

**LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS
COMPREHENSIVE PLAN AMENDMENT**

PLANNING AND ZONING BOARD		BOARD OF COUNTY COMMISSIONERS
June 3, 2015	Commissioner Parks (District #2)	Adoption: June 23, 2015

FLU-2015-01-2	Case Manager:	Agenda Item #1
The proposed small-scale amendment seeks to change from the Regional Office Future Land Use to the Regional Commercial Future Land Use on the parcel described as Alternate Key #1118204, which consists of 10 +/- acres.	Melving Isaac Senior Planner	

Note: Pursuant to Section 14.02.04.C.7., Lake County Land Development Regulations (LDR), the cumulative annual effect of the acreage for all small scale development amendments adopted by the County shall not exceed 80 acres. Lake County has not previously processed Small-Scale Comprehensive Plan Amendments this calendar year; therefore, the total acreage for Small-Scale Comprehensive Plan Amendments this calendar year, which only includes this amendment (FLU-2015-01-2), is 10 acres.

- Item -

Applicant:	Lake County Economic Growth Department
Owner:	Senninger Irrigation, Inc.
Type:	Small-Scale Comprehensive Plan Future Land Use Map Amendment
Creation or Revision:	Revision
Description:	Amend the Future Land Use Map for the parcel located in the Clermont area, Southeast of State Road 50 and Granville Ave. intersection, <u>from</u> Regional Office Future Land Use Category <u>to</u> Regional Commercial Future Land Use Category .

Staff recommends **APPROVAL** of the proposed amendment to the 2030 Future Land Use Map.

Analysis: The subject vacant property consists of 10 +/- acres in size and is located southeast of State Road 50 and Granville Ave. intersection. The property is situated within the Clermont Joint Planning Area and within the Interlocal Service Boundary Agreement (ISBA) area between Lake County and City of Clermont. The property is also located within the Lake Apopka Basin Overlay District.

The uses surrounding the subject property consist of commercial/industrial uses including vehicular sales and retail to the north across State Road 50, a boat sales/repair facility, a U-Haul storage facility and industrial facilities to the west, a vacant residential (PUD) parcel and furniture store to the east and an industrial facility to the south of the subject property.

The property is currently designated as Regional Office Future Land Use Category (FLUC) and is located within the Major Commercial Corridor. The properties on the north-side, across State Road 50, are designated as Regional Commercial FLUC. The properties to the west are designated as Regional Commercial and Regional Office FLUC. The FLUC of adjacent U-Haul parcel located to the west was recently changed to Regional Commercial in December 2014 and then annexed to the City of Clermont in May, 2015. The properties to the south and east are designated as Regional Office and Urban Low Density FLUC. This parcel and most of the parcels located along State Road 50 in this area consist of commercial uses.

An aerial map showing future land use categories of the neighboring properties, is provided below, Exhibit #1.

Exhibit #1 – Aerial Map



The proposed small-scale amendment changes the FLUC from Regional Office to Regional Commercial consistent with the proposed uses of the property, as described in an application to rezone the subject property from Planned Industrial (MP) to Planned Commercial (CP) for commercial uses. This rezoning application is being processed simultaneously, and is also consistent with the proposed Regional Commercial FLUC.

The subject property was designated as Regional Office FLU with the adoption of the 2030 Comprehensive Plan on May 25, 2010. The Regional Office FLUC is intended to provide a variety of office uses and limited commercial uses that support office uses. A summary of Policy I-1.3.6, *Regional Office Future Land Use Category*, is provided below for your reference.

Policy I-1.3.6 Regional Office Future Land Use Category

The Regional Office Future Land Use Category (FLUC) provides for a variety of office uses and limited commercial uses that support office uses. This category is intended to accommodate office development. This FLUC shall be located on collector and arterial roadways to minimize traffic on local streets and to provide convenient access to transit facilities, and should be located in proximity to urban residential uses. No more than 20% of the floor area shall be allocated to commercial uses. Only commercial uses that support this category shall be permitted, such as restaurants, cafes, associated retail/wholesale, daycares or shops located within an office park or office building. It is the express intent of this provision to restrict highway-oriented commercial uses. Developments within this Category are not subject to Commercial Location Criteria.

TYPICAL USES INCLUDE:

- *General office, including: services, finance, insurance and real estate;*
- *Limited commercial retail trade uses that support office land uses;*
- *Light industrial uses such as manufacturing, wholesale trade, transportation, communications, electric, gas and sanitary services. Activities are limited to those without off-site impacts and take place primarily within an enclosed building;*
- *Day care facilities;*
- *Health Services, except hospitals;*
- *Civic uses;*
- *Religious organizations;*
- *Colleges, universities and professional schools;*
- *Public order and safety;*
- *Hotels and other lodging places;*
- *Utilities; and*
- *Limited multi-family residential.*

TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

- *Light industrial uses as provided above that take place primarily outside an enclosed building;*
- *Heliports; and*
- *Hospitals.*

Although the subject and adjacent properties to the west and south have a Regional *Office* FLUC, the land area is not developed with office uses. The properties are developed with commercial and industrial uses including vehicular sales and retail to the north across State Road 50, a boat sales/repair facility, a U-Haul storage facility and industrial facilities to the west, a vacant residential (PUD) parcel and furniture store to the east and an industrial facility to the south of the subject property. At this time, the owner intends to develop the parcel with commercial uses instead of office uses for which the owner has also submitted a rezoning application simultaneously with the proposed Regional Commercial FLUC. However, the actual Regional Office FLUC only allows limited commercial uses that support office uses.

The owner would like to change the property's future land use to the Regional Commercial FLUC, consistent with the properties to the north and the commercial uses of a boat sales/repair facility and a U-Haul storage facility to the west. The Regional Commercial FLUC is intended to provide for a variety of commercial uses. The Regional Commercial FLUC is more consistent with the property's proposed uses than the Regional Office FLUC. A summary of *Policy I-1.3.7 Regional Commercial Future Land Use Category* from Lake County's 2030 Comprehensive Plan is provided below for your reference.

Policy I-1.3.7 Regional Commercial Future Land Use Category

The Regional Commercial Future Land Use Category provides for a variety of commercial uses concentrated within or in proximity to a large planned project. This category is intended to accommodate commercial development, which exhibits a high level of site and building amenities to include extensive landscaping, plazas and pedestrian friendly gathering areas. Office and limited light industrial uses shall also be permitted within this category. This category shall be located on collector and arterial roadways to minimize traffic on local streets and to provide convenient access to transit facilities, and should be located in proximity to urban residential uses. This land use shall be located at the intersections of major roadways and along these roadways as infill development. Developments within this Category are not subject to Commercial Location Criteria. Limited residential use may be allowed in mixed-use commercial buildings or as stand-alone multi-family units as part of a mixed-use development.

TYPICAL USES INCLUDE:

- *Commerce uses, including: services, retail trade, finance, insurance and real estate;*
- *Office uses;*
- *Light industrial such as Manufacturing, Wholesale Trade, Transportation, Communications, Electric, Gas and Sanitary Services. Activities are limited to those without off-site impacts and take place primarily within an enclosed building;*

- *Civic uses;*
- *Amusement, entertainment and commercial recreation within an enclosed building;*
- *Religious organizations;*
- *Day care services;*
- *Colleges and universities and professional schools;*
- *Hotels and other lodging places;*
- *Public order and safety;*
- *Utilities; and*
- *Limited multi-family residential.*

TYPICAL USES REQUIRING A CONDITIONAL USE PERMIT:

- *Light industrial, as provided above that takes place primarily outside an enclosed building;*
- *Heliports; and*
- *Hospitals.*

Exhibits #2 and #3 show the Future Land Use Map of this section as it currently exists and as proposed, respectively.

Exhibit #2- Current Future Land Use Map

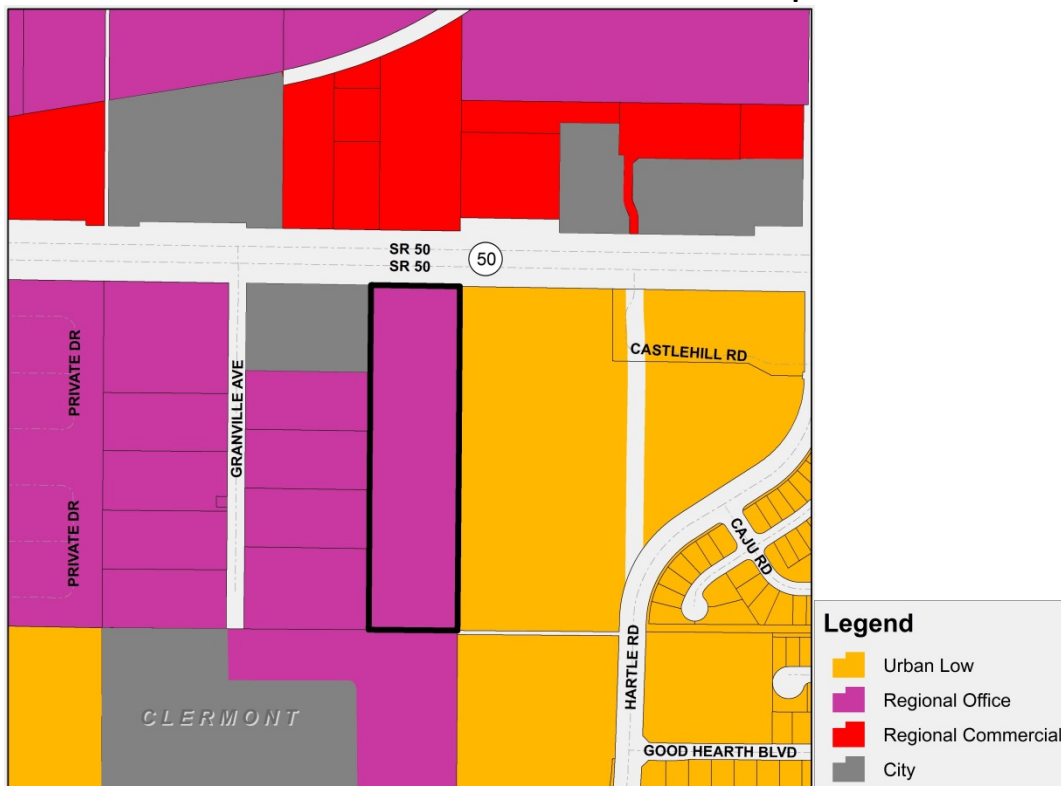
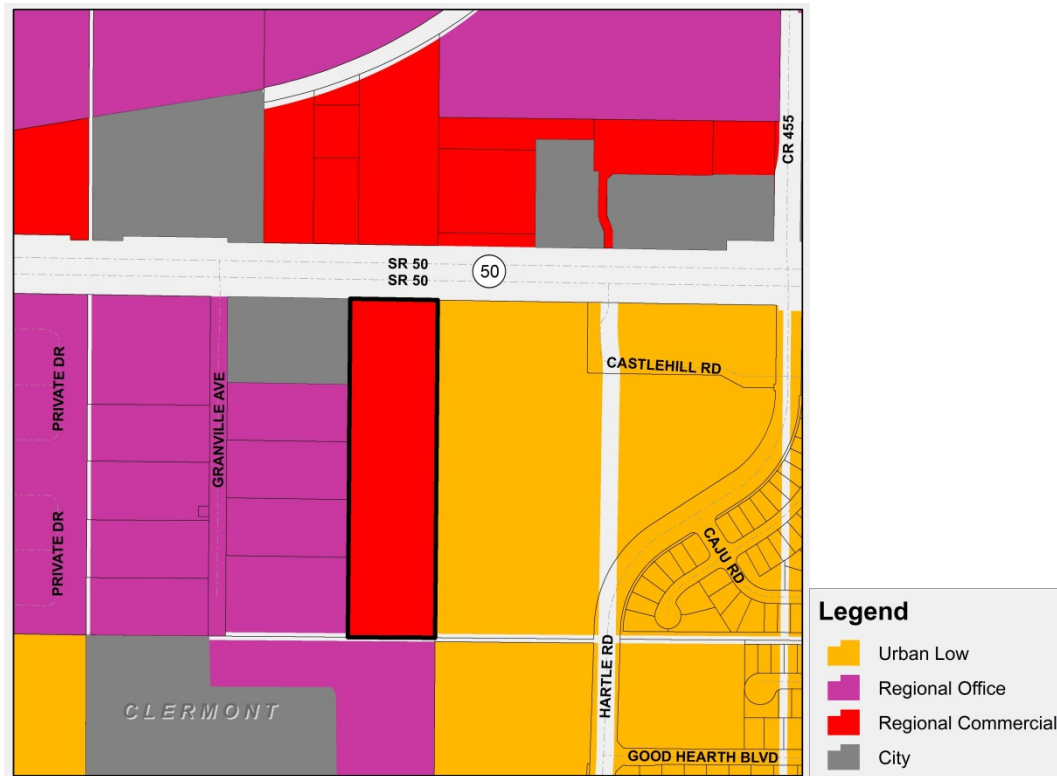


Exhibit #3- Proposed Future Land Use Map



-Standards for Review-

A. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.

The proposed map amendment is consistent with the Comprehensive Plan. The neighboring properties to the north and the U-Haul storage facility (recently annexed to the City of Clermont) located to the west are designated with the Regional Commercial FLUC and the subject property’s proposed uses are consistent with the Regional Commercial FLUC. Additionally, the subject property is also located within the Major Commercial Corridor.

B. Whether the proposed amendment is in conflict with any applicable provisions of these regulations.

The owner intends to develop the parcel with commercial uses instead of office uses for which the owner has also submitted a rezoning application simultaneously with the proposed Regional Commercial FLUC. The rezoning is consistent with the proposed Regional Commercial FLUC. According to *Policy I-1.3.7 Regional Commercial Future Land Use Category*, commerce uses are a typical use for the Regional Commercial FLUC. The property is currently part of the Regional Office FLUC which, according to *Policy I-1.3.6, Regional Office Future Land Use Category*, only allows limited commercial uses that support office uses. Changing the FLUC from Regional Office to Regional Commercial will make the property’s proposed uses consistent with its FLUC.

C. Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The property is currently vacant and the owner intends to develop the parcel with commercial uses, which are consistent with the Regional Commercial FLUC. Changing the FLUC from Regional Office to Regional Commercial will make the property's proposed uses consistent with its FLUC.

D. Whether there have been changed conditions that justify an amendment.

The parcel together with other parcels located along State Road 50 were designated as Regional Office FLU designation with the adoption of the 2030 Comprehensive Plan in anticipation of office development in the area, but created nonconforming uses along the existing commercial corridor. Currently the property is vacant and the owner intends to develop the parcel for commercial uses instead of office uses; therefore, it is necessary to change the property's FLUC to Regional Commercial which allows commercial development.

E. Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

Water/Sewage - The property will be served with central water and sewer by the City of Clermont through a utility services agreement.

Transportation - Public Works Engineering has indicated that this project impact two major roadway in Lake County; SR 50 from CR 455 to the Orange County Line and CR 455 from SR 50 to Old Highway 50 (CR 50). The standard Level of Service (LOS) for the impacted roadway of SR 50 is "D" with a capacity of 3,020, and CR 455 is "D" with a capacity of 675. This project will be generating 546 pm peak hour trips. The pm peak hour direction on SR 50 (WB) is currently operating at 108% of its capacity; while the CR 455 peak hour direction is operating at 97%. Currently there is no State or County funded improvements scheduled for SR 50 or the CR 455 roadway segments at this time. The Developer will be required to submit a Tier 3 traffic impact analysis prior to site plan approval. The full extent of the impacts will be evaluated as part of the site plan review process for the proposed commercial uses.

F. Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

The amendment will not result in a significant impact on the natural environment. The property does not contain any wetlands or flood zones. The parcel is undeveloped and any proposed development will be required to meet all requirements of the Comprehensive Plan and the Land Development Regulations. A preliminary environmental assessment will be required during the site plan approval process to address any threatened, endangered, or species of special concern discovered prior to development.

G. Whether, and the extent to which, the proposed amendment would affect the property values in the area.

There is no indication that there will be any adverse effects on the property values in the area. The subject property is undeveloped and will be utilized for commercial uses as proposed in the application to rezone the subject property from Planned Industrial (MP) to Planned Commercial (CP) for commercial uses, which is being processed simultaneously with the proposed Regional Commercial FLUC.

H. Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

The proposed amendment will make the FLUC consistent with the existing uses along State Road 50 and proposed commercial uses. The adjacent parcels to the north across State Road 50 are designated as Regional Commercial and although the parcels to the west and south are designated as Regional Office, they are currently utilized for commercial or industrial uses. The subject property and adjacent properties along State Road 50 are also located within the Major Commercial Corridor. The proposed future land use change will result in a logical development pattern.

I. Whether the proposed amendment would be consistent with or advance the public interest, and is in harmony with the purpose and interest of these regulations.

The amendment is consistent with the interest of the public and these regulations. The surrounding area is designated as Regional Commercial, Regional Office and Urban Low Density (which allows commercial uses within the commercial corridor). In addition, the subject parcel proposal for commercial uses is consistent with the adjacent existing commercial uses along State Road 50. The appropriate FLUC for this parcel is Regional Commercial and the designation of the parcel as Regional Commercial will provide consistency with the Comprehensive Plan, resulting in a logical development pattern.

-Conclusions-

The subject undeveloped property is located along State Road 50 within the Major Commercial Corridor where commercial uses exists. The proposed map amendment would change the Future Land Use Category from Regional Office to Regional Commercial in order to make the Future Land Use Category consistent with the surrounding land use designations to the north of the property, and consistent with the property's proposed commercial uses. The proposed amendment is consistent with the goals and policies of the Comprehensive Pan.

-Staff Recommendation-

Staff recommends **APPROVAL** of the adoption of the proposed Comprehensive Plan Map Amendment.

1 **Section 1. Comprehensive Plan Future Land Use Amendment.** The 2030 Future Land Use Map
2 is hereby amended to change the Future Land Use Category from Regional Office to Regional
3 Commercial for the property located in the Clermont area, described as Alternate Key Number
4 1118204, lying within Section 26, Township 22, Range 26, and comprised of 10 +/- acres, as
5 shown in Exhibit "A".

6 **Section 2. Advertisement.** This Ordinance was advertised pursuant to Chapter 163, Florida
7 Statutes, Section 163.3187.

8 **Section 3. Severability.** If any section, sentence, clause, or phrase of this Ordinance is held to be
9 invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no
10 way affect the validity of the remaining portions of this Ordinance.

11 **Section 4. Effective Date.** The effective date of this plan amendment, if the amendment is not
12 timely challenged, shall be 31 days after the State Land Planning Agency notifies the local
13 government that the plan amendment package is complete.

14 ENACTED this ____ day of _____, 2015.

15 FILED with the Secretary of State _____, 2015.

16 BOARD OF COUNTY COMMISSIONERS
17 LAKE COUNTY, FLORIDA

18 _____
19 Jimmy Conner, Chairman

20 ATTEST:

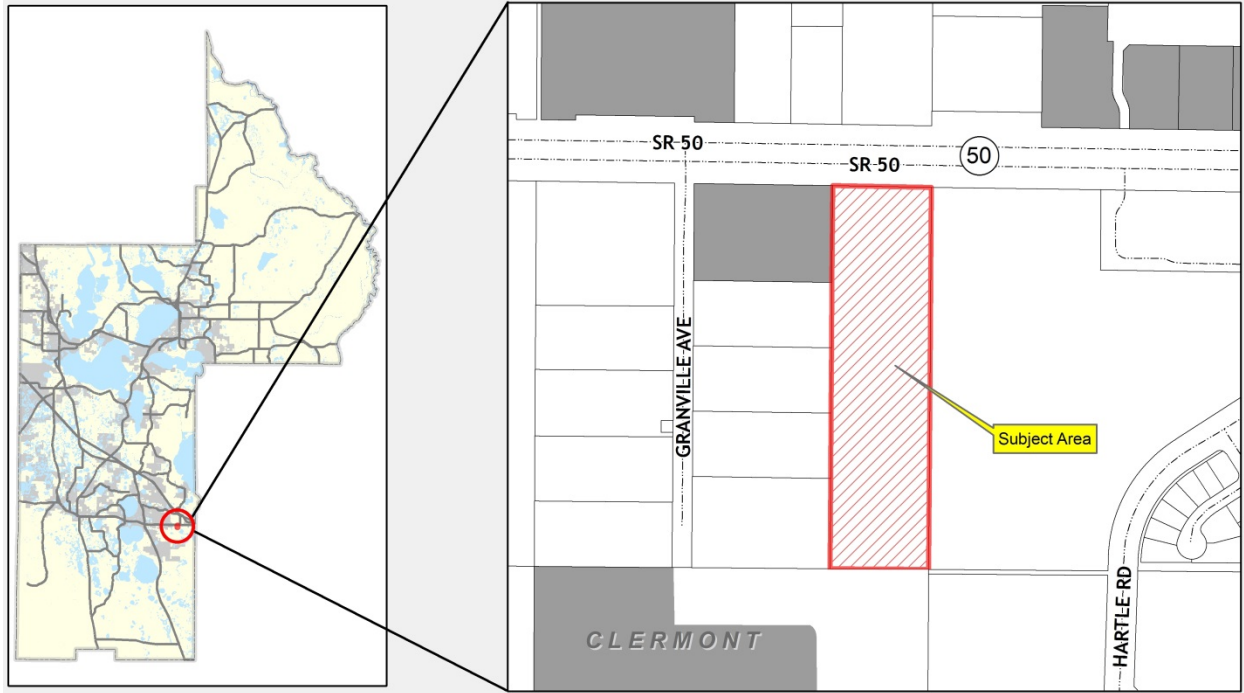
21 _____
22 Neil Kelly, Clerk of the Board of County
23 Commissioners, Lake County, Florida

24 Approved as to form and legality:

25 _____
26 Sanford A. Minkoff, County Attorney

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EXHIBIT A



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