



COMPREHENSIVE PLAN AMENDMENT
STAFF REPORT
OFFICE OF PLANNING & ZONING

Tab Number: 2

Public Hearings: Planning & Zoning Board (PZB): June 7, 2023
Board of County Commissioners (BCC): July 11, 2023

Case No. and Project Name: FLU-23-05-1, LCSO Facility

Applicant: Lake County BCC

Owner: Lake County BCC

Requested Action: Amend the Future Land Use Map (FLUM) to change the Future Land Use Category (FLUC) on approximately 9.89 +/- acres from Conservation FLUC to Public Service Facility & Infrastructure FLUC and amend associated Comprehensive Plan Policies to support the development program for the Lake County Sheriff's Office.

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

Case Manager: Bernice Gonzalez, AICP, Senior Planner

PZB Recommendation:

Subject Property Information

Size: 9.89 +/- acres (no wetlands or floodplain)

Location: 12331 Dry Fork Road, in the Groveland area of unincorporated Lake County

Alternate Key Numbers: 2822317

Current Future Land Use: Conservation (Attachment "A")

Proposed Future Land Use: Public Service Facility and Infrastructure (Attachment "B")

Current Zoning Districts: Community Facility District (CFD) by Ordinance #2001-18 (Attachment "C")

Flood Zone: "X"

Joint Planning Area / ISBA: N/A

Overlay Districts: Green Swamp Area of Critical State Concern

Adjacent Property Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Green Swamp Rural	Agriculture	Citrus Groves	Agriculturally Exempt Tracts
South	Green Swamp Rural	Agriculture	Citrus Groves	Agriculturally Exempt Tracts
East	Green Swamp Rural and Green Swamp Rural Conservation.	Agriculture	Silviculture and Citrus Groves	Vacant Agriculture and Agriculturally Exempt Tracts
West	Green Swamp Rural	Agriculture	Citrus Groves	Agriculturally Exempt Tracts

Staff Analysis

The proposed Small-Scale Future Land Use Amendment is for a parcel containing approximately 9.89 +/- acres, located 12331 Dry Fork Road, in the Groveland area of unincorporated Lake County. The subject property is identified by Alternate Key (AK) Number 2822317. GIS aerials do not indicate any flood zone or wetlands on the subject property. The requested action proposes to amend the Future Land Use Category from Conservation to Public Service Facility and Infrastructure FLUC and amend associated Comprehensive Plan Policies to support the use of the property for the Lake County Sheriff's Office.

The future land use amendment is being requested in order to allow the property to continue to be utilized by the Lake County Sheriff's Office. The use of the property by the Lake County Sheriff's Office pre-dated the adoption of the current Comprehensive Plan. The future land use amendment is being requested as Comprehensive Plan Policy I-1.5.1, *Conservation Future Land Use Category*, states the intent of the Conservation future land use category is to consist of property managed for the permanent protection of natural resources, including but not limited to open water bodies, wildlife habitat, wetlands, and aquifer recharge. Lands within the Conservation Future Land Use Category (FLUC) shall be, to its furthest extent, maintained in a natural state. Based on this, the existing CFD zoning, and use are inconsistent with the Conservation FLUC. County staff is requesting to change the future land use designation to Public Service Facilities and Infrastructure as this future land use category permits public order and safety uses and to ensure the future land use category, zoning, and use are all consistent. LDR Chapter II, Definitions, defines Public Safety Service 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 the provisions under Ordinance #2001-18 for AK 2822317, which rezoned the parcel from the Agriculture (A) District to Community Facility (CFD) District. (Attachment "D").

The Concept Site Plan (Attachment "E") depicts access to the east via Dry Fork Road. No additional access to external roads is proposed. Additionally, the Concept Site Plan indicates that the proposed development will be in accordance with Policy I-4.1.5, *Development Requirements within the Green Swamp Area of Critical State Concern* and Policy I-1.5.3, *Public Service Facilities and Infrastructure Future Land Use Category*. The maximum intensity in this category shall be 1.0. The maximum Impervious Surface Ratio shall be 0.80. Landscaping, Buffering, and Screening is proposed to remain consistent with the conditions under Ordinance #2001-18, Section (1)(C) that requires the applicant to provide adequate buffering in accordance with the Land Development Regulations (LDR), as amended.

If the Comprehensive Plan Amendment is approved by the Board of County Commissioners (the 'Board'), this application will be sent to the Florida Department of Economic Opportunity (DEO) consistent with Comprehensive Plan Policy I-4.1.4, *Principles for Guiding Development within the Green Swamp Area of Critical State Concern*, as the property is located in the Green Swamp Area of Critical State Concern. The intent of the policy is to effectively and equitably conserve and protect the Green Swamp Area of Critical State Concern environmental and economic resources; provide a land and water management system to protect resources; and facilitate orderly and well-planned growth. Policy I-4.1.4 requires that any review and approval mechanism shall not become effective, amended, or modified, and no action taken under such mechanism shall be effective, until first reviewed and approved by the DEO, pursuant to Chapter 380, Florida Statutes.

Table 1. Existing and Proposed Development Standards.						
	Future Land Use Category	Allowable Development Program	Proposed Development Program	Maximum Impervious Surface Ratio	Minimum Open Space	Building Height
Existing	Community Facility	Pursuant to Ordinance #2001-18.	General Agriculture Uses; and Community Facility District (CFD) Uses, as allowed under Ordinance #2001-18	0.80	NS	NS
Proposed	Public Service Facility & Infrastructure	Public facility or infrastructure needs by Comp Plan Policy I-1.5.3.	Community Facility District (CFD) Uses as allowed under Ordinance #2001-18	0.80	NS	NS

Standards for Review (LDR Section 14.02.03) (Attachment "F").

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

The proposed amendment is consistent with Comprehensive Plan Policy I-1.5.3, *Public Service Facilities and Infrastructure Future Land Use Category*, which allows Public Order and Safety uses.

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

The proposed amendment is not in conflict with any provisions of these regulations or the conditions under Ordinance #2001-18. Pursuant to Land Development Regulations (LDR) Section 3.01.03, Public Safety Service is a permissible use within the Community Facility District (CFD) Zoning.

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

Public Service Facilities and Infrastructure is not consistent with the current Conservation FLUC. Amending the FLUC to Public Service Facilities and Infrastructure is consistent with the existing and proposed land uses, which allows Public Safety Service facilities/uses. The current uses on the property under Ordinance #2001-18 predate the adoption of the current comprehensive plan.

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

The use is an existing use which is consistent with Ordinance #2001-18 for the property.

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 replacement of the building that was on the property will not adversely impact the County's adopted levels of service. The facility is being served with well and septic. No adverse impacts are anticipated for solid waste, public safety, or transportation.

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

All sensitive resources will be addressed through the development review process. New development will be required to meet all criteria specified by the Comprehensive Plan and Land Development Regulations (LDR). An environmental assessment will be submitted with site plan application to indicate the presence of vegetation, soils, wetlands, threatened and endangered species on the site. Any required State permitting, or mitigation will be obtained before development can commence.

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

There is no information demonstrating impacts 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.

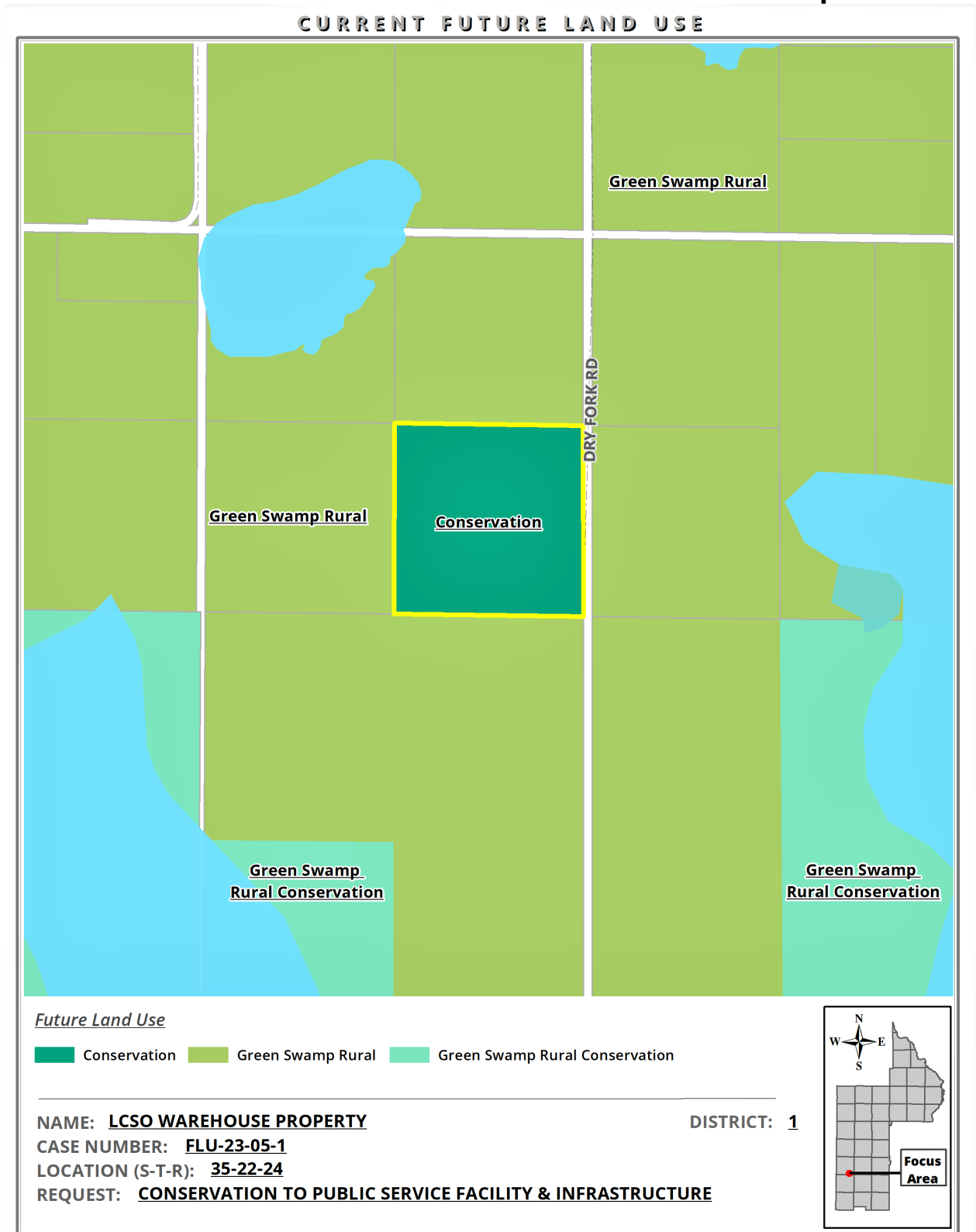
The proposed amendment would not disrupt the existing orderly and logical development pattern of the area. The subject property has been developed consistent with the provisions under Ordinance #2001-18.

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.

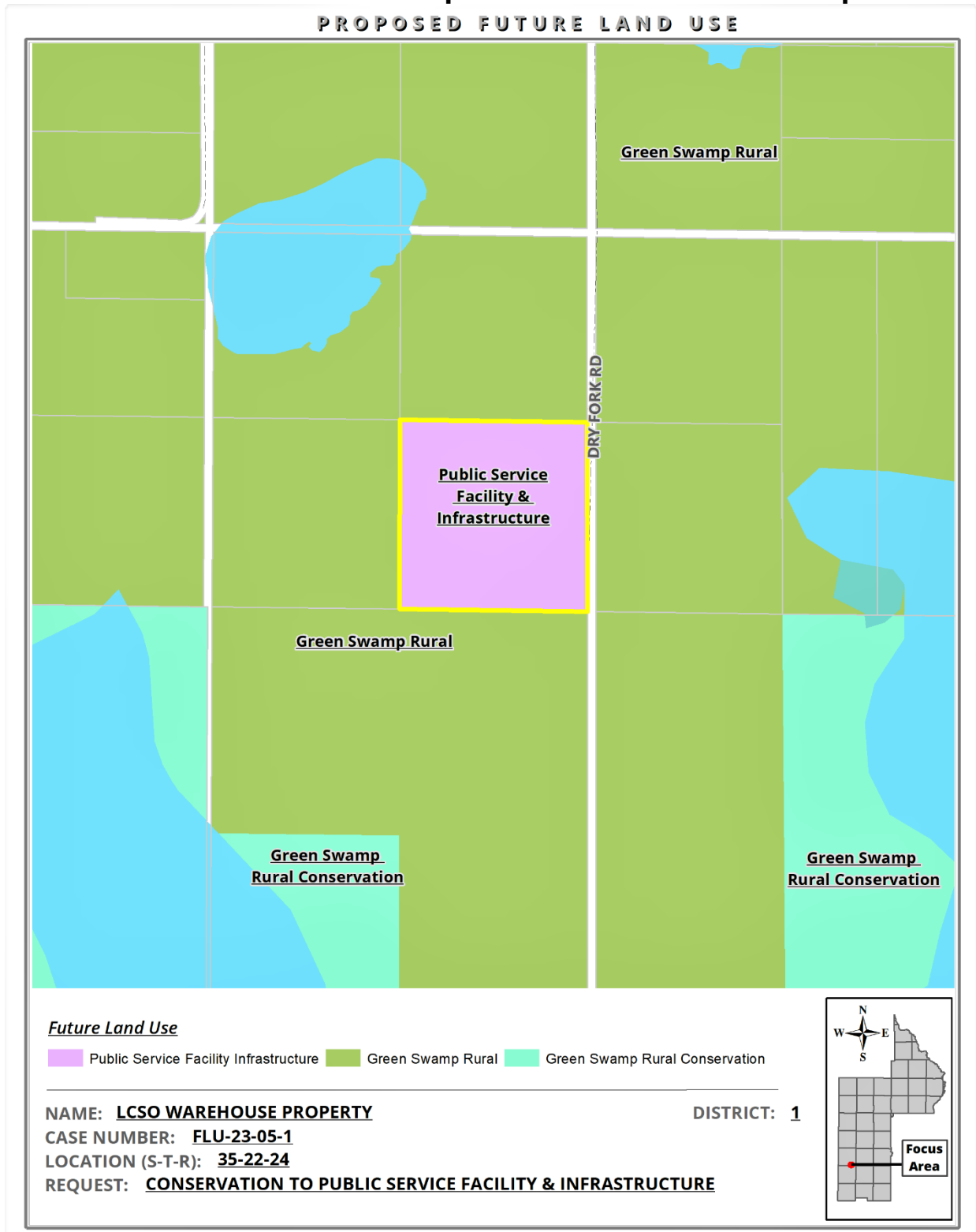
The request is in harmony with the general intent of the Comprehensive Plan and Land Development Regulations as stated in above sections.

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Attachment "A" – Current Future Land Use Map

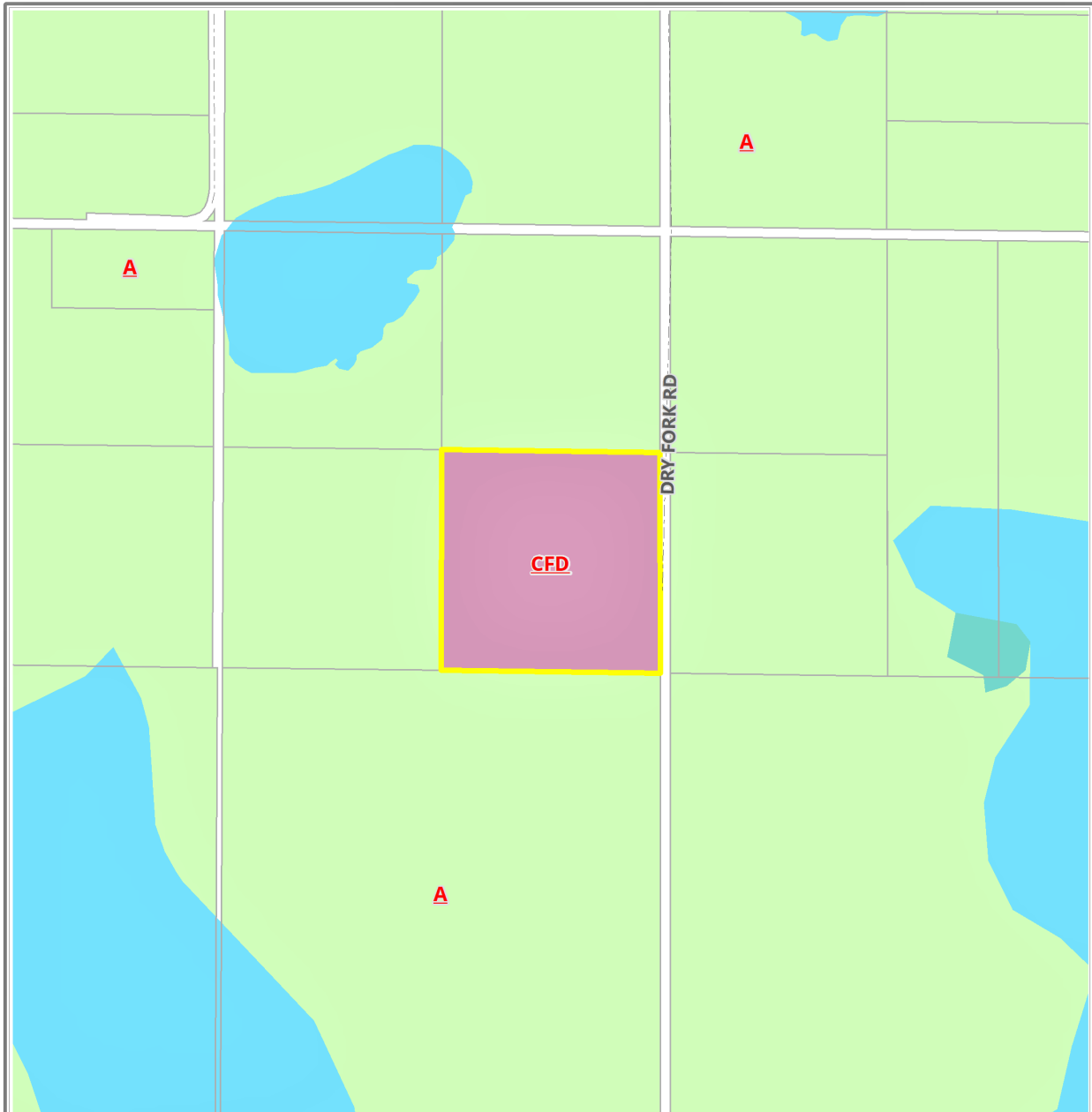


Attachment "B" – Proposed Future Land Use Map



Attachment "C" – Zoning Map

CURRENT ZONING



Zoning Legend

 A  CFD

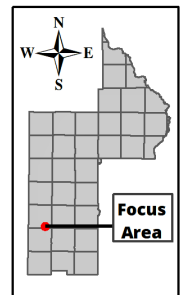
NAME: **LCSO WAREHOUSE PROPERTY**

DISTRICT: **1**

CASE NUMBER: **FLU-23-05-1**

LOCATION (S-T-R): **35-22-24**

REQUEST: **CONSERVATION TO PUBLIC SERVICE FACILITY & INFRASTRUCTURE**



Attachment "D" – Ordinance #2001-18 (Page 1 of 5)

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

ORDINANCE #2001- 18	CFN 2001020895
Tracking No. #18-01-CFD	BOOK 01918 PAGE 1439 - 1443
Lake County Sheriff's Department	DATE: 03/12/2001 03:38:23 PM
PH#14-01-2	JAMES C. WATKINS, CLERK OF COURT
	LAKE COUNTY
	RECORDING FEES 21.00
	TRUST FUND 3.00

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

WHEREAS, the Lake County Planning and Zoning Commission did, on the 7th day of February 2001, review petition #14-01-2 a request for rezoning from A (Agriculture) to CFD (Community Facility District) zoning for property generally located in the Groveland area - (Sec 35 Twp. 22S Rge 24E) (10 +/- acres)

LEGAL DESCRIPTION: [EXHIBIT "A" - ATTACHED]

AND, after giving Notice of Hearing on petition for a change in the use of land, including a notice that said would be presented to the Board of County Commissioners of Lake County, Florida, on the 27th day of February, and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning and Zoning Commission, 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 and conditions pertaining to the development of the above described property have been duly approved, and

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 above tract of land subject to the following terms and conditions:

FILED
 2001 MAR -7 AM 9:24
 DEPT. OF STATE
 TALLAHASSEE, FLORIDA

R- BOARD SUPPORT

Attachment "D" – Ordinance #2001-18 (Page 2 of 5)

OR BOOK 01918 PAGE 1440

ORDINANCE #2001-18

(Tracking No. #18-01-CFD) (PH#14-01-2) (Lake County Sheriff's Dept)

1. Terms: This Ordinance shall mean and include the following uses as outlined herein. The County Manager or designee shall amend the Lake County Zoning Maps from A to CFD, in accordance with this Ordinance:
 - A. Land Uses:
 1. Use of the site shall be for long-term storage warehouse and related caretaker's mobile home for the Sheriff's Office or another governmental agency and associated uses related thereto. Normal accessory uses related thereto may be approved by the County Manager or designee. Any other use of the site shall require approval of an amendment by the Board of County Commissioners.
 - B. Setbacks, impervious surface ratio, open space requirement:

The applicant shall maintain setbacks of no less than 50 feet from all roads, right-of-way or easements bounding the project area, as outlined in the Lake County Land Development Regulations, as amended. The impervious surface ratio shall be limited to 30% of the base site area. An open space requirement of 60% shall apply and be composed of naturally vegetated area.
 - C. Landscaping/Buffers:

The applicant shall provide adequate buffering as required by the Land Development Regulations, as amended. In addition, only native plant materials and a drought-resistant design shall be used per policy 1A-1.3 of the Comprehensive Plan.
 - D. Lighting: All outdoor lighting shall be so shaded and adjusted as to direct the light away from adjoining properties and rights of ways.
 - E. Transportation Improvements: The applicant shall be responsible for the improvement and maintenance of the Groveland Farms easement providing access to the site.
 - F. Designated species protection: A management plan addressing any designated species using the site shall be submitted to and approved by applicable governmental agencies and the County Manager or designee prior to any development activity.
 - G. Development Review and Approval: Prior to the issuance of any permits the applicant shall submit site plans to be reviewed and approved by the County Manager or designee. The site plans shall meet all submittal requirements and comply with all County codes and Ordinances, as amended.

Attachment "D" – Ordinance #2001-18 (Page 3 of 5)

OR BOOK 01918 PAGE 1441

ORDINANCE #2001-18
(Tracking No. #18-01-CFD) (PH#14-01-2) (Lake County Sheriff's Dept)

H. Future Development Orders

Any requested development order must comply with the Lake County Land Development Regulations, as amended, and Lake County Comprehensive Plan, as amended.

I. Future Amendments to Statutes, Code, Plan and/or Regulations:

The specific references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County Comprehensive Plan, and Lake County Land Development Regulations, include any future amendments to the Statutes, Code, Plan, and/or Regulations.

2. Conditions as altered and amended which pertain to the above tract of land shall mean:

- A. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the purposes named in this Ordinance. Any other proposed use must be specifically authorized by the Planning and Zoning Commission and the Board of County Commissioners.

Attachment "D" – Ordinance #2001-18 (Page 4 of 5)

OR BOOK 01918 PAGE 1442

ORDINANCE #2001-18
(Tracking No. #18-01-CFD) (PH#14-01-2) (Lake County Sheriff's Dept)

Section 3. Effective Date. This Ordinance shall become effective as provided by law.

ENACTED this 27th day of February 2001.


FILED with the Secretary of State March 7 2001.

EFFECTIVE March 7 2001.


BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA


CATHERINE HANSON, CHAIRMAN

ATTEST:


James C. Watkins, Clerk of the
Board of County Commissioners
Lake County, Florida

APPROVED AS TO FORM AND LEGALITY:


SANFORD A. MINKOFF, County Attorney

Attachment "D" – Ordinance #2001-18 (Page 5 of 5)

OR BOOK 01918 PAGE 1443

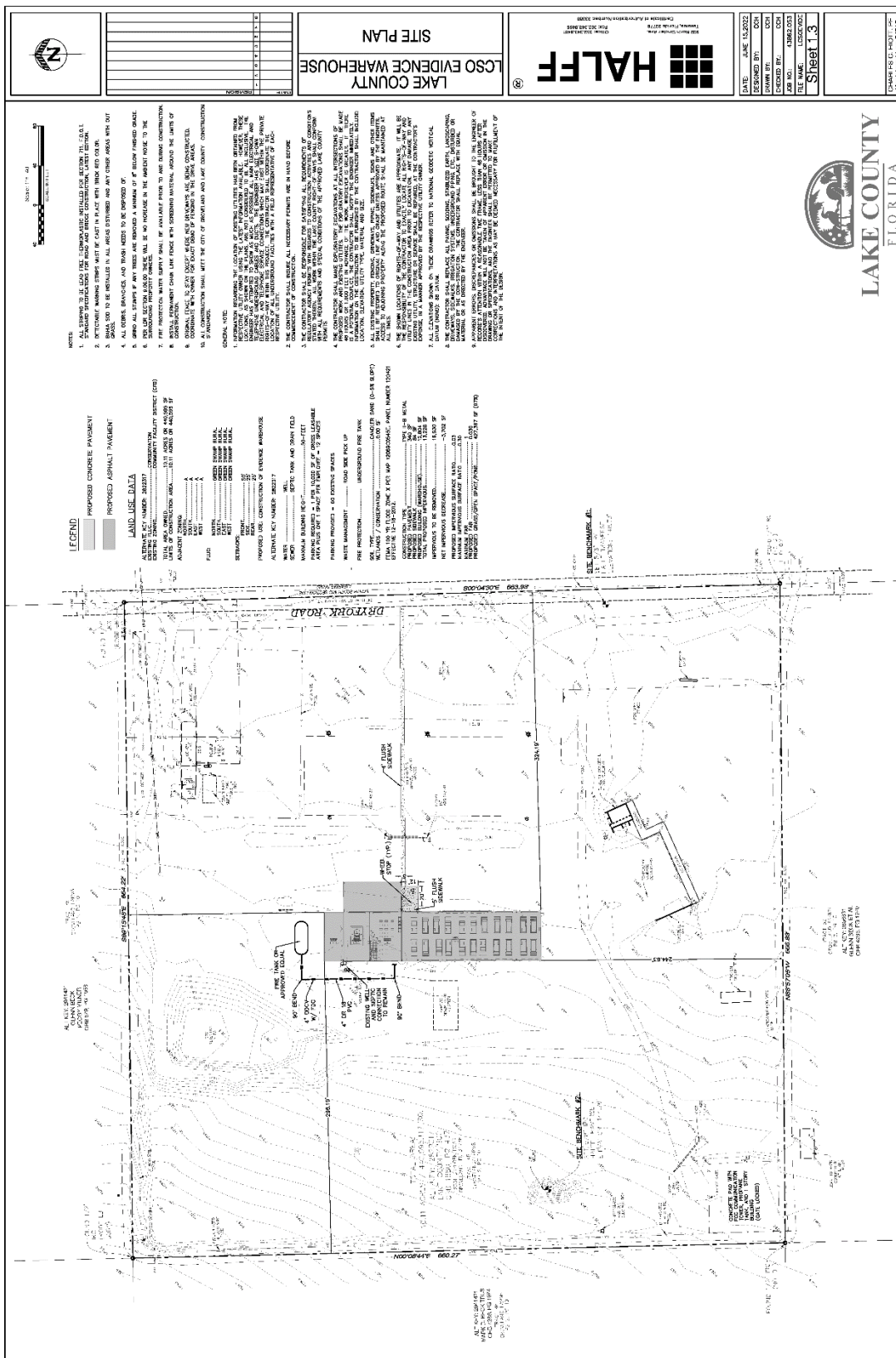
EXHIBIT "A" – LEGAL DESCRIPTION

ORDINANCE NO. #2001-18
PH#14-01-2
Tracking No. #18-01-CFD
Lake County BCC Sheriff's Department

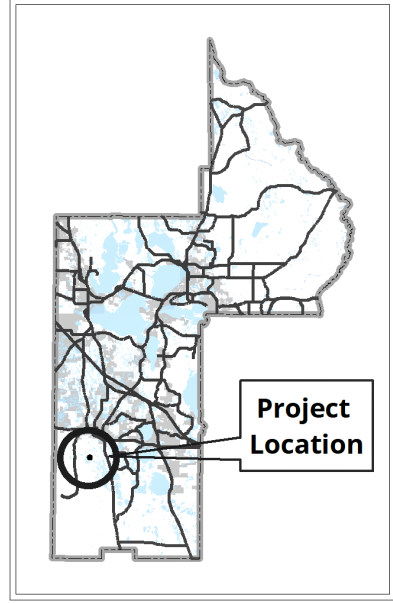
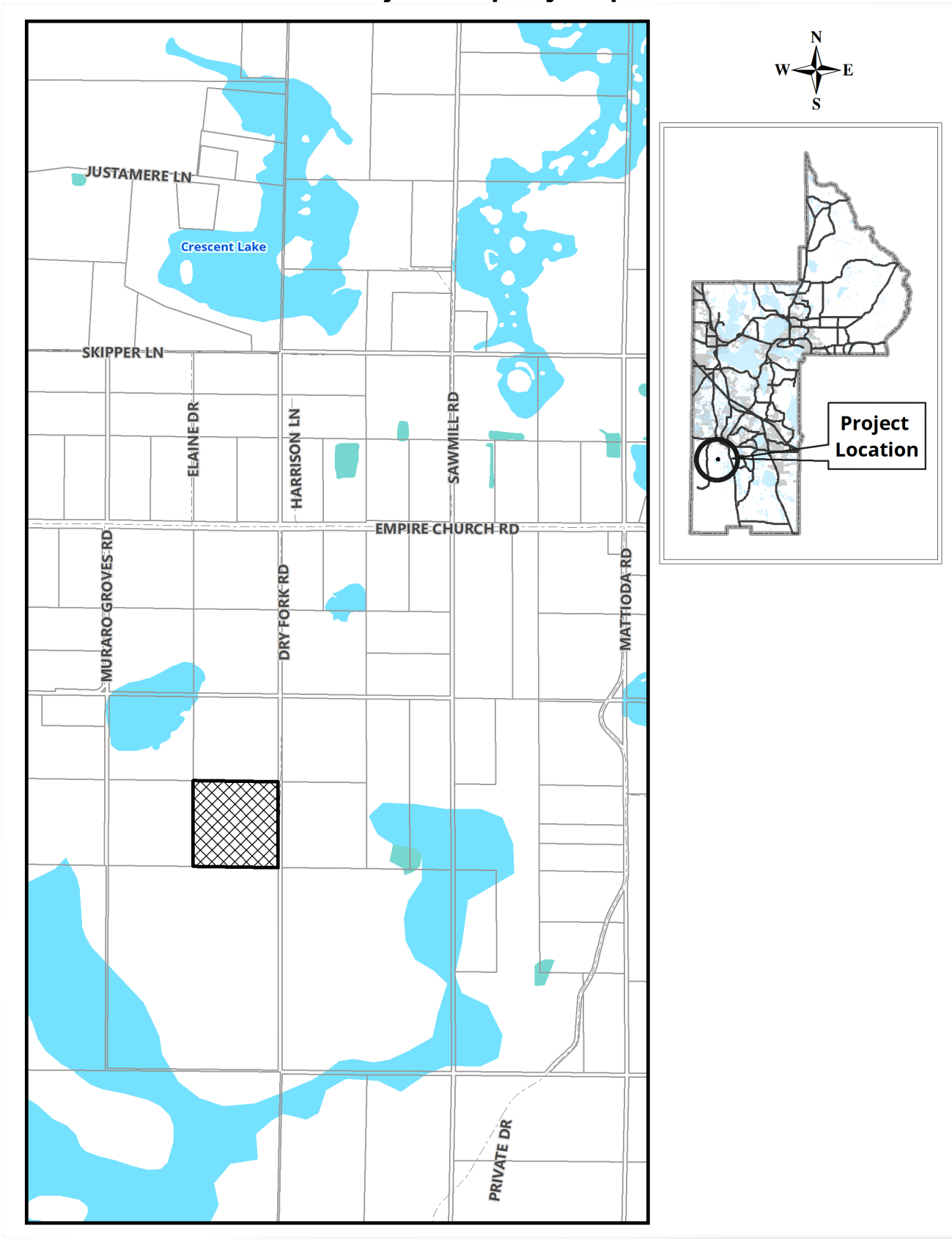
AN ORDINANCE BY THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.

LEGAL DESCRIPTION: (AK#2822317) Groveland Farms – Sec 35-22-24, Tract 45, Sec 1 Twp.
22S Rge 24E.

Attachment "E" – Concept Site Plan

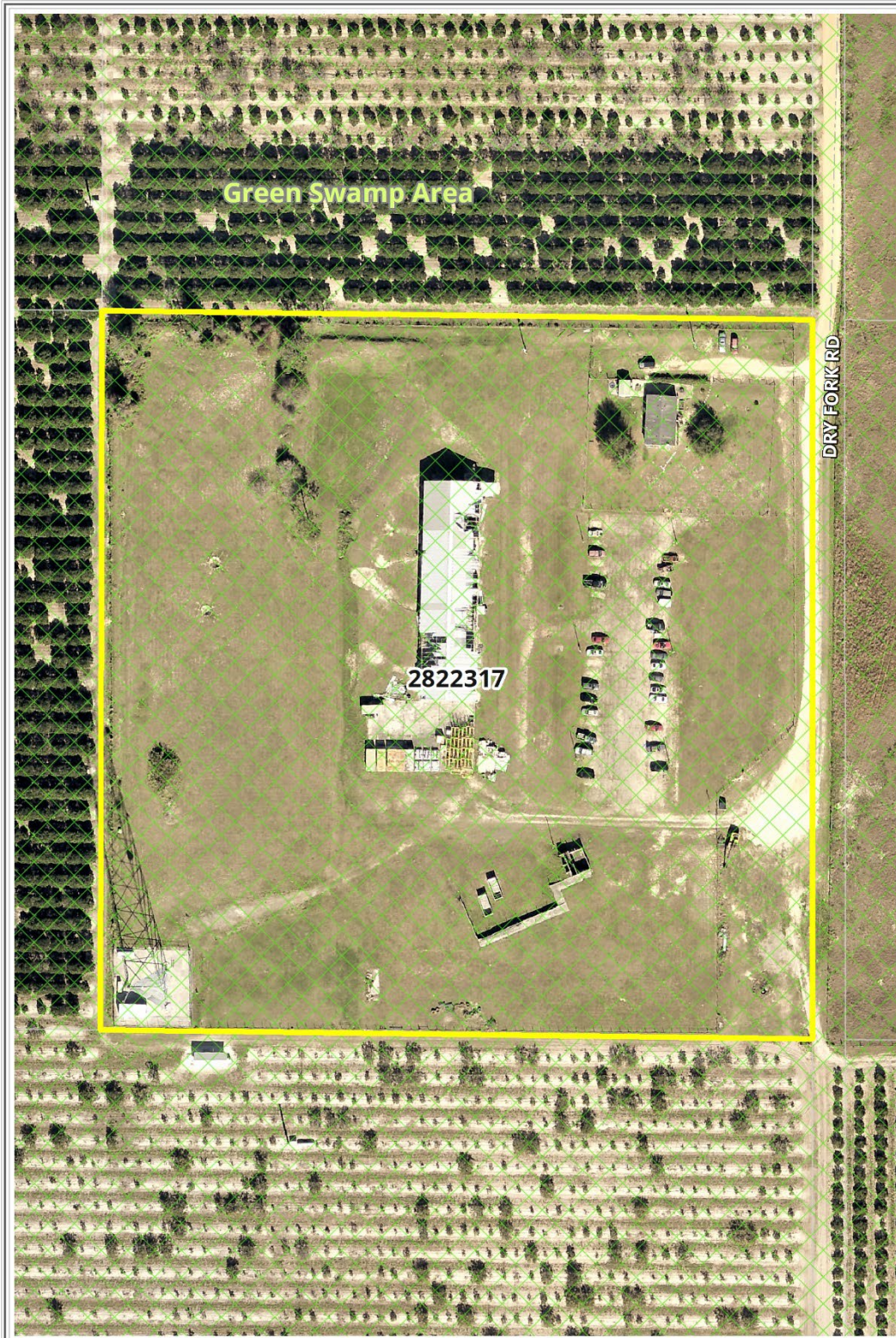
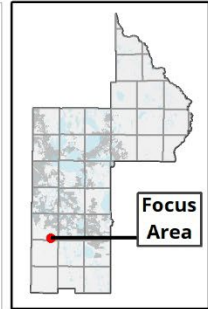


Subject Property Map



Aerial Map

FLU-23-05-1
LCSO Warehouse Property



Conservation
to
Public Service
Facility & Infrastructure

Legend

 Green Swamp Area

ORDINANCE 2023 – ____
FLU-23-05-1
Map Amendment - LCSO Facility

1 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA,**
2 **AMENDING THE LAKE COUNTY 2030 COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND**
3 **USE MAP FROM CONSERVATION FUTURE LAND USE CATEGORY TO PUBLIC SERVICE**
4 **FACILITY & INFRASTRUCTURE FUTURE LAND USE CATEGORY FOR 9.89 +/- ACRES LOCATED**
5 **AT 12331 DRY FORK ROAD, IN THE GROVELAND AREA OF UNINCORPORATED LAKE COUNTY,**
6 **IDENTIFIED AS ALTERNATE KEY NUMBER 2822317, AND LEGALLY DESCRIBED IN EXHIBIT “A;”**
7 **PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES;**
8 **PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**
9

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

12 **WHEREAS**, Chapter 125, Florida Statutes, Section 125.01(1)(g), authorizes the Board of County
13 Commissioners of Lake County to “[p]repare and enforce comprehensive plans for the development of the
14 county”; and

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

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

22 **WHEREAS**, on the 22nd day of September 2011, the Lake County 2030 Comprehensive Plan
23 became effective and designated the property as part of the Regional Office Future Land Use Category; and

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

26 **WHEREAS**, on the 7th day of June 2023, this Ordinance was heard at a public hearing before the
27 Lake County Planning & Zoning Board in its capacity as the Local Planning Agency; and

28 **WHEREAS**, on the 11th day of July 2023, this Ordinance was heard at a public hearing before the
29 Lake County Board of County Commissioners for approval to adopt and transmit to the state planning agency
30 and other reviewing agencies; and

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

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

35 **Section 1. Comprehensive Plan Future Land Use Map Amendment.** The 2030 Comprehensive Plan
36 Future Land Use Map is hereby amended to change the Future Land Use Category for the subject property,
37 described in **Exhibit “A”** attached hereto, and incorporated in this Ordinance, from Conservation to Public
38 Service Facility & Infrastructure Future Land Use Category.

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

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

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

ENACTED this ____ day of _____, 2023.

FILED with the Secretary of State _____, 2023.

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

Kirby Smith, Chairman

ATTEST:

Gary J. Cooney, Clerk
Board of County Commissioners of
Lake County, Florida

Approved as to form and legality:

Melanie Marsh, County Attorney

**Exhibit “A” – Legal Description
Alternate Key # 2822317**

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GROVELAND FARMS SEC 35-22-24, TRACT 45, SEC 1, TWP 22S, RGE 24E.

ALSO DESCRIBED AS TRACT 45, IN SECTION 35, TOWNSHIP 22 SOUTH, RANGE 24 EAST, GROVELAND FARMS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA (SEE OR BOOK 894/PAGE 410).