



COMPREHENSIVE PLAN AMENDMENT
STAFF REPORT
OFFICE OF PLANNING & ZONING

Tab Number: 2

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

Case No. and Project Name: FLU-22-12-1 Wellness Way Area Plan Amendments

Applicant: Lake County Board of County Commissioners

Requested Action: Amend Policy I-8.2.1.1 Future Land Use Categories Capacity Allocation

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

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

PZB Recommendation:

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 a scrivener's error to Policy I-8.2.1.1 Future Land Use Categories Allocation that requires amendment. As the Policy is currently written, a table within this policy appears to permit development within the US 27 future land use category to have a maximum capacity increase of up to 20%. The footnote under the table states the maximum capacity for the Neighborhood District (emphasis added) may be enhanced up to 20%, using one or more of the following:

1. An extraordinary upfront capital contribution to off-site public infrastructure within Wellness Way including, but not limited to:
 - a. Public parks
 - b. Public open space
 - c. Public trail system
 - d. Water Conserv II trail system
 - e. Bike/pedestrian bridge over US 27
 - f. Any other contribution to public infrastructure and/or public facilities
2. Transfer of density from Conservation Subdivision District or Wellness Way North District via a Final Master PUD.

The intent of the policy is to only permit the maximum capacity increase within the Neighborhood District as the footnote does not mention any other district. Based on this, the policy is proposed to be revised to omit the asterick in the middle column of the US 27 district category as follows:

Policy I-8.2.1.1 Future Land Use Categories Capacity Allocation

Future Land Use Category	Maximum Capacity / Net Residential Acre	Minimum FAR / Net Non-Residential Acre
Neighborhood	3.60 (d.u)*	0.30
US 27	5.75 (d.u)* (strike through)	0.25
Multi-Use	8.00 (d.u)	0.20
Conservation Subdivision	2.70(d.u)	0.00
Wellness Way North 1	3.08 (d.u)	0.33
Wellness Way North 2	2.67 (d.u)	0.25
Wellness Way North 3	2.25 (d.u)	0.17

Standards for Review (LDR Section 14.02.03)

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 corrects a scrivener’s error to Policy I-8.2.1.1, Future Land Use Categories Allocation. As the Policy is currently written, a table within this policy appears to permit development within the US 27 future land use category to have a maximum capacity increase of up to 20%. The intent of the policy is to only permit the maximum capacity increase within the Neighborhood District. Based on this, the policy should be revised to omit the reference to the US 27 district and only permit a capacity increase in the Neighborhood District.

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. 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 **Housing Element** is intended 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 **Parks and Recreation Element** seeks 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 **Transportation Element** is intended 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 **Public Facilities Element** seeks 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.

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 seeks to correct a scrivener's error to Policy I-8.2.1.1, Future Land Use Categories Allocation that requires amendment. As the Policy is currently written, a table within this policy appears to permit development within the US 27 future land use category to have a maximum capacity increase of up to 20%. The intent of the policy is to only permit the maximum capacity increase within the Neighborhood District. Based on this, the policy should be revised to omit the reference to the US 27 district and only permit a capacity increase in the Neighborhood District.

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

The amendment seeks to correct a scrivener's error to Policy I-8.2.1.1, Future Land Use Categories Allocation that requires amendment. As the Policy is currently written, a table within this policy appears to permit development within the US 27 future land use category to have a maximum capacity increase of up to 20%. The intent of the policy is to only permit the maximum capacity increase within the Neighborhood District. Based on this, the policy should be revised to omit the reference to the US 27 district and only permit a capacity increase in the Neighborhood District.

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.

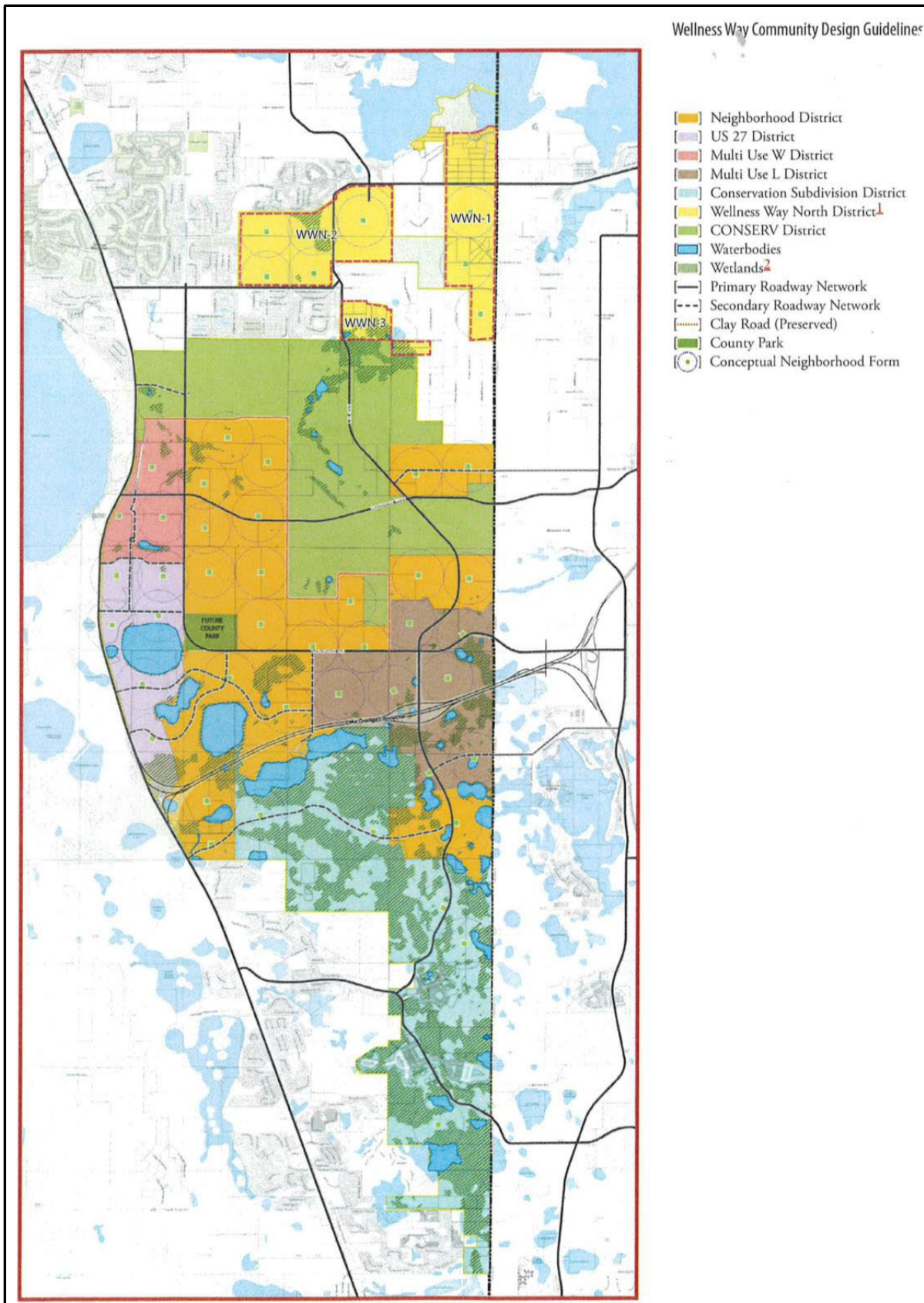
H. Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

The proposed amendment has no impact on the orderly and logical development pattern in 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-22-12-1
Wellness Way Amendments**

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING THE WELLNESS WAY AREA PLAN; AMENDING FUTURE LAND USE ELEMENT POLICY I-8.2.1.1, FUTURE LAND USE CATEGORIES CAPACITY ALLOCATION; 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 25th 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 23rd 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 22nd day of September 2011, the Lake County 2030 Comprehensive Plan became effective; and

WHEREAS, on the 5th 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 26th 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 2nd day of November 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 6th day of December 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 xx 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,

1 Florida, that:

2 **Section 1. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan,
3 Future Land Use Element Policies I-8.2.1.1 Future Land Use Categories Capacity Allocation shall be
4 amended as follows:

5 **Policy I-8.2.1.1 Future Land Use Categories Capacity Allocation**

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Future Land Use Category	Maximum Capacity / Net Residential Acre	Minimum FAR / Net Non-Residential Acre
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(No changes were made to either the text before or after the Allocation Table)

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

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

1 **Section 4. Effective Date.** The effective date of this plan amendment, if the amendment is not timely
2 challenged, shall be 31 days after the state land planning agency notifies the local government that the plan
3 amendment package is complete. If timely challenged, this amendment shall become effective on the date
4 the state land planning agency or the Administration Commission enters a final order determining this
5 adopted amendment to be in compliance. No development orders, development permits, or land uses
6 dependent on this amendment may be issued or commence before it has become effective. If a final order
7 of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made
8 effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to
9 the state land planning agency.

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11 **ENACTED** this ____ day of _____, 202x.

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13 **FILED** with the Secretary of State _____, 202x.

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

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Sean M. Parks, Chairman

22 **ATTEST:**

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Gary J. Cooney, Clerk

27 **Board of County Commissioners of**

28 **Lake County, Florida**

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32 **Approved as to form and legality:**

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Melanie Marsh, County Attorney

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