



COMPREHENSIVE PLAN AMENDMENT  
STAFF REPORT  
OFFICE OF PLANNING & ZONING

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Tab Number: 1

Public Hearings: Planning & Zoning Board (PZB): July 6, 2022  
Board of County Commissioners (BCC) (Transmittal): August 2, 2022  
Board of County Commissioners (BCC) (Adoption): TBD

Case No. and Project Name: FLU-22-08-1 Wellness Way Area Plan Amendments

Applicant: Lake County Board of County Commissioners

Requested Action: Amend Policy I-8.5.2 Potable and Re-Use Water Facilities, and Policy I-8.5.3, Sanitary Sewer Facilities

Case Manager: Bobby Howell, AICP, Director, Office of Planning and Zoning

Staff Determination: Staff finds the amendment consistent with the Comprehensive Plan

PZB Recommendation:

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### **Staff Analysis**

The Wellness Way Area Plan and associated Goals, Objectives, and Policies within the Lake County Comprehensive Plan was adopted in 2016 by the Board of County Commissioners and updated on May 3, 2022. The plan addresses growth demands for an area that has significant potential for economic development in southeast Lake County. This area is an emerging center for new employment and supporting residential development.

Following adoption of the Goals, Objectives, and Policies, staff identified two policies that require further amendment, Policy I-8.5.2 Potable and Re-Use Water Facilities, and Policy I-8.5.3, Sanitary Sewer Facilities. As they are currently written, these policies do not refer to the utility provider in the area, Sunshine Water Services or the planned Lake-Orange Connector Road and CR 455 not being served with potable and re-use water distribution facilities. Based on this, both policies are proposed to be revised to state the following:

#### **Policy I-8.5.2 Potable and Re-use Water Facilities**

~~PUDs within the WWUSA shall include an analysis of potable and re-use water facilities, including sources, treatment plants and delivery infrastructure, required to accommodate projected impacts and maintain the County's or utility provider's adopted level of service (LOS) for such facilities. If it is determined that sites and/or right-of-way is needed to accommodate the projected impacts, then those sites shall be conveyed prior to the issuance of building permits for development within the PUD.~~

The area served by Sunshine Water Services, or their successor, surrounding the planned interchange between the Lake-Orange Connector and CR 455 does not currently have potable and re-use water distribution and treatment facilities. Prior to any rezoning of properties in the Sunshine Water Services territory, the applicant for rezoning must provide, and the County must approve, a utility master plan for the property, including all off-site obligations for service. The utility master plan must demonstrate how the infrastructure will be financed and constructed.

### Policy I-8.5.3 Sanitary Sewer Facilities

~~PUDs within the WWUSA shall include an analysis of sanitary sewer facilities, including treatment plants and delivery infrastructure, required to accommodate projected impacts and maintain the County's or utility provider's adopted level of service (LOS) for such facilities. If it is determined that sites and/or right of way is needed to accommodate the projected impacts, then those sites shall be conveyed prior to the issuance of building permits for development within the PUD.~~

The area served by Sunshine Water Services, or their successor, surrounding the planned interchange between the Lake-Orange Connector and CR 455 does not currently have collection and treatment facilities. Prior to any rezoning of properties in the Sunshine Water Services territory, the applicant for rezoning must provide, and the County must approve, a utility master plan for the property, including all off-site obligations for service if required. The utility master plan must demonstrate how the infrastructure will be financed and constructed.

### Standards for Review (LDR Section 14.03.03)

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

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

The **Future Land Use Element** seeks to ensure compatibility between densities and intensities of development, providing for land use transitions as appropriate to protect the long-term integrity of both urban and rural areas; promote the conservation and preservation of Lake County's natural and cultural resources; and direct compact development to established urban areas to prevent sprawl.

The proposed amendment seeks to address the need for collection and treatment facilities in the portions of Wellness Way surrounding the planned interchange between the Lake-Orange Connector and CR 455 that are served by Sunshine Water Services by requiring a utility master plan to be submitted with each rezoning request.

The **Capital Improvements Element** seeks to maintain adopted level of service standards and ensure public facilities and services are available concurrent with development. The proposed amendment is not in conflict with the Capital Improvements Element.

The **Conservation Element** is intended to provide a framework for the ongoing monitoring, management, and use of the County's natural resources. Wellness Way requires a minimum of 30% open space and requires all wetlands be placed in conservation easements. The proposed amendment is not in conflict with the Conservation Element.

The **Economic Element** seeks to strengthen the County's position as a business center for Central Florida by aggressively pursuing opportunities and building collaborative relations with regional allies. The proposed amendment is not in conflict with the Economic Element.

The purpose of the **Housing Element** is to guide Lake County in developing appropriate goals, objectives and policies that demonstrate the County's commitment to meet the identified needs of all its residents. The proposed amendment is not in conflict with the Housing Element.

The **Intergovernmental Coordination Element** strives to promote coordination between Lake County and other local, state, regional, and federal government entities. The subject property is located within the Clermont Joint Planning Area. The City of Clermont provided no comments with regards to the proposed amendment.

The goal of the **Parks and Recreation Element** is to facilitate the development and management of parks and facilities for a recreation system that includes environmental lands, trails, and other recreational opportunities that meet the diverse needs of a growing community. The proposed amendment has no impact to existing levels of service. The proposed amendment is not in conflict with the Parks and Recreation Element.

The goal of the **Transportation Element** is to prepare a plan that emphasizes more efficient use of the existing transportation system and contributes to the wider national objectives of energy conservation, improved air quality, and increased social and environmental amenity. The proposed amendment is not in conflict with the Transportation Element.

The purpose of the **Public Facilities Element** is to ensure that public facilities are available to meet the needs of Lake County residents; public facilities in this element refers to aquifer recharge, potable water, sanitary sewer, solid waste, stormwater, and public-school facilities. The proposed amendment will have no impact on public facilities as Sunshine Water Services is a private utility provider.

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

If adopted, the proposed amendment is not in conflict with any applicable provisions of the Comprehensive Plan.

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

The amendment is not inconsistent with existing or proposed land uses. The amendment seeks to address the need for collection and treatment facilities in the portions of Wellness Way surrounding the planned interchange between the Lake-Orange Connector and CR 455 that are served by Sunshine Water Services by requiring a utility master plan to be submitted with each rezoning request.

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

The amendment seeks to address the need for collection and treatment facilities in the portions of Wellness Way surrounding the planned interchange between the Lake-Orange Connector and CR 455 that are served by Sunshine Water Services by requiring a utility master plan to be submitted with each rezoning request.

**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.**

The proposed amendment would have no impact to public facilities, including but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire/emergency medical facilities. All development would be required to be consistent with the existing rules in place for public facilities.

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

The Wellness Way Area Plan sets aside 30% of the natural area in open space. The proposed amendment does not change that requirement.

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

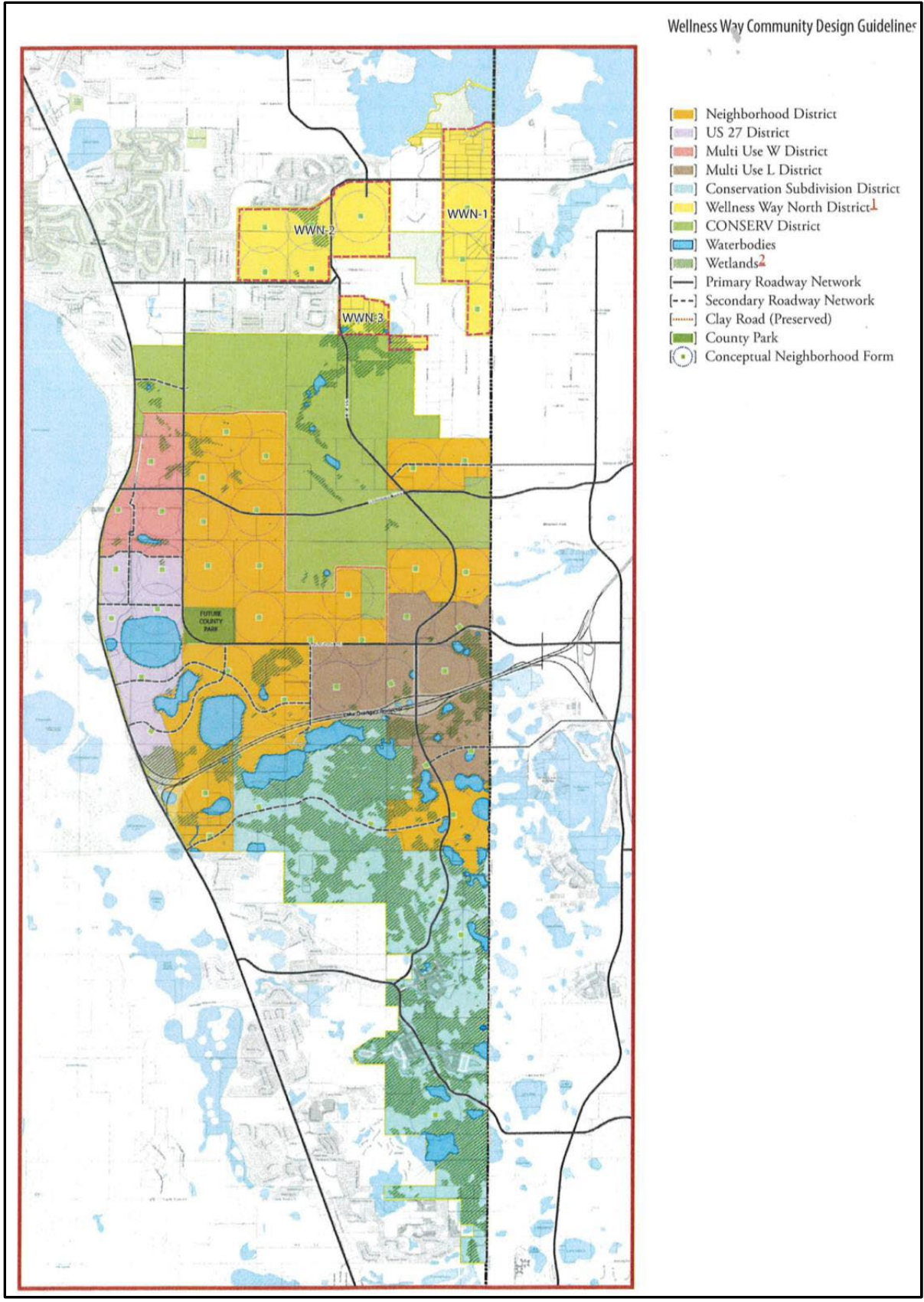
There is no indication that the amendment would have an adverse impact on property values.

**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 seeks to create and maintain the logical rural development patterns that were established prior to the development of the Wellness Way Area Plan.

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

The proposed amendment will be consistent with the purpose and interest of Lake County's regulations.



**ORDINANCE 2022-  
FLU-22-08-1**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING THE WELLNESS WAY AREA PLAN; AMENDING FUTURE LAND USE ELEMENT POLICIES I-8-5.2 POTABLE AND RE-USE WATER FACILITIES AND I-8.5.3, SANITARY SEWER FACILITIES; PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 163, Florida Statutes, Part II, governs growth policy, county and municipal planning, and land development regulation in the State of Florida; and

**WHEREAS**, Chapter 125, Florida Statutes, Section 125.01(1)(g), authorizes the Board of County Commissioners of Lake County to “prepare and enforce comprehensive plans for the development of the county”; and

**WHEREAS**, pursuant to Chapters 163 and 125, Florida Statutes, on the 25<sup>th</sup> day of May 2010, the Board of County Commissioners enacted Ordinance No. 2010-25, adopting the Lake County 2030 Comprehensive Plan; and

**WHEREAS**, on the 23<sup>rd</sup> day of July 2010, the State of Florida Department of Community Affairs, now known as the Community Planning and Development Division of the Florida Department of Economic Opportunity, published a Notice of Intent finding the Lake County 2030 Comprehensive Plan Amendment "In Compliance" with Chapter 163, Florida Statutes; and

**WHEREAS**, on the 22<sup>nd</sup> day of September 2011, the Lake County 2030 Comprehensive Plan became effective; and

**WHEREAS**, on the 5<sup>th</sup> day of January 2016, the Board of County Commissioners adopted Ordinance 2016-1 which established Goal I-8 entitled ‘Wellness Way Area Plan’ which contained the objectives and policies relating to the Wellness Way Area Plan; and

**WHEREAS**, Ordinance 2016-1 became effective on the 26<sup>th</sup> day of December, 2017; and

**WHEREAS**, Section 163.3184, Florida Statutes, sets forth the process for adoption of Comprehensive Plan Amendments; and

**WHEREAS**, on the 6<sup>th</sup> day of July 2022, this Ordinance was heard at a public hearing before the Lake County Planning & Zoning Board in its capacity as the Local Planning Agency; and

**WHEREAS**, on the 2<sup>nd</sup> day of August 2022, this Ordinance was heard at a public hearing before the Lake County Board of County Commissioners for approval to transmit to the state planning agency and other reviewing agencies; and

**WHEREAS**, on the X day of X 202x, this Ordinance was heard at a public hearing before the Lake County Board of County Commissioners for adoption; and

**WHEREAS**, it serves the health, safety and general welfare of the residents of Lake County to adopt the amendment to the Lake County Comprehensive Plan and amend the Future Land Use Map.

**NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County, Florida, that:

1        **Section 1. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan,  
2 Future Land Use Element Policies I-8-5.2 Potable and Re-Use Water Facilities and I-8-5.3 Sanitary Sewer  
3 Facilities shall be amended as follows:

4        **Policy I-8.5.2 Potable and Re-use Water Facilities**

5 ~~PUDs within the WWUSA shall include an analysis of potable and re-use water facilities, including sources,~~  
6 ~~treatment plants and delivery infrastructure, required to accommodate projected impacts and maintain the~~  
7 ~~County's or utility provider's adopted level of service (LOS) for such facilities. If it is determined that sites~~  
8 ~~and/or right-of-way is needed to accommodate the projected impacts, then those sites shall be conveyed~~  
9 ~~prior to the issuance of building permits for development within the PUD.~~

10 The area served by Sunshine Water Services, or their successor, surrounding the planned interchange  
11 between the Lake-Orange Connector and CR 455 does not currently have potable and re-use water  
12 distribution and treatment facilities. Prior to any rezoning of properties in the Sunshine Water Services  
13 territory, the applicant for rezoning must provide, and the County must approve, a utility master plan for the  
14 property, including all off-site obligations for service. The utility master plan must demonstrate how the  
15 infrastructure will be financed and constructed.

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18        **Policy I-8.5.3 Sanitary Sewer Facilities**

19 ~~PUDs within the WWUSA shall include an analysis of sanitary sewer facilities, including treatment plants~~  
20 ~~and delivery infrastructure, required to accommodate projected impacts and maintain the County's or utility~~  
21 ~~provider's adopted level of service (LOS) for such facilities. If it is determined that sites and/or right-of-way~~  
22 ~~is needed to accommodate the projected impacts, then those sites shall be conveyed prior to the issuance~~  
23 ~~of building permits for development within the PUD.~~

24  
25 The area served by Sunshine Water Services, or their successor, surrounding the planned interchange  
26 between the Lake-Orange Connector and CR 455 does not currently have collection and treatment facilities.  
27 Prior to any rezoning of properties in the Sunshine Water Services territory, the applicant for rezoning must  
28 provide, and the County must approve, a utility master plan for the property, including all off-site obligations  
29 for service if required. The utility master plan must demonstrate how the infrastructure will be financed and  
30 constructed.

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32        **Section 2. Advertisement.** This Ordinance was advertised pursuant to Sections 125.66 and 163.3184,  
33 Florida Statutes.

34        **Section 3. Severability.** If any section, sentence, clause, phrase or word of this Ordinance is for any  
35 reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect  
36 the remaining portions of this Ordinance; and it shall be construed to have been the Commissioners' intent  
37 to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of  
38 this Ordinance, after the exclusion of such part or parts shall be deemed and held to be valid, as if such parts  
39 had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any  
40 person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding  
41 shall not affect the applicability thereof to any other person, property or circumstances.

