorizing such use.
- B. Effect on Adjacent Properties.
 1. The proposed conditional use will not have an undue adverse effect upon nearby property.
 2. The proposed conditional use is compatible with the existing or planned character of the neighborhood in which it would be located.
 3. All reasonable steps have been taken to minimize any adverse effect of the proposed conditional use on the immediate vicinity through design, landscaping, and screening.
 4. The proposed conditional use will be constructed, arranged, and operated so as not to interfere with the development of neighboring property, in accordance with applicable district regulations.
- C. Adequacy of Public Facilities. The proposed conditional use will be served by adequate public facilities including but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities. Levels of service established by the Comprehensive Plan Shall be considered.
- D. Adequacy of Fire Protection. The applicant Shall obtain from the Lake County Emergency Services Division written confirmation, or has otherwise demonstrated by substantial credible evidence, that water supply, evacuation facilities, and emergency access are satisfactory to provide adequate fire protection.

Upon submission of the mining conditional use permit and appropriate fees, the project shall be reviewed by County staff within thirty (30) days after submittal of a complete application.

STEP 3:

Operating Plan Review and Approval Process, Resubmittal, Term and Amendment.

After the Mining Conditional Use Permit has been approved and before mining activity can begin an Operating plan shall be submitted and approved. The procedure for submitting an Operating Plan Shall be as follows:

1. The Applicant Shall submit to the County four (4) copies of the Operating Plan application and the appropriate fees charged by each of the reviewing departments or divisions. The application Shall contain the Engineering and Construction plans for the project. Where required by state or County regulation, such plans Shall be Signed and sealed by a Professional Engineer, professional geologist or Architect, where applicable, registered in the State of Florida and Shall include, but not necessarily be limited to, Architectural and Engineering Construction details, plans and specifications for:
 - a. All proposed Buildings, Signs, exterior walls and fences, Driveways, Roads, Off-Street Parking Areas, loading and unloading areas, walks.
 - b. Conceptual Excavation areas.
 - c. Solid Waste Management facilities.

- d. Water supply and wastewater treatment facilities.
 - e. Stormwater Management facilities (including calculations).
 - f. Other pollutant Management devices or facilities.
 - g. Erosion and Sedimentation control.
 - h. Hazardous Material storage and Management facilities.
 - i. Landscaping and beautification.
 - j. Fire-control devices, facilities.
 - k. Site Reclamation.
 - l. Wetlands Mitigation.
 - m. Other information which may be beneficial to the review and approval of the Operating Plan application
2. The Operating Plan application review will be conducted by the Lake County staff within thirty (30) days of the receipt of a complete application. The application Shall be reviewed for compliance with all applicable state, federal, regional and local laws, ordinances, rules and regulations and the approved Mining Conditional Use Permit. The County Manager or designee, based upon the comments of County staff, shall approve, approve with conditions or deny the application. If the application is approved or approved with conditions, the conditions shall be stated in writing, the Operating Plan shall be approved, and work can commence. If the application is denied, the reasons for denial Shall be stated in writing and forwarded to the Applicant.
 3. The Applicant may resubmit an Operating Plan after denial upon addressing the reasons for denial.
 4. Unless stated otherwise, the Operating Plan Shall remain valid and in force throughout the life of the approved Mining Conditional Use Permit if the Operator Shall comply with the Mining Conditional Use Permit, the requirements of the Land Development Regulations and the conditions of the Operating Plan.
 5. The process followed for Operating Plan amendments Shall be the same as the procedure required for the approval of the original Operating Plan.

Inspections of all new and existing Mining Activities Shall be conducted on a routine, periodic basis and as deemed appropriate by the County or as complaints arise concerning the mining activity. By seeking and obtaining a Mining Conditional Use Permit under the Land Development Regulations, the Operator and Owner Shall be deemed to have consented to inspections by the County and other appropriate regulatory agencies or departments upon presentation of proper identification by the representative(s) of the agency(ies) conducting the inspections.

Upon submission of the mining conditional use permit and appropriate fees, the project shall be reviewed by County staff within thirty (30) days after submittal of a complete application.

Reapplication:

Please note, in accordance with the Land Development Regulations, in the event of a denial of an application, a reapplication for Mining Conditional Use Permit Approval for all or a portion of the property described in the original application shall not be allowed for a period of one (1) year from the date of the denial unless said time frame is waived by the Board of County Commissioners. The Board may waive the one-year period if it finds that the basis for denial of the original application no longer exists because of changed circumstances or the discovery of evidence not produced at the original Public Hearing.



Office of Planning and Zoning

Development Application

Please submit your application via email. If you pay by check, please see the mailing address.

Email

DevelopmentApplications@lakecountyfl.gov

Mail

Office of Planning & Zoning
P.O. Box 7800 Tavares, FL 32778

This application is designed to accommodate the primary information needs for all development requests. Please provide all information to the best of your ability. If you believe a question does not apply to your application type, mark the question with 'N/A' (not applicable).

All documents submitted for processing must be ADA compliant pursuant to Section 508 of the Rehabilitation Act.

1. Application Type (mark all that apply)

<input type="checkbox"/>	Community Development District	<input type="checkbox"/>	Lot Line Deviation	<input type="checkbox"/>	Mining Conditional Use Permit	<input type="checkbox"/>	Preliminary Plat
<input type="checkbox"/>	Comprehensive Plan Amendment	<input type="checkbox"/>	Major Site Plan	<input type="checkbox"/>	Mining Operating Permit	<input type="checkbox"/>	Rezoning
<input type="checkbox"/>	Conditional Use Permit	<input type="checkbox"/>	Major Site Plan Amendment	<input type="checkbox"/>	Minor Lot Split	<input type="checkbox"/>	Rural Conservation Subdivision
<input type="checkbox"/>	Family Density Exception	<input type="checkbox"/>	Master Park Plan	<input type="checkbox"/>	Minor Site Plan	<input type="checkbox"/>	Small Minor Site Plan (No Vertical development or 200 sq ft or less)
<input type="checkbox"/>	Landscape Plan	<input type="checkbox"/>	Master Park Plan Amendment	<input type="checkbox"/>	Minor Site Plan Amendment	<input type="checkbox"/>	Variance

2. Contact Information

Owner #1: _____

Owner #2: _____

Address: _____

Address: _____

Phone: _____

Phone: _____

Email: _____

Email: _____

If the subject property has separate mineral rights ownership, all mineral rights owners must be included as a party to this application. The applicant must provide documentation demonstrating that all mineral rights owners have been notified and have consented to the proposed development.

Please designate a primary contact person for this project:

Primary Contact: _____

Relationship to the Project: _____

Address: _____

Phone: _____ Email: _____

3. Project Information

Project Name: _____

Alternate Key(s): _____

Address of Project: _____

General Location of Project: _____

Present Use of Property: _____

Proposed Use of Property: _____

Site Development Data:

Existing

Proposed

a. Zoning District:

b. Future Land Use Designation:

c. Floor Area Ratio:

d. Total Gross Acreage:

e. Total Net acreage:

f. Number of lots:

g. Non-residential square footage:

h. Total number of Dwelling Units:

i. Projected Density:

j. Total acreage in open space:

k. Total acreage in floodplain:

l. Total acreage in wetlands:

m. Construction acreage:

n. Impervious Surface Area:

Prior to development, what portion of the property is considered wetlands and waterbodies: _____ acres

After proposed development, what portion of wetlands are proposed to be impacted: _____ acres

Prior to development, what portion of the property is considered floodplain: _____ acres

Post development, what portion of the development would be located within the floodplain: _____ acres

Will trees be removed to facilitate the proposed project: ____YES ____NO

Please select which Utilities will be servicing the parcel:

____ Central Water ____ Well ____ Central Sewer ____ Septic

Describe the Development Request:

Provide Justification for the Request:

*Please also fill out the additional corresponding Project Narrative if included in the application packet.

Has any other Application been filed within the last year in connection with this property?

☐ Yes ☐ No

If yes, briefly describe the nature of the request:

4. Concurrency

Public facilities and services needed to support development shall be available concurrently with the impacts of such development in accordance with Chapter V of the Lake County Code of Ordinances. These public facilities include parks and recreation, potable water, sanitary sewer, solid waste, stormwater management, and transportation. Concurrency shall be determined by comparing the available capacity of a facility or service to the demand created by the proposed project.

Concurrency evaluation is required for family density exceptions and lot splits (into 5 or more lots), master park plans, Planned Unit Developments (PUDs), preliminary plats, and site plans. Any development application that may result in any increase in the demand for public facilities must be accompanied by a Capacity Encumbrance Letter application with the required documentation.

Upon determination of available capacity, the applicant will be provided with a Capacity Encumbrance Letter (CEL) stating that available capacity exists to meet the demands of the development for 120 days from the date of issuance. A valid CEL is required to apply for a commercial building permit or Capacity Reservation Certificate to secure capacity for a period of four years.

Please check one of the following:

- ☐ A Capacity Encumbrance Letter application is attached.
- ☐ This proposed development will not result in any new or additional demand for public facilities.

Applicant Signature

Date

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned authority personally appeared _____,
who being by me first duly sworn on oath, deposes and says:

1. That he/she is the fee-simple owner of the property legally described and attached to this application.
2. That he/she desires a Development Approval to accomplish the above desired request, as stated on Page One of this Application.
3. That he/she has appointed _____ to act as Applicant in their behalf to accomplish the above.
4. Permission is granted for staff to conduct a site visit for purposes of reviewing this site plan or development plan.

(Owner's Signature)

STATE OF FLORIDA
COUNTY OF LAKE

Sworn to (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online
notarization, this _____ day of _____, 20____,
by _____.

Personally Known OR Produced Identification

Type of Identification Produced _____

Notary Signature
(SEAL)

NOTE: All Affidavits shall be signed by the Owner(s) of the Property, or some person duly authorized by the Owner to sign. The authority authorizing such person other than the Owner to sign MUST be attached.

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned authority personally appeared _____, who being first duly sworn on oath, deposes and says:

1. That he/she Affirms and Certifies that he/she understands and will comply with all Ordinances, Regulations, and Provisions of Lake County, and that all statements and diagrams submitted herewith and attached hereto, are true and accurate to the best of their knowledge and belief, and further, that this application and attachments shall become part of the Official Records of Lake County, Florida, and are **not returnable**.
2. That he/she desires a Development Approval for the use of property as proposed, for the property legally described on this Application.
3. That the submittal requirements for this Application, which are attached hereto, have been completed and attached hereto as part of this Application.

(Applicant's Signature)

STATE OF FLORIDA
COUNTY OF LAKE

Sworn to (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 20____, by _____.

Personally Known OR Produced Identification

Type of Identification Produced _____

Notary Signature
(SEAL)

NOTE: All Affidavits shall be signed by the Owner(s) of the Property, or some person duly authorized by the Owner to sign. The authority authorizing such person other than the Owner to sign MUST be attached.



Office of Planning and Zoning

Project Narrative Mining Conditional Use Permit

Property Information:

1. Applicant is hereby requesting an amendment to _____(existing file number)
OR _____ an application for a Mining Conditional Use Permit in accordance with
LDR Section 6.06.00.
2. Is this application, for the above, being requested due to any Code Violation(s)? Specify the
basis or reason(s) for this request: _____

3. Has any previous application been filed in connection with this property?

YES _____ NO _____

If yes, briefly describe the nature and outcome of the request: _____

4. If the project is to be developed in phases, give a brief description of how it will be phased or
attach a legible descriptive document: _____

