



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 2

Public Hearings: Planning & Zoning Board (PZB): April 7, 2021
Board of County Commissioners (BCC): April 27, 2021

Case No. and Project Name: RZ-21-07-5, LCBCC Fire Station #15 Rezoning

Applicant: Lake County Fire Rescue

Owner: Lake County Board of County Commissioners

Requested Action: Rezone one (1) acre from Community Facility District (CFD) and Agriculture (A) to Community Facility District (CFD) to correct the non-conforming zoning of the property and replace CFD Ordinance #1986-08, to accommodate expansion of an existing Fire Station.

Staff Determination: Staff finds the rezoning application consistent with the Land Development Regulations (LDR) and Comprehensive Plan.

Case Manager: Heather N. Croney, Planner

PZB Recommendation:

Subject Property Information

Size: 1 +/- Acre

Location: 40601 Palm Drive, generally located at the intersection of Lakeview Drive and Palm Drive, in the Eustis area.

Alternate Key No.: 1536715

Future Land Use Category: Wekiva River Protection Area A-1-20 Sending Area

Existing Zoning District: Community Facility District (CFD) via Ordinance #1986-08 and Agriculture (A)

Proposed Zoning District: Community Facility District (CFD)

Joint Planning Area/ISBA: N/A

Overlay Districts: Wekiva River Protection Area, Wekiva Study Area, Pine Lakes Rural Support Corridor

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Sending Area A-1-20	Agriculture (A)	Residential	Single-Family Dwelling Units
South	Sending Area A-1-20	Agriculture (A)	Street and Residential	Lakeview Drive, Single-Family Dwellings Units
East	Sending Area A-1-20	Agriculture (A)	Street and Residential	Palm Drive, Vacant Residential
West	Sending Area A-1-20	Agriculture (A)	Residential	Former ACL Railroad Right-of-Way, Adjoining Single-Family Dwelling Units

- Summary of Analysis -

The application seeks to rezone the subject property, identified as Alternate Key #1536715, to Community Facility District (CFD) to correct the non-conforming zoning of the property and replace CFD Ordinance #1986-08, to accommodate expansion of an existing Fire Station. This property currently has two zoning districts; the northeastern portion is zoned CFD in accordance with Ordinance #1986-08, and the southwestern portion of the property is zoned Agriculture (A) with a Conditional Use Permit (CUP #504-4). CUP #504-4 is currently active, allowing for the existence of the Pine Lakes Volunteer Fire Department, and that the fire department facilities shall mean and include a principle building to house the volunteer fire department, any structure normally incidental to operation of such station approved by the Director of Planning, and off-street parking. This rezoning will also accommodate a 2,996-square foot expansion to the fire station; the concept plan (Attachment "A") depicts the scope of the proposed future improvements. The property currently contains a single-story metal building, a single-story concrete block building, concrete parking areas and a driveway. The subject parcel is designated as Wekiva River Protection Area A-1-20 Sending Area Future Land Use Category (FLUC). This property lies within the Pine Lakes Rural Support Corridor, and the Wekiva Study Area.

The rezoning request is consistent with all applicable provisions of the Code and elements of the Comprehensive Plan.

- Analysis -

Land Development Regulations Section 14.03.03 Standards for Review.

A. Whether the proposed rezoning is in conflict with any applicable provisions of the Code;

The rezoning request and use are consistent with LDR Section 3.00.02, *Purpose and Intent of Districts*, which establishes lands that benefit the public and general welfare. The requested CFD zoning district, allows for special or substantial community interest uses and activities where they are necessary and desirable to promote general welfare and to secure economic and coordinated land use. Fire stations are a public service and promote the general welfare and well-being of the surrounding community.

Additionally, the rezoning request is consistent with LDR Section 3.01.02, *Classification of Uses*, which defines Public Safety Service as a governmental or public agency, or an entity owned or operated by a governmental or public agency, for the health, safety, or general welfare of the residents of Lake County, Florida. Typical uses within this classification include law enforcement, firefighting, emergency medical assistance or transport, search and rescue, and hazardous material cleanup. This rezoning is also consistent with LDR Section 3.01.03, *Schedule of Permitted and Conditional Uses*, which allows community facility uses within the CFD zoning district. Rezoning this property to CFD to correct the non-conforming zoning of the property and replace Ordinance #1986-08 is consistent with all applicable provisions of the code.

B. Whether the proposed rezoning is consistent with all elements of the Lake County Comprehensive Plan;

The rezoning application is consistent with Goal I-1, *Purpose of the Future Land Use Element*, which provides efficient allocation of public facilities and provides protection to the health, safety, and welfare of the public. The Public Facilities Element of the Comprehensive Plan defines Public Buildings as structures or lands that are owned, leased, or operated by a government entity, such as civic and community centers, hospitals, libraries, police stations, fire stations, and

government administration buildings.

The request is consistent with Objective VI-1.6, *Coordination of Level of Service Standards and Provision of Public Facilities and Services*, which requires the County to provide adequate public facilities consistent with levels of service standards. Comprehensive Plan Policy VI-1.6.4 states that the County shall facilitate the most efficient provision of services for future development by establishing service areas for drainage, fire protection, and other public facilities. A fire station is a necessary public facility, and the County must be able to efficiently provide for sufficient fire safety services.

The rezoning request is consistent with Policy I-3.2.2, *Wekiva River Protection Area A-1-20 Sending Area Future Land Use Category*, which allows public order and safety uses. A public order and safety use is defined as "A benefit provided by a Governmental or Public Agency, or an entity owned or operated by a Governmental or Public Agency, for the protection of the health, safety, or general welfare of the residents of Lake County, Florida. This includes but is not limited to law enforcement, firefighting, emergency medical assistance or transport, search and rescue, and hazardous material cleanup."

The request is consistent with Comprehensive Plan Objective I-1.5, *Public Benefit Future Land Use Series*, which establishes lands that benefit the public and general welfare. The subject parcel will be developed as a community facility use, which will benefit the general welfare of the community.

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

Infrastructure for public safety, such as fire stations, plays an integral part in the quality of life within communities as they provide for the protection of the health, safety, or general welfare of the residents of Lake County. Fire stations are used for suppression and prevention of fires, responses to medical emergencies and other disasters, and the handling of incidents involving hazardous materials. This rezoning is consistent with the FLUC, which allows public order and safety uses. Additionally, the rezoning is consistent with Land Development Regulations (LDR) Section 3.01.03, which allows community facility uses within the CFD zoning district.

This rezoning request would correct the non-conforming zoning of the property, which contains an existing Fire Station, and replace Ordinance #1986-08.

D. Whether there have been changed conditions that justify a rezoning;

The applicant provided the following information to depict changed conditions that justify this rezoning request:

Community growth is increasing the needs for greater fire safety services. With the expansion of the Wekiva Parkway, the increased growth in East Lake County is expected to be tremendous. Also, the current fire station was only built to house a volunteer workforce, not 24/7/365. The station is answering over 1,000 calls for service annually. Also, with the Lake County Fire Rescue (LCFR)'s rural rescue program expanding each year, Station 15 is slated to have an additional unit (ambulance) and 2 additional personnel. With the addition of the ambulance, LCFR anticipates a 20% increase in call volume within the first 12 months of service post renovation/expansion.

Per the Fire Chief, James Dickerson, it is not yet feasible for the fire station to add additional personnel to the existing station, as it is without the proposed expansion that they submitted a minor site plan application for. Within 1-2 years, LCFR will have five (5) personnel assigned each 24-hour period. The current station does not have the capacity to accommodate this many people.

The additional space will be utilized to house additional equipment and personnel. Many of the improvements within the scope of work will improve air quality for the personnel assigned. The expansion is also an effort towards reducing cancer causing exhaust exposure to personal protective equipment (PPE), ice machine, and breathing air systems.

E. Whether, and the extent to which, the proposed rezoning would result in demands on public facilities, and whether, or to the extent to which, the proposed rezoning would exceed the capacity of such 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;

Water and Sewer

The subject property is currently serviced by, and will continue to be serviced by, a potable water well and septic. No adverse impacts are anticipated by the proposed rezoning.

Office of Public Safety

In the event of a fire emergency at this facility, Lake County Fire Rescue Station #14 is located less than eight (8) miles from the subject property at 18840 County Road 42, Altoona. Station #14 can provide advanced life support should an emergency on the property demand this service.

Solid Waste

The rezoning is not anticipated to adversely impact solid waste capacities or levels of service.

Transportation Concurrency

The request is not anticipated to adversely impact the roadways standard Level of Service (LOS).

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

Should the rezoning be approved, all sensitive resources will be addressed through the development review process. New development will be required to meet all criteria specified by the Land Development Regulations (LDR) and Comprehensive Plan. An environmental assessment dated within 6 months of the site plan application submission date which indicates the presence of vegetation, soils, wetlands, threatened and endangered species on the site will be required. Any required State permitting, or mitigation will be required before development can commence.

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

There is no information within the application that specifies impacts on property values.

H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern;

The proposed rezoning would not disrupt the existing orderly and logical development pattern of the area. The fire station was constructed in 1984, and the request is to facilitate improvements to the existing fire station.

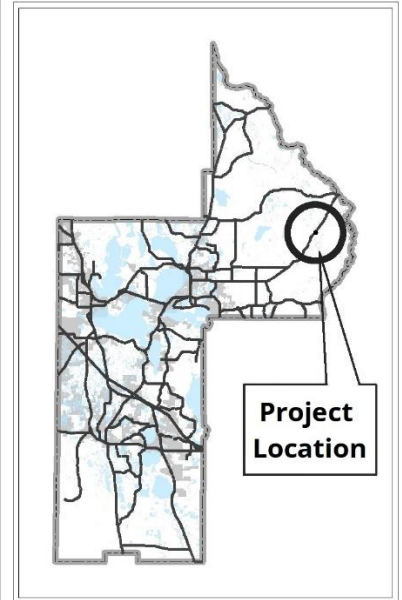
I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and

The request is in harmony with the general intent of the Comprehensive Plan and Land Development Regulations as stated in Sections A through H above.

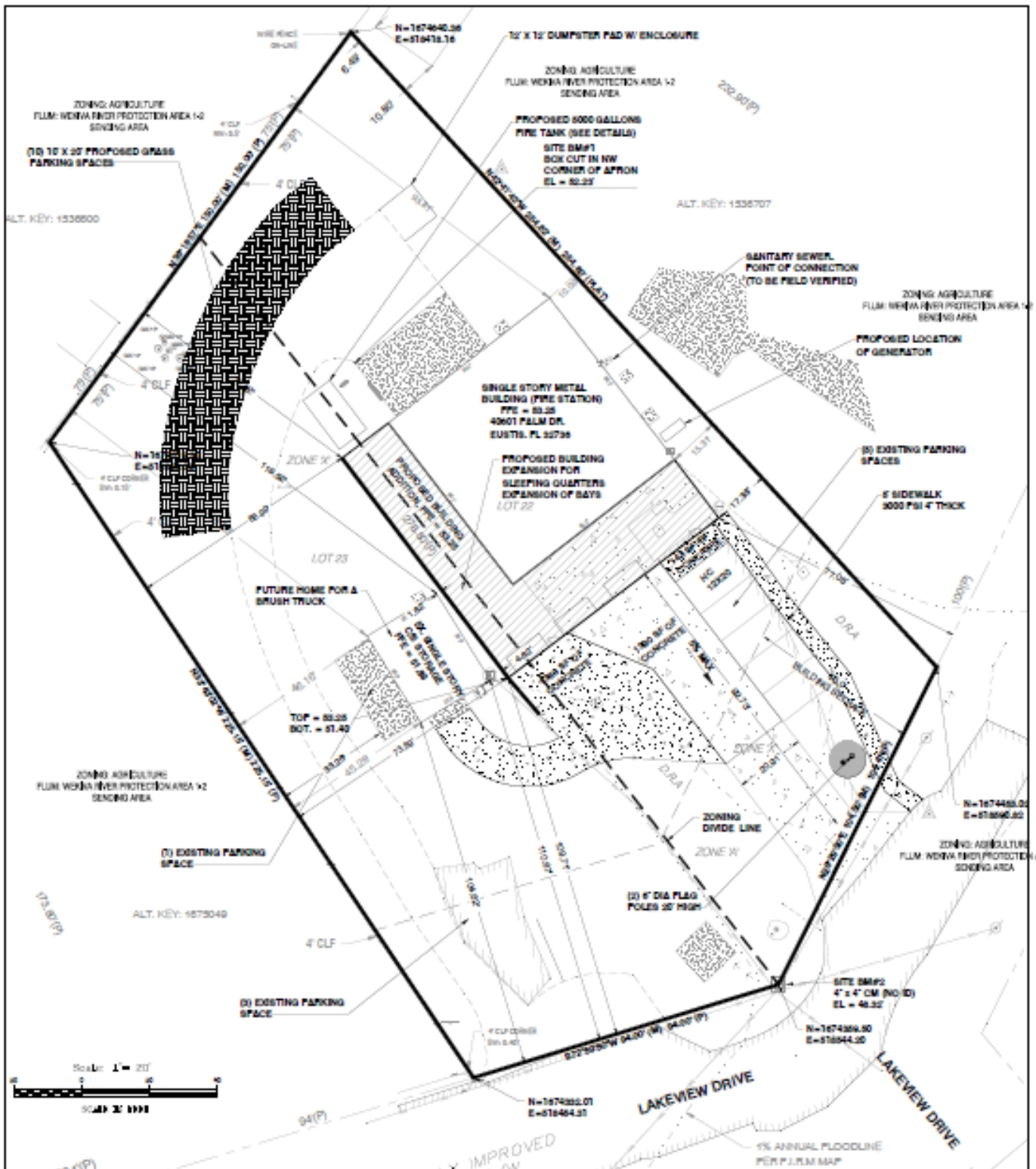
J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.

N/A.

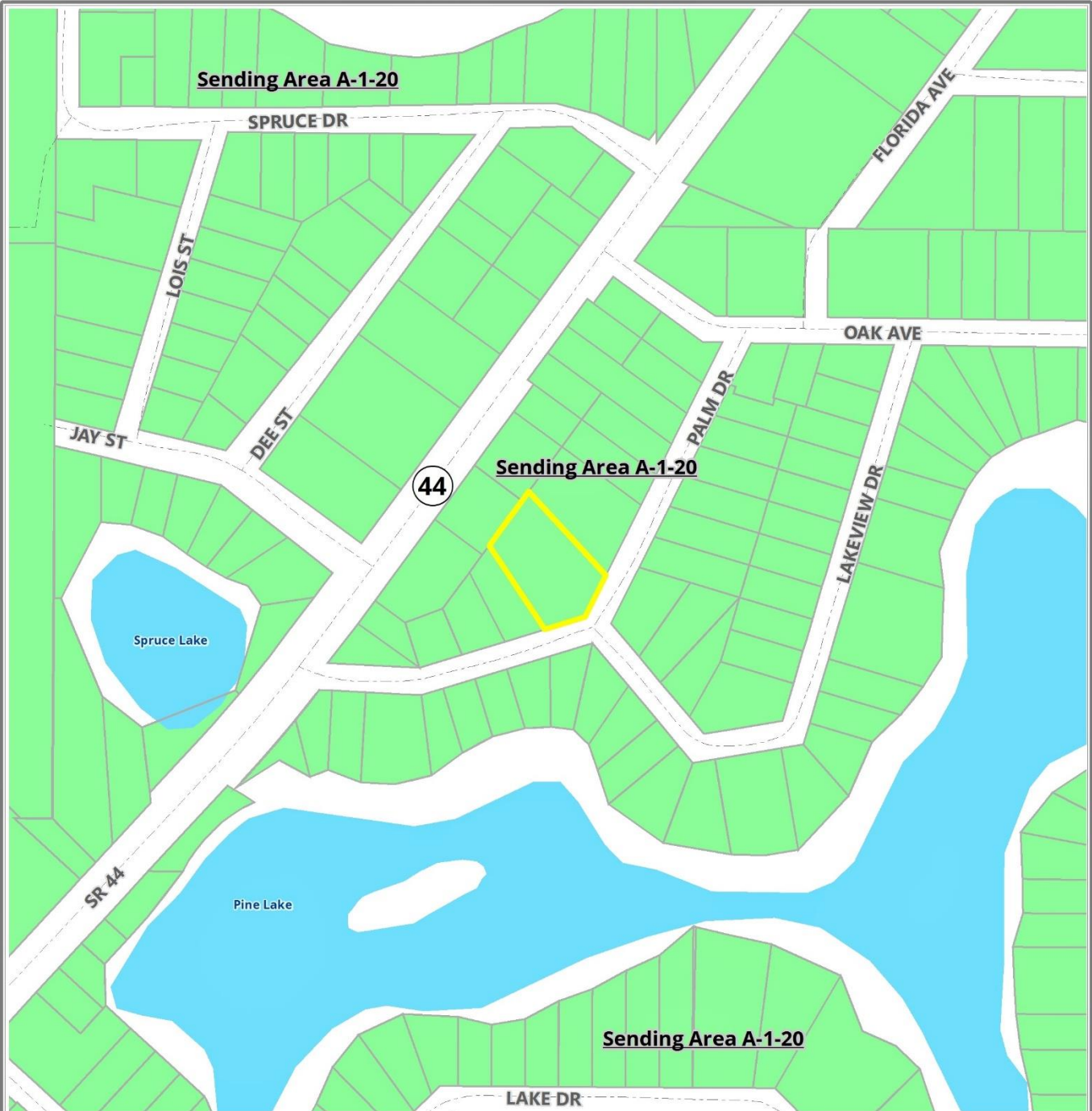
Map of Subject Property




Attachment "A" – Concept Plan



CURRENT FUTURE LAND USE



Future Land Use

 Sending Area A-1-20

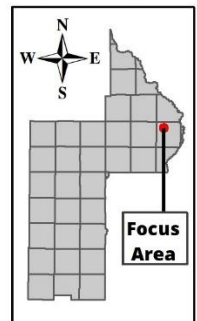
NAME: LAKE COUNTY FIRE STATION #15 PROPERTY

DISTRICT: 5

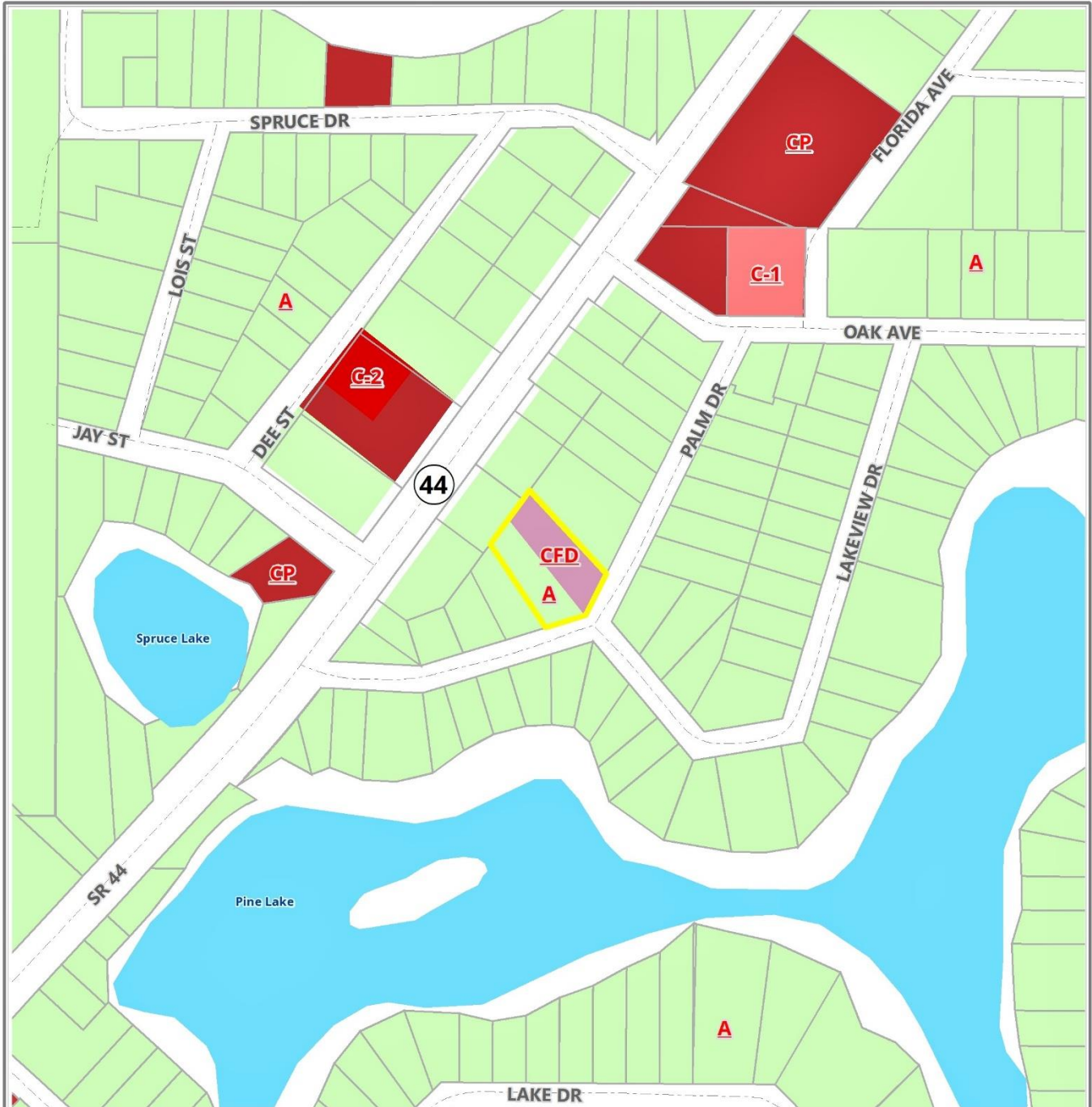
CASE NUMBER: RZ-21-07-5

LOCATION (S-T-R): 08-18-29

**REQUEST: COMMUNITY FACILITY DISTRICT (CFD) & AGRICULTURE (A)
TO COMMUNITY FACILITY DISTRICT (CFD)**



CURRENT ZONING



Zoning Legend

A C-1 C-2 CP CFD

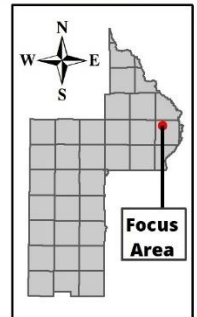
NAME: LAKE COUNTY FIRE STATION #15 PROPERTY

DISTRICT: 5

CASE NUMBER: RZ-21-07-5

LOCATION (S-T-R): 08-18-29

**REQUEST: COMMUNITY FACILITY DISTRICT (CFD) & AGRICULTURE (A)
TO COMMUNITY FACILITY DISTRICT (CFD)**



ORDINANCE #2021-XX
Lake County Board of County Commissioners
RZ-21-07-5

AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Lake County Fire Rescue (the “Applicant”) submitted a rezoning application on behalf of the Lake County Board of County Commissioners (“the Owner”) to rezone approximately one (1) acre from Community Facility District (CFD) and Agriculture (A) to Community Facility District (CFD) to correct the non-conforming zoning of the property and replace Ordinance #1986-08, to accommodate expansion of an existing Fire Station; and

WHEREAS, the subject property consists of one (1) +/- acre, is located at 40601 Palm Drive, Eustis in Section 08, Township 18, Range 29, consisting of Alternate Key Number 1536715, and more particularly described below:

LOTS 22 AND 23 IN BLOCK B ACCORDING TO THE PLAT OF PINE LAKES, FILED 10 NOVEMBER 1953, AND RECORDED IN PLAT BOOK 12, PAGES 67 AND 68, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

WHEREAS, the property subject to the request is located within the Wekiva River Protection Area A-1-20 Sending Area Future Land Use Category (FLUC) as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

WHEREAS, the Lake County Planning and Zoning Board did review Petition RZ-21-07-5 on the 7th day of April 2021, after giving notice of the hearing on the petition for change in zoning, including notice that the petition would be presented to Board of County Commissioners of Lake County, Florida, on the 27th day of April 2021; and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning and Zoning Board, the staff report and any comments, favorable or unfavorable from the public and surrounding property owners at a public hearing duly advertised; and

WHEREAS, upon review, certain terms pertaining to the development of the above-described property have been duly approved.

WHEREAS, the approval of this ordinance shall replace and supersede Ordinance #1986-8.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they pertain to the property described herein, subject to the following terms:

Section 1. Terms. The County Manager or designee shall amend the Official Zoning Map to show the Community Facility District (CFD) in accordance with Exhibit “A” of this Ordinance. To the extent where there are conflicts between the Conceptual Plan and this Ordinance, this Ordinance will take precedence. The adoption of this Ordinance shall revoke and replace Ordinance #1986-08.

A. Land Uses.

1. Uses of the site described above shall allow the following:
 - a. Fire Station and other essential public safety-emergency service uses.

- 1 b. Accessory uses may be approved by the County Manager or designee. Any
2 other use of the property will require approval of an amendment to this Ordinance
3 by the Board of County Commissioners.
- 4 **B. Open Space, Impervious Surface Ratio, and Building Height.** Open space,
5 impervious surface ratio, and building height shall be in accordance with the
6 Comprehensive Plan, and Land Development Regulations (LDR), as amended.
- 7 **C. Setbacks.** Setbacks shall be in accordance with the LDR, as amended.
- 8 **D. Parking Requirements.** Off-street parking must be provided in accordance with the
9 LDR, as amended.
- 10 **E. Environmental Requirements.** An environmental assessment dated within six (6)
11 months of the development application submittal date for the purpose of identifying the
12 presence of vegetation, soils, threatened and endangered species that may exist on the
13 site. Any State permitting or mitigation will be required before development can
14 commence in accordance with the Comprehensive Plan and LDR, as amended.
- 15 **F. Noise.** Noise assessment shall be in accordance with the LDR, as amended.
- 16 **G. Commercial Design Standards.** Redevelopment of the building or property must be in
17 accordance with the LDR, as amended.
- 18 **H. Stormwater and Floodplain Management.**
- 19 1. The stormwater management system shall be designed in accordance with all
20 applicable Lake County and St. Johns River Water Management District (SJRWMD)
21 requirements, as amended.
- 22 2. The developer shall be responsible for any flood studies required for developing the
23 site and comply with FEMA, Comprehensive Plan and LDR, as amended. Any
24 development within the floodplain as identified on the FEMA maps will require
25 compensating storage.
- 26 **I. Transportation Improvements.** All access management shall be in accordance with
27 the Comprehensive Plan and LDR, as amended.
- 28 **J. Lighting.** Exterior lighting must be in accordance with the LDR, as amended and
29 consistent with Dark-Sky Principles.
- 30 **K. Landscaping, Buffering, and Screening.** Landscaping, Buffering, and Screening shall
31 be in accordance with the LDR, as amended.
- 32 **L. Utilities.** The development shall be serviced by well and septic tank consistent with the
33 Florida Department of Health Regulations, as amended. However, any future
34 redevelopment shall connect to central potable water and central sewer when services
35 become available, in accordance with the Comprehensive Plan and LDR, as amended.
- 36 **M. Signage.** All signage must be in accordance with the LDR, as amended.
- 37 **N. Concurrency Management Requirements.** Any development must comply with the
38 Lake County Concurrency Management System, as amended.

1 **O. Development Review and Approval.** Prior to the issuance of any permits, the Applicant
2 shall be required to submit a development application for review and approval in
3 accordance with the Comprehensive Plan and LDR, as amended.

4 **Section 2. Conditions.**

5 **A.** After establishment of the facilities as provided in this Ordinance, the property may only
6 be used for the purposes identified in this Ordinance. Any other proposed use must be
7 specifically authorized by the Lake County Board of County Commissioners.

8 **B.** No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove,
9 improve, move, convert, or demolish any building structure, add other uses, or alter the
10 land in any manner within the boundaries of the above-described land without first
11 obtaining the necessary approvals in accordance with the Lake County Code, as
12 amended, and obtaining the permits required from the other appropriate governmental
13 agencies.

14 **C.** This Ordinance will inure to the benefit of, and will constitute a covenant running with the
15 land, and the terms, conditions, and provisions of this Ordinance will be binding upon the
16 present Owners and any successor and will be subject to each and every condition set
17 out in this Ordinance.

18 **D.** The transfer of ownership or lease of any or all of the property described in this
19 Ordinance must include in the transfer or lease agreement, a provision that the purchaser
20 or lessee is made good and aware of the conditions established by this Ordinance and
21 agrees to be bound by these conditions. The purchaser or lessee may request a change
22 from the existing plans and conditions by following the procedures contained in the LDR,
23 as amended.

24 **E.** The Lake County Code Enforcement Special Master will have authority to enforce the
25 terms and conditions set forth in this Ordinance and to recommend that the ordinance
26 be revoked.

27 **Section 3. Severability.** If any section, sentence, clause or phrase of this Ordinance is held to be invalid
28 or unconstitutional by any court of competent jurisdiction, the holding will in no way affect the
29 validity of the remaining portions of this Ordinance.

30 **Section 4. Filing with the Department of State.** The clerk is hereby directed to send a copy of this
31 Ordinance to the Secretary of State for the State of Florida in accordance with Section
32 125.66, Florida Statutes.

1 **Section 5. Effective Dates. This Ordinance will become effective as provided by law.**
2 **ENACTED** this _____ day of _____, 2021.
3 **FILED** with the Secretary of State _____, 2021.
4 **EFFECTIVE** _____, 2021.

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9 **BOARD OF COUNTY COMMISSIONERS**
10 **LAKE COUNTY, FLORIDA**

11 _____
12 **SEAN M. PARKS, CHAIRMAN**
13

14
15 **ATTEST:**
16

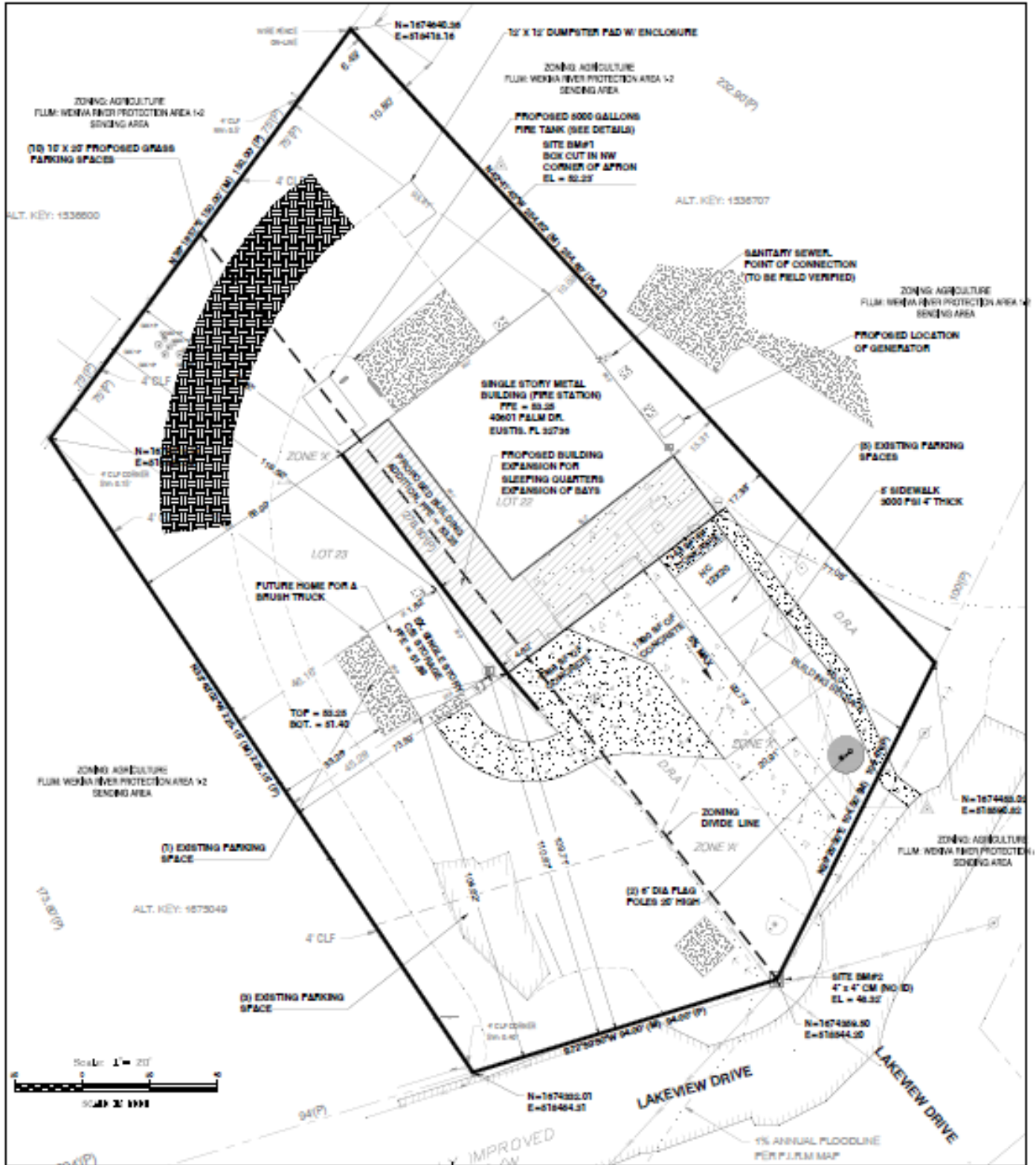
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18 _____
19 **GARY J. COONEY, CLERK OF THE**
20 **BOARD OF COUNTY COMMISSIONERS**
21 **LAKE COUNTY, FLORIDA**
22

23
24 **APPROVED AS TO FORM AND LEGALITY:**
25

26
27 _____
28 **MELANIE MARSH, COUNTY ATTORNEY**
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Exhibit "A" – Concept Plan



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