

**Draft PUBLIC FACILITIES ELEMENT  
POTABLE WATER SUB-ELEMENT  
GOALS AND OBJECTIVES  
9J-5.011(2)**

The Florida Natural Areas Inventory has prioritized several conservation areas partially or wholly within Lake County, including, but not limited to: the Green Swamp, and the Wekiva/Ocala Greenway. Select ecosystems of Lake County are thus fragile and closely linked with the ecological sustainability of communities within and beyond the county's boundaries. Issues of plant and animal biodiversity and water supply are among the most important environmental considerations for the County.

The county is faced with the challenge of balancing development pressures with the preservation of the natural environment. To this end, Lake County will comply with all legislation (Federal, State, Regional and Local) as it pertains to Lake County's environmental sensitive areas.

*COMMENT: I recommend tailoring the above preface statement to the particular sub-element, in this case Potable Water. Please refer to both legislation and regulations in the last sentence.*

**GOAL POT 1**

Coordinate for the adequate production, treatment and distribution of potable water in a cost effective manner balancing the needs of growth, environment and public health, safety and welfare.

**OBJECTIVE POT 1.1: COORDINATE THE PROVISION OF POTABLE WATER SERVICE TO MEET THE ANTICIPATED DEMAND AND ESTABLISH REQUIRED LEVELS OF SERVICE**

Lake County shall coordinate with central water providers under the Joint Planning Areas (JPAs) and with private utilities. Design and construction standards should be updated consistent with the providers.

**Policy POT 1.1-1: Level of Service Standards for Quality**

Lake County shall require, at a minimum, all potable water to be produced, treated, stored and distributed in accordance with all Federal, State and County requirements.

**Policy POT 1.1-2: Design and Construction Standards**

Lake County shall ~~continue to~~ update the current design and construction standards for the production of raw water supplies, treatment, storage and distribution.

**Policy POT 1.1-3: Promote Innovative Methods**

**Draft PUBLIC FACILITIES ELEMENT  
POTABLE WATER SUB-ELEMENT  
GOALS AND OBJECTIVES  
9J-5.011(2)**

Lake County, ~~through the adopted Landscape Ordinance Land Development Regulations,~~ allow innovative methods, such as dual water systems, for reduction of the use of potable water, provided sufficient documentation can be presented to establish a reduction in flow.

*COMMENT: More should be said here about not only allowing innovative methods, but also promoting them. In certain sensitive places, such as springshed areas, the Land Development Regulations should require that innovate steps be taken to reduce potable water consumption, include limitations on irrigated turf areas, draught tolerant landscaping, etc.*

**Policy POT 1.1-4: Monitor the Impact of Reuse.**

The Lake County ~~Department of Environmental Services~~ shall monitor the impact of reuse on potable water demand and modify the schedule as appropriate.

*COMMENT: This should provide clearer direction to state that the provision of reuse lines shall be required for new development where available and meeting certain thresholds. What is meant by the "schedule", and how is it documented or adopted?*

**Policy POT 1.1-5: Monitor Impacts to Private Individual Potable Water Supply.**

Lake County shall monitor Consumptive Use Permit allocations and capacities to assure sufficient potable water supply capacity exists to maintain supply to individuals utilizing private self-supply wells.

*COMMENT: How will this monitoring be accomplished by the county, and how does this relate to the jurisdiction of the Water Management District? Would a statement committing to coordination with the District on this issue may be more appropriate?*

~~**Policy POT 1.1-5: Industrial Water Use Ordinance.**~~

~~Lake County shall prepare and adopt an Industrial Water Use Ordinance requiring all industry and commercial business to utilize the lowest quality and quantity of water required for each specific use. Enforcement shall be ensured at the time of issuance of the Lake County Utility Permit.~~

*COMMENT: Why is this being deleted?*

**Draft PUBLIC FACILITIES ELEMENT  
POTABLE WATER SUB-ELEMENT  
GOALS AND OBJECTIVES  
9J-5.011(2)**

**Policy POT 1.1-6: Encouragement of Public-Private Partnerships.**

The County shall encourage the development of public-private partnerships in the provision of regional potable water services where such partnerships will result in the timely provision of services in a manner that is both cost-efficient and environmentally sound and is consistent with the Lake County Comprehensive Plan, Water Master Plan and County Codes. This policy shall not be construed to encourage the construction of package treatment facilities or development-specific treatment (with the exception of development-specific facilities that are designed by the County to serve as regional facilities).

*COMMENT: This policy requires further attention. Municipalities have water utility service areas, but the county does not. I recommend that the Potable Water Element include specific direction, including maps as needed, to describe and plan for where potable water (and sewer) lines may be extended. Otherwise this policy will become a license for sprawl. How is a "regional facility" defined?*

*COMMENT: Why has former Comp Plan policy 6D-1.7 been deleted? (Potable Water System Inspection and Enforcement Program) Was the referenced ordinance adopted and is it being implemented? Please explain former Comp Plan policy 6D-1.9 (Franchise Fee on Potable Water Utility Services) and why it has been deleted?*

**OBJECTIVE POT 1.2: MAXIMIZE THE USE OF EXISTING FACILITIES.**

Lake County shall guide the orderly growth and development of the County by coordinating water service availability with the municipalities, private enterprise and individuals. The coordination of service delivery shall be in a manner that provides maximum use of existing facilities.

**Policy POT 1.2-1: Coordination of Services with the Municipalities.**

Lake County shall execute Interlocal Agreements with the municipal utility suppliers within Lake County for establishing service areas so as not to duplicate services and to provide for conditions for the establishment of and the operation within the service area. Municipal service areas shall be based upon the available capacity reported, and the future service areas delineated in the Comprehensive Plans of each municipality which provides potable water service. Prior to the execution of Interlocal Agreements, the County shall allow municipalities to provide service in the unincorporated part of Lake County in accordance

**Draft PUBLIC FACILITIES ELEMENT  
POTABLE WATER SUB-ELEMENT  
GOALS AND OBJECTIVES  
9J-5.011(2)**

with the area set forth in the adopted Comprehensive Plans of each municipality which provides potable water service, and the criteria set forth in the Lake County Comprehensive Plan. Expansion of services, both water and sewer by the municipalities, should be consistent with their Capital Improvement Plan (CIP), Capital Improvement Element (CIE) and the Joint Planning Agreement (JPA).

*COMMENT: A Joint Planning Agreement does not preclude a municipality from providing water utilities outside of its Joint Planning Area unless it contains specific language to that effect. This subject arose at a prior LPA meeting attended by various city managers as a concern relating to urban sprawl and loss of rural land in the unincorporated county. I recommend establishing a policy or set of policies to address this, which in certain places may prohibit the extension of water/sewer services. Please also strengthen the last sentence, by stating that Lake County shall enforce provisions of its JPA's.*

**Policy POT 1.2-2: Temporary Potable Water Service Criteria.**

~~Lake County shall prepare and adopt temporary water service criteria for developments, which are consistent with the Comprehensive Plan and approved by the Board of County Commissioners, but where regional/subregional utility service is not available within the development time frame. The temporary potable water service criteria shall include design, construction and operation provisions specific to the projected length of time of operation. At the County's option, temporary facilities not covered under Policy SAN 1.2-3 will be dedicated to the County, removed from service when regional/subregional facilities become available or be allowed to operate a Public Service Commission regulated enterprise, provided the facilities meet and continue to meet Lake County regulations and requirements of the Lake County/Developer Utility Agreement. At a minimum, all systems must meet the regulatory criteria of a Public Water Supply System (PWS) for the provision to the public of water for human consumption through pipes or other constructed conveyances, where such system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least 60 days out of the year or otherwise as applicable to FDEP regulation and those systems that service less than 15 connections or a density greater than 1 dwelling unit per acre must connect to a regional system.~~

**Draft PUBLIC FACILITIES ELEMENT  
POTABLE WATER SUB-ELEMENT  
GOALS AND OBJECTIVES  
9J-5.011(2)**

*COMMENT: The last part of this is not clear. Please include the last sentence regarding density in a separate sentence. This should be based on a net density calculation within a development, rather than strictly lot size.*

**Policy POT 1.2-3: Mandatory Connection Ordinance.**

Lake County shall prepare and adopt a mandatory connection ordinance. The revised ordinance shall require, at a minimum that, ~~all private potable water systems unless exempted by Lake County via public hearing be joined and hooked to a regional/subregional potable water system when the regional/subregional potable water system comes within three hundred (300) feet of the private potable water system or any of the central lines of the private potable water system. The private potable water system shall be required to be joined and hooked within eighteen (18) months of the availability of the regional/sub regional potable water system. A regional/subregional potable water system shall mean a system that is designated by the Lake County Board of County Commissioners as a regional/subregional system. Notwithstanding the three hundred (300) feet mandatory connection requirement, existing development utilizing a private potable water system shall be required to connect to a regional/subregional potable water system when there is endangerment to the environment, public health, safety, and welfare. Within the Urban Land Use Series existing homes must connect to a public utilities water supply where planned within five years or present when;~~

- Any substantial repair is required on an existing private well
- Within five years for existing systems installed in or before 1995, or
- Within ten years for systems installed in 2005 or thereafter.
- Private wells completed in and or otherwise withdrawing water from the Floridan Aquifer be abandoned in accordance with Water Management District rules. Private wells screened in the Surficial Aquifer may be used for irrigation if retrofit with the appropriate control devices.
- If greater than 1,500 GPD or greater if economically feasible, if not, within 300 feet.

Within the Urban Land Use Series, any new development which exceeds 5 ERU's/1,500 GPD must connect to a public water supply. Any other new development must hook up if they are within 300 feet.

**Draft PUBLIC FACILITIES ELEMENT  
POTABLE WATER SUB-ELEMENT  
GOALS AND OBJECTIVES  
9J-5.011(2)**

*COMMENT: It is not clear which of the bulleted criteria would be applicable individually or together. For example in the Urban Land Use Series, would having a broken well require a landowner to hook-up, even if miles away? The fourth bullet is a separate requirement on how to abandon wells, rather than a condition for hook-up. Allowing wells to be used for lawn irrigation perpetuates wasteful use.*

*It seems that the last paragraph is overly restrictive because it would literally force a landowner within the Urban Land Use Series to develop at urban densities and perhaps pay for the extension of utilities over a very long distance. Why should a developer not be allowed to build at rural densities within the urban land use series if wells and septic tanks are not an environmental problem at those rural densities? Please define ERU.*

**Policy POT 1.2-4: Connection of Community and Non-Community Systems.**

In addition to Policy POT 1.2-3 requiring Lake County to adopt a Mandatory Connection Ordinance, Lake County shall require the connection of community and non-community utility services when there is endangerment to the environment, public health, safety and welfare. Financial assistance, to partially offset the cost of connecting to centralized utility services for individuals and non-profit utility service providers may be provided by Lake County through application for federal and state grants/loans or through the establishment of a construction fund funded by user charges and/or special benefit assessments.

**Policy POT 1.2-5: Priority Listing of System Deficiencies.**

Lake County shall prepare and maintain a priority list of: 1) system deficiencies that require funding for corrective action and 2) areas with failing potable water systems in need of assistance, where the provision centralized service would protect the health, safety, and welfare of these residents. ~~The County hereby identifies the Bassville Park area and the Mount Plymouth Sorrento area as the first and second priorities, respectively, for corrective action and shall ensure that regional/subregional potable water services are provided in the areas.~~

*COMMENT: Please explain what department or individual determines priority. Is this subject to BCC approval?*

**Policy POT 1.2-6: Coordination of Services with Private Enterprises.**

**Draft PUBLIC FACILITIES ELEMENT  
POTABLE WATER SUB-ELEMENT  
GOALS AND OBJECTIVES  
9J-5.011(2)**

Lake County shall identify, and exempt from mandatory connection, those privately owned facilities located within those portions of Lake County, where centralized water services are available or planned, which have been and have the ability to continue to meet the minimum level of service, and where mandatory connection would not be required for the economic viability of a centralized system nor in the public interest as required under Policy POT 1.2-3. Those privately-owned facilities not meeting the above criteria shall be required to connect to the centralized system when available. Lake County shall identify those areas within the County where centralized utilities are needed and can be better served by a privately owned utility, through an agreement with Lake County, for the provision of the service.

*COMMENT: This policy seems to provide for easy exception since providers usually have the ability to meet the levels of service they currently provide. (Please note that Policy POT 1.2-3 does not have a public interest requirement--although it did as previously worded.) "Available" is not defined. Please clarify that the last sentence applies to a potable water utility. Can a privately-owned facility include an individual household well?*

**OBJECTIVE POT 1.3: COORDINATION AND URBAN SPRAWL**

The County shall coordinate the extension of lines or increase of facility capacity with adjacent municipal and private facilities to discourage urban sprawl.

**Policy POT 1.3-1: Extension of Service to New Development**

The County shall continue to require new development to fund the cost of extending water lines to serve their development.

**Policy POT 1.3-2: Prohibit the Provision of Potable Water as Sole Justification for Land Use Amendments**

Lake County shall prohibit the provision of potable water as sole justification for amendments to the Future Land Use Element where new or expanded development will adversely impact resource/ conservation areas or neighborhoods or will otherwise be deemed to exacerbate the problem.

*COMMENT: This is a very good policy, but it potentially contradicts and competes with POT 1.4-1 and POT 1.4-2. See comments below. It is important that policies within the Comprehensive Plan are internally consistent.*

Deleted: ¶
Formatted: Font: 12 pt, Strikethrough
Formatted: Font: (Default) Times New Roman, 12 pt
Formatted: Font: (Default) Times New Roman, 12 pt
Formatted: Font: (Default) Times New Roman, 12 pt

**Draft PUBLIC FACILITIES ELEMENT  
POTABLE WATER SUB-ELEMENT  
GOALS AND OBJECTIVES  
9J-5.011(2)**

*More is needed here to adequately control urban sprawl. The county should adopt a set of geographically specific policies (including maps as needed) within the Comp Plan that clearly define and plan for areas where central services are deemed appropriate and where they should be excluded. This should also be carefully coordinated with the future land use map and supported by future land use policies.*

**Policy POT 1.3-3:   Recuperation Agreements**

By 2008, the County shall consider assisting funding for utilities with recuperation agreements with municipalities

**OBJECTIVE POT 1.4: DISCOURAGEMENT OF PRACTICES THAT DEplete POTABLE WATER SUPPLIES AND THE PROMOTION OF CONSERVATION PRACTICES IN FEDERAL, STATE AND/OR LOCAL DESIGNATED ENVIRONMENTALLY SENSITIVE AREAS.**

Lake County shall discourage wasteful practices that would deplete supplies of potable water and shall promote conservation practices.

*COMMENT: The policies beneath this objective do not relate to wasteful practices or conservation practices.*

**Policy POT 1.4-1:   Provision of Central Water Systems within Federal, State and/or Local Designated Environmentally Sensitive Areas.**

Central Water Systems shall be required within Federal, State and/or local designated environmentally sensitive areas where provision of such a system is shown to be economically feasible or environmentally necessary, as determined by the County. The development of a regional water supply system is encouraged in order to augment the feasibility and desirability of providing central water supply facilities consistent with policies in the Potable Water Sub-element. for service to occur within areas such as, but not limited to the Mt. Plymouth-Sorrento Urban Compact Node when densities are such that centralized services are feasible.

*COMMENT: This policy is extremely overbroad and permissive of central utilities throughout most of the entire county, including designated rural areas within the Wekiva basin and or Green Swamp. The “OR” in the first sentence should be replace with “AND” since utilities should certainly not be extended into environmentally-sensitive rural areas unless there is a compelling environmental need to do so. The second*

**Draft PUBLIC FACILITIES ELEMENT  
POTABLE WATER SUB-ELEMENT  
GOALS AND OBJECTIVES  
9J-5.011(2)**

*sentence has been lifted from a prior policy for the Mt Plymouth-Sorrento area, but it has been modified to include potentially the entire county by adding the words “such as, but not limited to”. As written, this policy provides no restriction on the extension of utilities anywhere that it is feasible to do so. Rather than having a widely interpretably and overly permissive policy like this, the county should craft a set of geographically specific policies (including maps as needed) that target areas where central services should be provided. This should also be coordinated with future land use.*

**Policy POT 1.4-2: Central Water System within Federal, State and/or Local Environmentally Sensitive Areas**

The provision of a Central Water System within Federal, State and/or Local designated environmentally sensitive areas shall be required if economically feasible. Such provision shall be through public or private sources, or a combination thereof and shall be utilized where sufficient density can be attained (making centralized facilities cost effective) through application of the density point rating system (in a clustered development).

*COMMENT: Please delete this policy completely. It is even more blatantly sprawl-inducing than POT 1.4-2. As written, this policy requires central water lines to be extended into any environmentally-sensitive area based solely on whether it is feasible for a developer to do so. Furthermore it infers that public money will be used to accomplish this and densities will be increased in the process. The concept of clustering is a good, but not in the context of poorly crafted policy such as this.*

*The ramification of policies such as this one and the previous one are staggering. Even if the county initially prepares a very good future land use map that appears to establish sound growth boundaries, poorly worded policies like these will allow applicants to swiftly justify future land use changes that undermine growth management, hurt the environment, promote sprawl, and contravene the public interest.*

**ADDITIONAL COMMENTS:**

- What is the status of the Lake County Water Master Plan?*
- Please restore former policy 6D-2.1 that describes the use of Interlocal Agreements to promote efficient provision of services.*
- Please restore former policy 6D-2.2 requiring that potable water supply and distribution systems be provided in a manner consistent with the Future Land Use Map.*