



COMPREHENSIVE PLAN AMENDMENT
STAFF REPORT
OFFICE OF PLANNING & ZONING

Tab Number: 8

Public Hearings: Planning & Zoning Board (PZB): October 4, 2023.
Board of County Commissioners (BCC): November 14, 2023.

Case No. and Project Name: FLU-23-06-3, Hurley Environmental Park Comprehensive Plan Map Amendment

Applicant: Mr. Carl Salafrio

Owners: Mr. Keith Truenow and Ms. Dodi Ann Hurley

Requested Action: Amend the Future Land Use Map (FLUM) to change the Future Land Use Category (FLUC) on approximately 49.36 +/- acres from Rural FLUC to Industrial FLUC to support the development program for Hurley Environmental Park.

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

Case Manager: Bernice Gonzalez, Senior Planner
Janie Barron, Chief Planner

PZB Recommendation:

Subject Property Information

Size: 49.36 +/- Acres

Location: West side of CR 448A, north of Spicewood Way and south of Duda Road, in the Mount Dora area of unincorporated Lake County.

Alternate Key No.: A portion of AK No. 3794003
Agriculture (A) (**Attachment "A"**)

Existing Zoning District: [A request for rezoning to Planned Industrial (MP) District is being presented under a separate cover as case file RZ-23-04-3]

Future Land Use Category: Rural (**Attachment "C"**)

Proposed Future Land Use Category: Industrial (**Attachment "B"**)

Flood Zone: "AE" and "X"

Joint Planning Area / ISBA: N/A

Overlay Districts: N/A

Adjacent Property Land Use Table

| <u>Direction</u> | <u>Future Land Use</u> | <u>Zoning</u> | <u>Existing Use</u> | <u>Comments</u> |
|------------------|------------------------|------------------------------------|---|--|
| North | Rural | Agriculture | Vacant Agriculture | Flood Area AE along the northwest boundary line. |
| South | Rural | Agriculture | Vacant Agriculture | Wetlands. |
| East | Rural and Industrial | Agriculture and Planned Industrial | Long & Scott Farms and Vacant Agriculture | Adjacent to CR 448A and Lake Lena Lane. |
| West | Rural | Agriculture | Hurley Peat Mine Reclamation (MSP#05/1/1-3) | Applicant states that there is no active mining occurring. |

Staff Analysis

The proposed Small-Scale Future Land Use Amendment is for a parcel containing approximately 49.36 +/- acres (**Attachment “D”**) located at west side of CR 448A, north of Spicewood Way and south of Duda Road, in the Mount Dora area of unincorporated Lake County. The requested action proposes to amend the Future Land Use Category from Rural to Industrial FLUC to support the development program for Hurley Environmental Park as shown in the concept plan. (**Attachment “E”**).

The property is currently vacant. A request for rezoning to Planned Industrial (MP) District is being presented under a separate cover as case file FLU-23-04-3.

The proposed amendment is consistent with all applicable provisions of the Land Development Regulations (LDR) and elements of the Comprehensive Plan.

Table 1. Existing and Proposed Development Standards.

| | Zoning District | FLUC | Maximum Density | Maximum ISR | Minimum Open Space | Maximum Floor Area Ratio | Maximum Building Height |
|----------|-------------------------|------------|--------------------|-------------|--------------------|--------------------------|-------------------------|
| Existing | Agriculture (A) | Rural | 1 du/5 net ac | 20% | 35% | Not Specified (NS) | 75 Feet |
| Proposed | Planned Industrial (MP) | Industrial | Not Specified (NS) | 80% | NS | 1.0 | 75 Feet |

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 Comp Plan Policy I-1.3.8 Industrial FLUC, which allows maximum Floor Area Ration (FAR) of 1.0. The subject parcel is approximately 49.36 +/- acres. The Industrial FLUC allows for Manufacturing, Wholesale trade, Limited Commerce Uses, Rail Yards, Civic Uses, Utilities, and Public Order and Safety Uses.

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

The proposed amendment and use are consistent with LDR Section 3.00.02, *Purpose and Intent of Districts*, which states that the purpose of the MP zoning district is to provide for any industrial land use currently available in any other industrial district and to provide for any industrial land use for which no provision is made elsewhere in these regulations. The intent is to establish MP districts individually under approved site plans, submitted either at the initial rezoning stage or prior to the actual development of the property, conditions necessary to promote the general welfare and to secure economic and coordinated land use.

A request for rezoning to MP District is being presented under a separate cover as case file RZ-23-04-3.

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

The proposed amendment is consistent with existing and proposed nearby land uses, which similarly include industrial and agricultural uses, as stated in the Adjacent Property and Land Use Table above. This request would change the FLUC on approximately 49.36 +/- acres (**Attachment “D”**) from Rural FLUC to Industrial FLUC to support the development program for Hurley Environmental Park as shown in the concept plan. (**Attachment “E”**).

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

Currently the parcel is zoned Agriculture (A) district and designated with a Rural FLUC in the 2030 Lake County Comprehensive plan. The property is presently vacant and included within the boundaries of Mining Conditional Use Permit (MCUP) approved under Ordinance #2005-17. Applicant states that there is no active mining occurring. This proposed amendment would change the FLUC for approximately 49.36 +/- acres (**Attachment “D”**) from Rural FLUC to Industrial FLUC to support the development program for Hurley Environmental Park as shown in the concept plan. (**Attachment “E”**).

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

Future development shall be consistent with the requirements of Lake County Comprehensive Plan and LDR.

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

No information was included within the application that specifies impacts on property values.

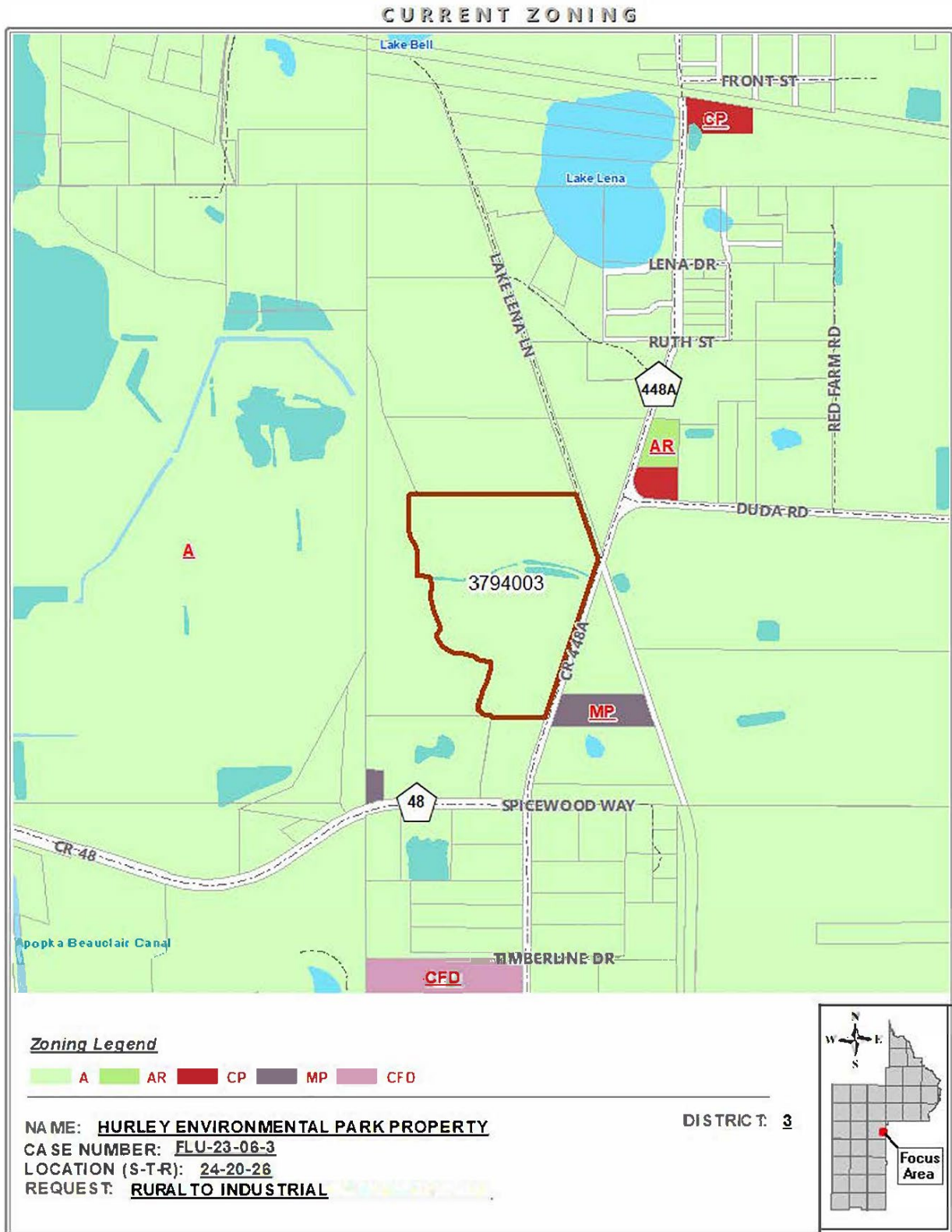
G. Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

The proposed amendment would not disrupt the existing orderly and logical development pattern of the area. The surrounding properties are of similar size and similar use. Future development shall be consistent with the requirements of Lake County Comprehensive Plan and LDR.

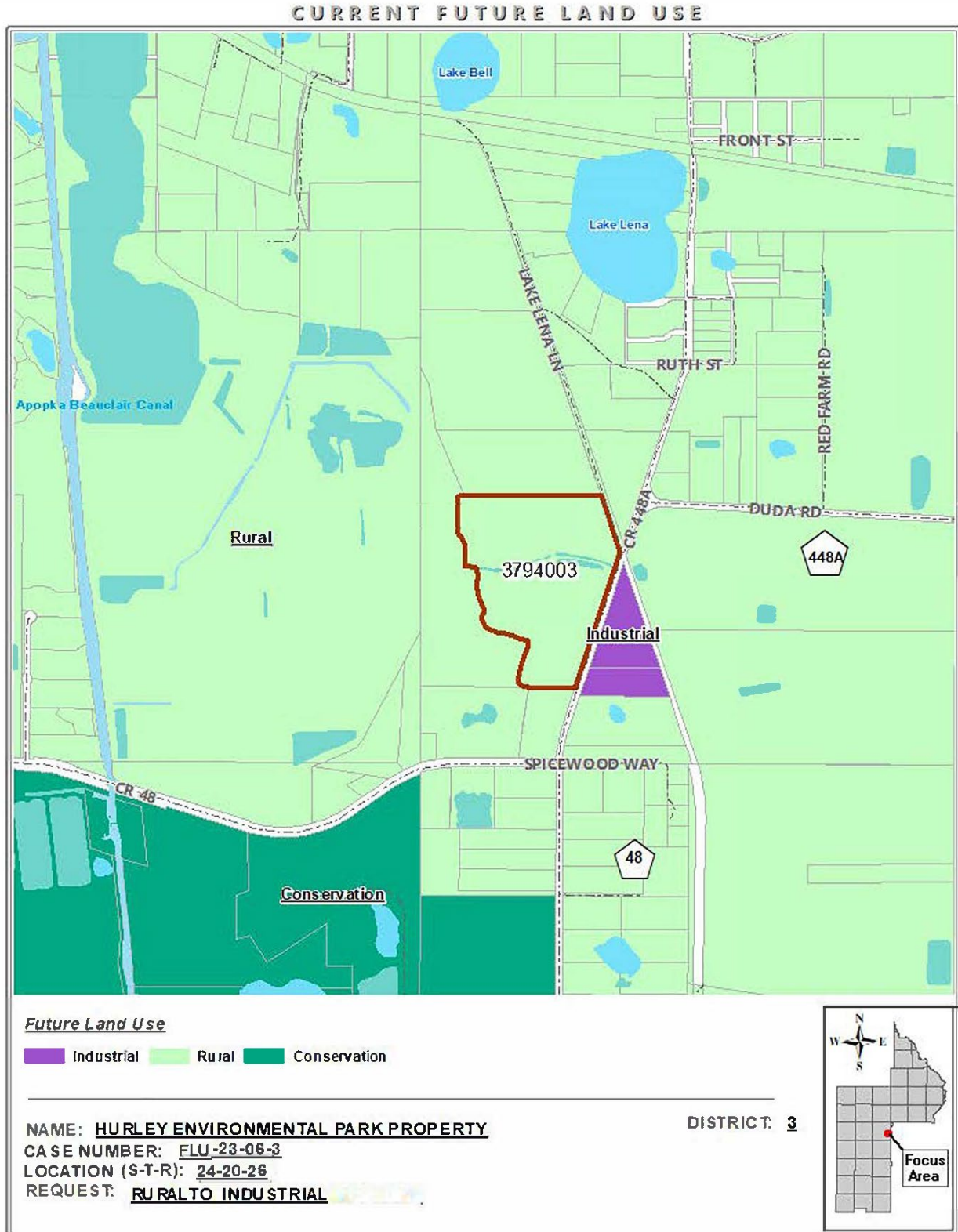
H. Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and interest of these regulations.

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

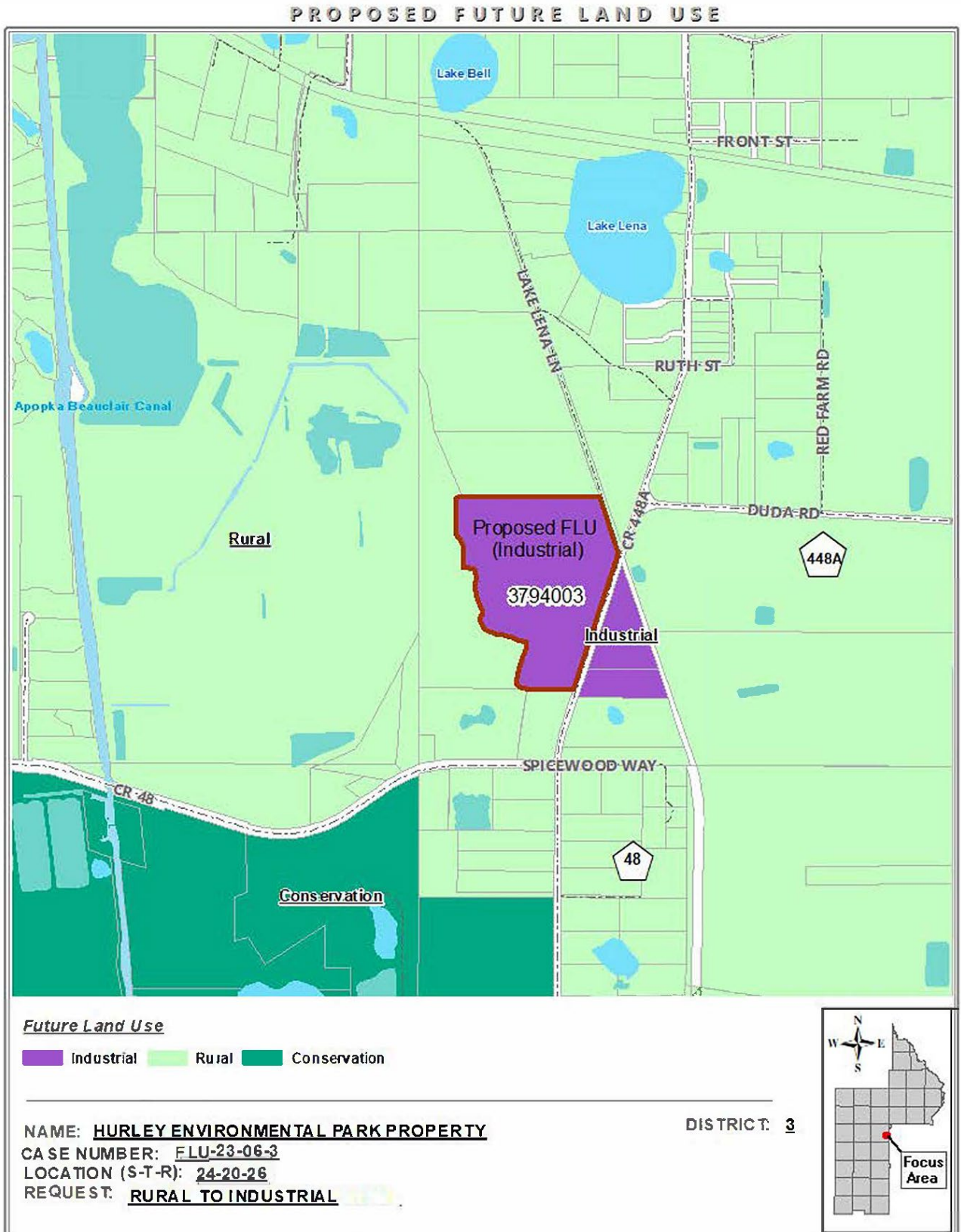
Attachment A – Current Zoning



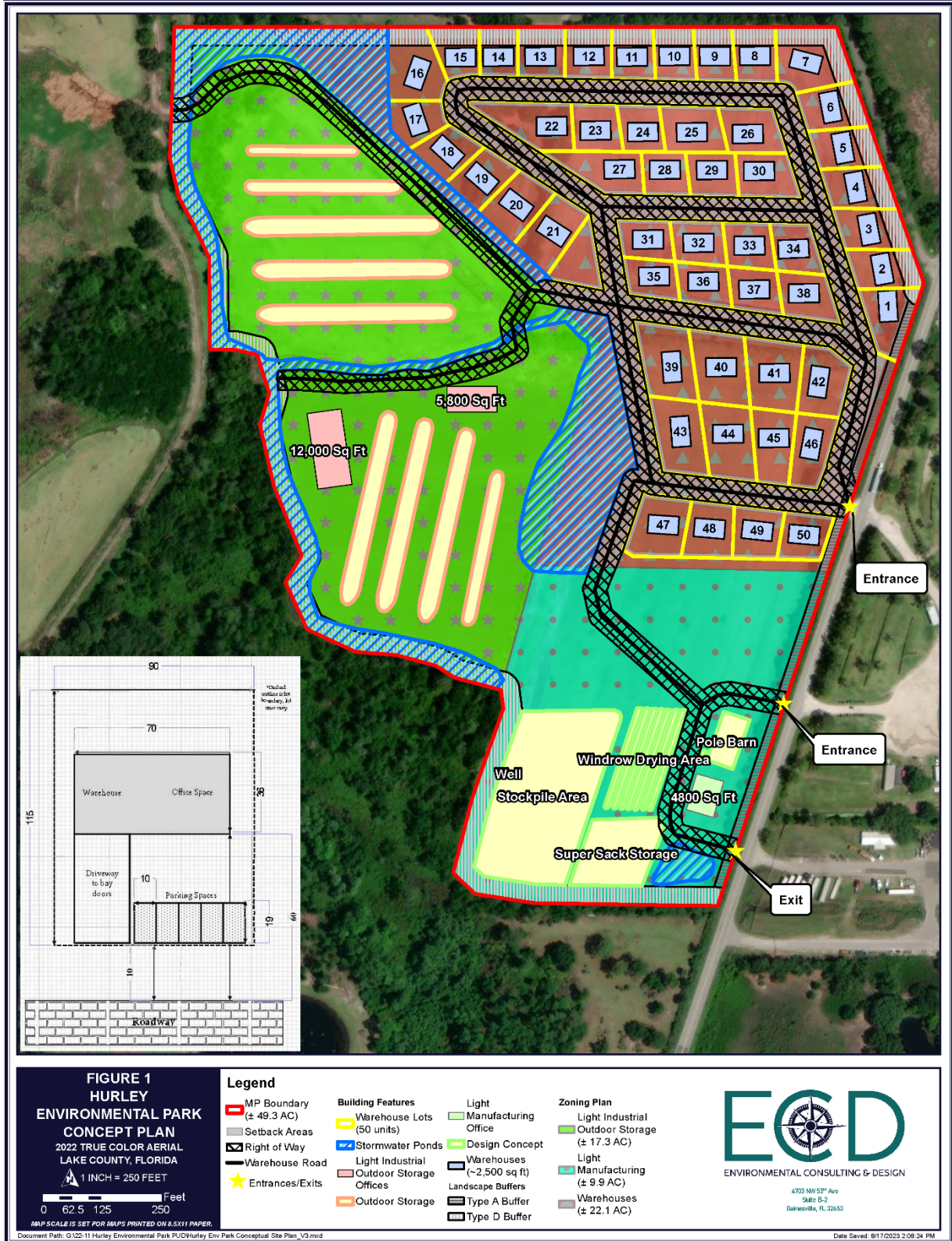
Attachment B – Current Future Land Use



Attachment C – Proposed Future Land Use



Attachment E – Concept Plan

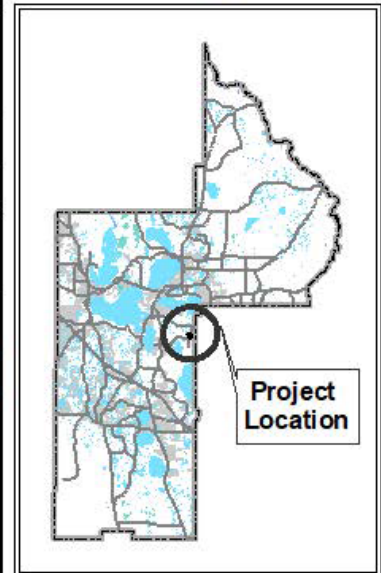
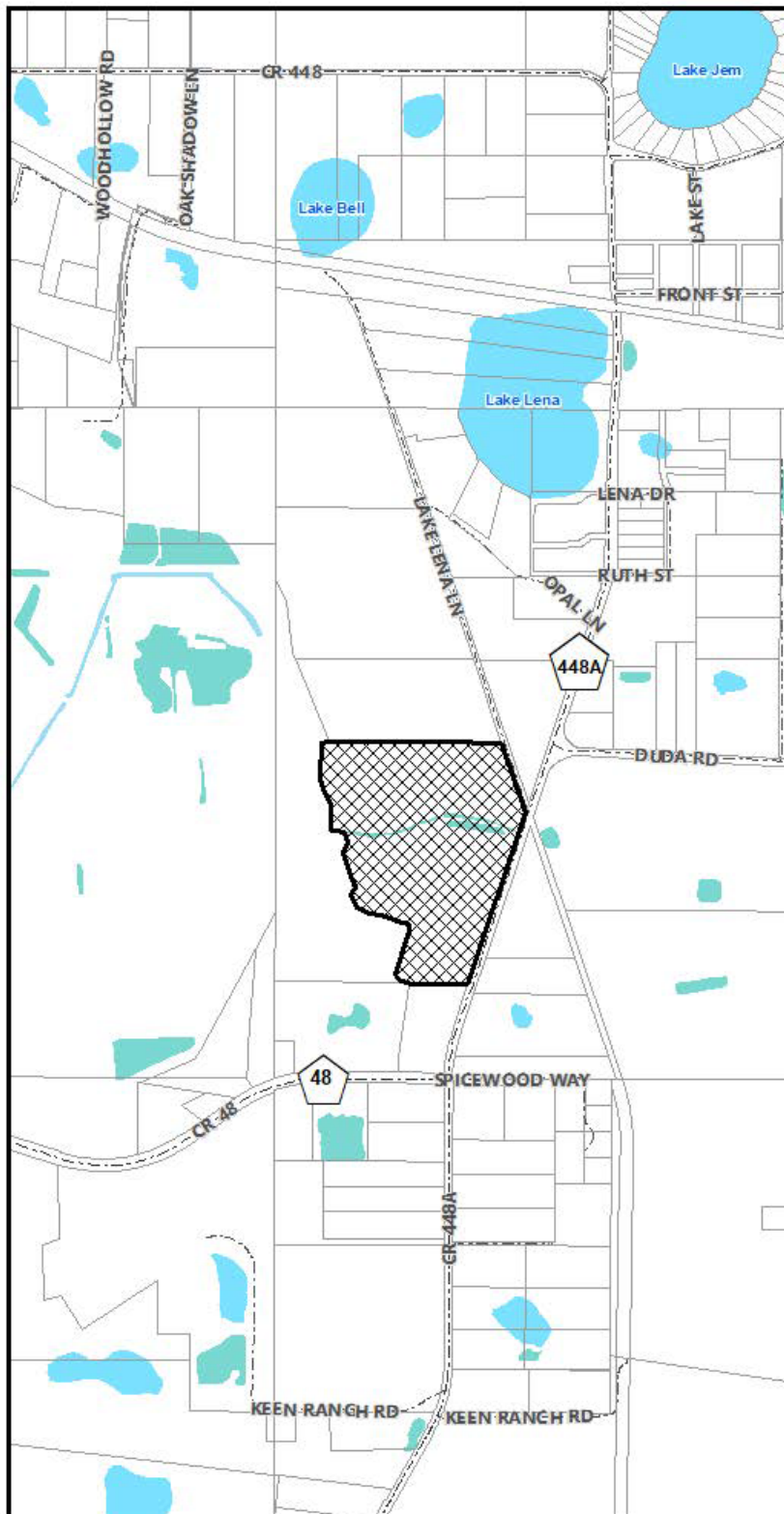


Attachment F – Justification Statement

Exhibit A Hurley Comp Plan Amendment Narrative

The Hurley Environmental Park (HEP) aims to provide an area to test innovative water quality treatment methodologies, to store outdoor material for processing, and to create warehouses for lease. The map amendment and accompanying zoning change from agriculture to industrial will allow for the construction of the Hurley Environmental Park. HEP will incorporate uses that complement existing water quality treatment practices, focusing on alternative treatment methodologies for complying with state and federal water quality regulations. The intent of the project is to allow for outdoor storage of raw product (see below) and manufacturing of finished goods into water treatment material, mulch, or the like dependent upon the service. Outdoor storage may include inert tree debris and wood products as well as wastewater residuals. HEP is intended to serve the wastewater industry by recycling waste products into usable water treatment materials. Most of the waste materials are anticipated to originate from within Lake County. In addition, the warehouses included in the project site plan are intended to serve small and medium sized businesses such as plumbing and electrical contractors that require office space, and the storage of goods inside enclosed structures.

Map of Subject Property



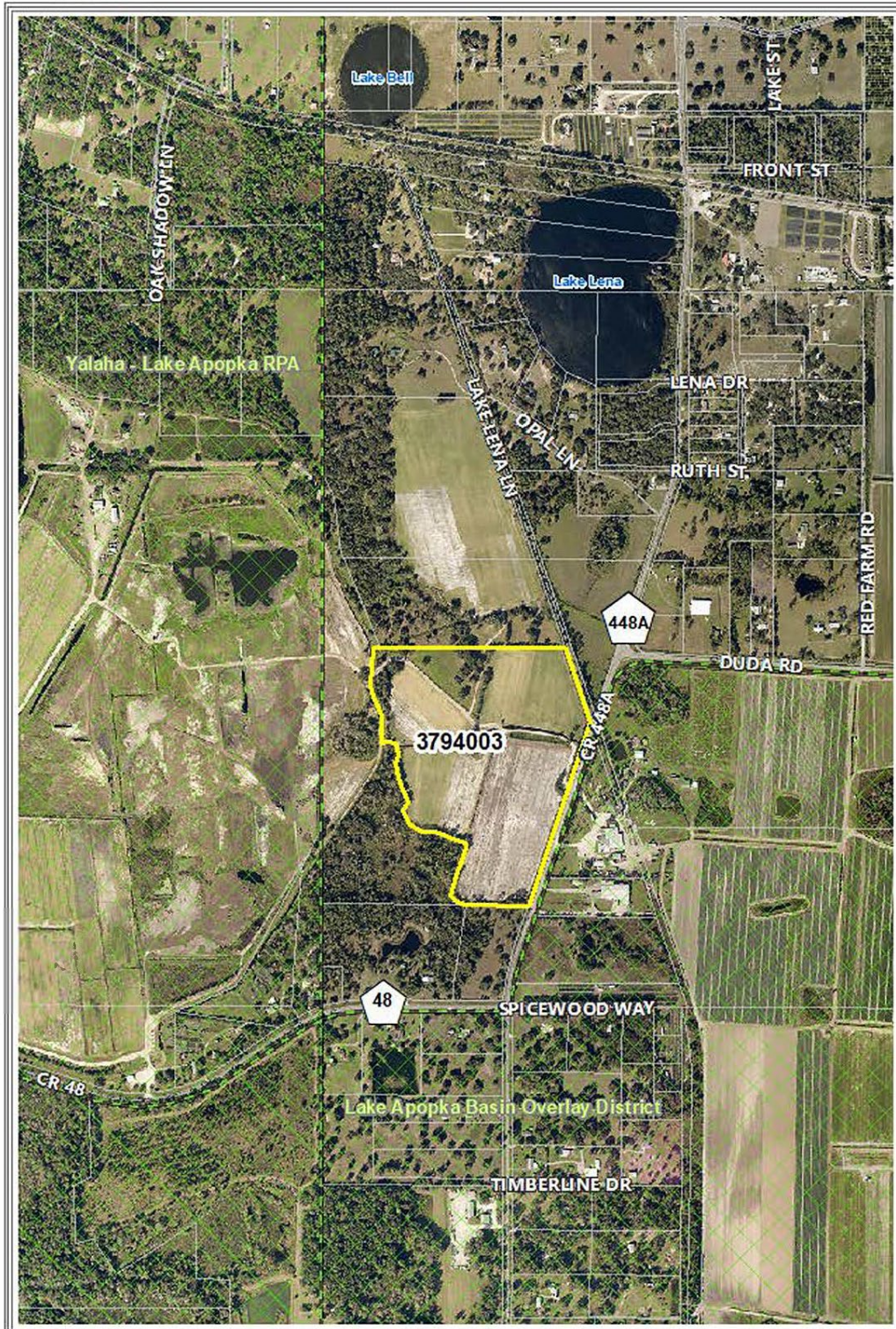
Aerial



FLU-23-52-3 ECONOMIC DEVELOPMENT OVERLAY MAP 20



REMOVE 49.36 +/-
ACRES FROM THE
ECONOMIC
DEVELOPMENT
OVERLAY DISTRICT
MAP 20.



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

3 **Section 1. Comprehensive Plan Future Land Use Map Amendment.** The 2030
4 Comprehensive Plan Future Land Use Map is hereby amended to change the Future Land Use Category
5 for the subject property, described in Exhibit "A" attached hereto, and incorporated in this Ordinance,
6 from Rural to Industrial Future Land Use Category.

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

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

18 **Section 4. Effective Date.** The effective date of this plan amendment, if the amendment is
19 not timely challenged, shall be no less than 31 days after the state land planning agency notifies the local
20 government that the plan amendment package is complete; however the Effective Date shall be the date
21 the Ordinance is recorded in the public records' of Lake County, Florida, at the applicant's expense. If
22 timely challenged, this amendment shall become effective on the date the state land planning agency,
23 or the Administration Commission enters a final order determining this adopted amendment to be in
24 compliance. No development orders, development permits, or land uses dependent on this amendment
25 may be issued or commence before it has become effective. If a final order of noncompliance is issued
26 by the Administration Commission, this amendment may nevertheless be made effective by adoption of
27 a resolution affirming its effective status, a copy of which resolution shall be sent to the state land
28 planning agency.

29 **ENACTED this ____ day of _____, 2023.**

30 **FILED with the Secretary of State _____, 2023.**

31
32 **ATTEST:**

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

33
34 _____
35 Gary J. Cooney, Clerk
36 Board of County Commissioners of
37 Lake County, Florida

38 _____
39 Kirby Smith, Chairman

40 Approved as to form and legality:

41 _____
42 Melanie Marsh, County Attorney

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Exhibit "A" – Legal Description

THAT PORTION OF THE SOUTH 2660.60 FEET OF THE WEST 1/2 OF SECTION 24, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LYING WEST OF THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD 448A ACCORDING TO OFFICIAL RECORDS BOOK 1399, PAGE 208, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SECTION 24, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; THENCE RUN NORTH 87°29'58" EAST, ALONG THE NORTH LINE OF THE SOUTH 2660.60 FEET OF SAID SECTION 24, A DISTANCE OF 375.52 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 87°29'58" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 1416.93 FEET, TO A POINT ON THE SOUTHWESTERLY LINE OF A 50 FEET WIDE INGRESS AND EGRESS EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 2255, PAGE 1958, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN SOUTH 21°18'35" EAST, ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 578.12 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD 448A (NOW COUNTY ROAD 448A) AS DESCRIBED IN OFFICIAL RECORDS BOOK 1399, PAGE 208, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN SOUTH 15°49'41" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1402.68 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF A 30 FEET WIDE DRAINAGE DITCH ACCORDING TO STATE ROAD 448A (NOW COUNTY ROAD 448A) RIGHT OF WAY MAP ACCORDING TO MAP BOOK 6, PAGE 108, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN SOUTH 88°21'41" WEST, ALONG SAID NORTH RIGHT OF WAY LINE OF 30 FEET WIDE DITCH, A DISTANCE OF 391.78 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE RUN NORTHWESTERLY THE FOLLOWING TWENTY-FOUR (24) COURSES: (1) NORTH 83°38'15" WEST, 128.00 FEET; (2) NORTH 49°03'12" WEST, 64.76 FEET; (3) NORTH 11°27'45" EAST, 160.68 FEET; (4) NORTH 16°12'49" EAST, 69.00 FEET; (5) NORTH 16°49'46" EAST, 138.36 FEET; (6) NORTH 09°37'46" WEST, 39.94 FEET; (7) NORTH 77°30'32" WEST, 100.74 FEET; (8) NORTH 61°11'29" WEST, 50.57 FEET; (9) NORTH 77°21'20" WEST, 85.05 FEET; (10) NORTH 88°08'30" WEST, 89.04 FEET; (11) NORTH 67°16'53" WEST, 113.52 FEET; (12) NORTH 27°32'23" WEST, 110.85 FEET; (13) NORTH 26°59'20" EAST, 67.01 FEET; (14) NORTH 24°18'21" WEST, 160.05 FEET; (15) NORTH 15°30'51" WEST, 133.76 FEET; (16) NORTH 13°49'56" EAST, 70.79 FEET; (17) NORTH 19°52'23" WEST, 86.09 FEET; (18) NORTH 79°17'12" WEST, 44.32 FEET; (19) SOUTH 88°46'58" WEST, 57.24 FEET; (20) NORTH 03°12'50" WEST, 196.09 FEET; (21) NORTH 27°31'17" WEST, 81.99 FEET; (22) NORTH 31°06'54" WEST, 62.07 FEET; (23) NORTH 15°44'42" WEST, 86.51 FEET; (24) NORTH 00°31'46" WEST, 280.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,150,039 SQUARE FEET (49.36 ACRES), MORE OR LESS.

SUBJECT TO EASEMENTS, RIGHTS OF WAYS AND OTHER MATTERS OF RECORD.

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