

# MEMORANDUM

## GROWTH MANAGEMENT DEPARTMENT

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**To:** Property Owners and Development Consultants  
**From:** Alfredo Massa, Chief Planner *AM*  
**Through:** R. Wayne Bennett, AICP, Planning Director *RWB*  
**Date:** June 15, 2007  
**Subject:** Staff Guidelines Related to Provisioning of Central Water and/or Central Sewer

The purpose of this memorandum is to communicate to you the guidelines that Growth Management staff will apply towards determining when central water or central sewer will be a prerequisite to development activities as per the adopted Lake County Comprehensive Plan and the Land Development Regulations. These guidelines address aspects of Policy 1-1.6A and Policy 1-1.6B regarding water and sewer requirements for residential development in urban and urban expansion areas; Policy 6A-2.5 on our mandatory connection ordinance (see also Land Development Regulations § 6.12.01); and Policy 10-9.5 (section "c" *Sanitary Sewer Impacts*, and section "d" *Potable Water Impacts*) that addresses mandatory provisioning of certain facilities. The entire text of the adopted plan policies cited above is provided below.

### Residential development within urban and urban expansion areas:

"Policy 1-1.6A: Water and Sewer Service Requirements for Developments Within Urban and Urban Expansion Areas. Residential developments within Urban and Urban Expansion areas are required to have central potable water service consistent with the provisions of Policy 1-1.6B. Sanitary sewer service is required under the following circumstances: a) residential densities of more than 4 dwelling units per acre; b) soils with severe limitations for septic tanks which cannot be improved to meet the requirements of Chapter 10D-6, Florida Administrative Code, or c) if the site is located inside an approved sewer service area."

"Policy 1-1.6B: Additional Water and Sewer Requirements. With respect to water and sewer service in the Urban, Urban Expansion and Ridge land use categories, if a public system is available, the development shall be required to connect to the system. If the development lies within the franchise area of an existing private system, the development shall be required to connect to the private system. If a system is not available, the interim system needs to meet the established urban level of service standard. Further, the system shall be designed so that when a regional system is available, the development shall be required to connect to the regional system. If the development provides its own interim system, the system shall be adequately monitored by the County and the owner shall provide assurances that it is financially able to operate and maintain the system. Regional water and sewer services shall not be extended into the rural areas of the County."

Guideline #1: Policy 1-1.6A defines thresholds which require "urban area" developments to provide central potable water and central sewer. Policy 1-1.6B addresses **all** development activities in the Urban, Urban Expansion and Ridge land use categories and speaks to connection requirements to existing regional/subregional systems as well as interim systems in lieu of regional/subregional

systems and their requirements to be compatible with **and** connect to these subsystems when available.

"Policy 6A-2.5: Mandatory Connection Ordinance. By February 1992, Lake County shall review and revise, as appropriate, its existing Mandatory Connection Ordinance. The revised ordinance shall require, at a minimum that, all private treatment systems unless exempted by Lake County via public hearing be joined and hooked to a regional/subregional wastewater system when the regional/subregional wastewater system comes within one thousand (1,000) feet of the private treatment system or any of the central lines of the private treatment system. The private treatment system shall be required to be joined and hooked within eighteen (18) months of the availability of the regional/subregional wastewater system. A regional/subregional wastewater system shall mean a system that is designated by the Lake County Board of County Commissioners as a regional/subregional system. Notwithstanding the one thousand (1,000) feet mandatory connection requirement, existing development utilizing a private treatment system shall be required to connect to a regional/subregional wastewater system when there is endangerment to the environment, public health, safety, and welfare."

Land Development Regulations (Mandatory Connection Ordinance No. 1995-9, § 1, 5-3-95)

#### 6.12.01 Connection Requirements.

- A. Central Water System. All private potable water systems, unless exempted by the Board of County Commissioners via Public Hearing, Shall be connected and utilized 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, measured as a curb line distance within a Right-of-Way or the centerline distance within an Easement. The private potable water system Shall be required to be connected and utilized within twelve (12) months of the availability of the regional/subregional potable water 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 the Board of County Commissioners determines that there is endangerment to the environment, public health, safety, and welfare.
- B. Central Sewage System. All private treatment systems, unless exempted by the Board of County Commissioners via Public Hearing, Shall be connected and utilized to a regional/subregional wastewater system when the regional/subregional system comes within one thousand (1,000) feet of the private treatment system or any of the central lines of the private treatment system, measured as a curb line distance within a Right-of-Way or the centerline distance within an Easement. The private treatment system Shall be required to be connected and utilized within twelve (12) months of the availability of the regional/subregional wastewater system. Notwithstanding the one thousand (1,000) feet mandatory Connection requirement, existing Development utilizing a private treatment system Shall be required to connect to a regional/subregional wastewater system when the Board of County Commissioners determines that there is endangerment to the environment, public health, safety, and welfare.

Guideline #2: Policy 6A-2.5 gives guidance and direction for the creation of LDR section 6.12.01 that requires **all** developments to connect with regional/subregional systems when said system comes within the specified limits noted herein **unless** they specifically request and are granted an exemption to the mandatory connection regulations by order of the Board of County Commissioners through the public hearing process. If the property owner/developer agrees to connect to the regional/subregional system when it reaches the aforementioned distance limits, Board of County Commissioners approval for their interim system is not required.

"Policy 10-9.5: Mandatory Provision of Certain Facilities or Fees in Lieu Thereof. Lake County shall incorporate provisions within the Land Development Regulations by February 1992 which require new development to bear all or a proportionate share of costs associated with the provisions of site-related public facilities needed to accommodate

demands generated by such development and to maintain facilities and infrastructure according to adopted level of service standards. Development thresholds for which mandatory provision of on-site public facilities shall be incorporated into the Land Development Regulations. New development shall be required to assume responsibility for following facility costs, including all applicable impact fees:

c. Sanitary Sewer Impacts. Lake County shall require new development within urban compact areas and, where applicable, within urban expansion areas to connect to central sanitary sewer where such systems become available. Where central systems are unavailable, new developments exceeding a density of four units per acre, having an equivalent impact generated by non-residential intensities, or located where soil suitability conditions and protection of natural resources make on-site septic systems infeasible, as identified in the Public Facilities, Conservation, and Future Land Use Elements, shall provide central wastewater to development. Development thresholds requiring mandatory central sewer systems shall be defined within the Land Development Regulations.

d. Potable Water. All new development within urban compact areas and, where applicable, within urban expansion areas must connect to central water systems where such systems become available. Where central systems are unavailable, new development exceeding a density of two units per acre, or the equivalent non-residential impacts thereof, shall provide central water systems. Development thresholds requiring mandatory central water systems shall be defined within the Land Development Regulations.”

Guideline #3: Policy 10-9.5 is particularly useful when seeking to determine when non-residential development is required to provide central water and/or central sewer systems in parts of the County that are not within the mandatory connection limits as noted in the LDRs section 6.12.01 A and B (see above). As noted in item (c) above, if the non-residential sewage impact is equivalent to the impacts of more than four (4) residential units then central sewer would have to be provided in order for the project to be approved. Additionally, according to item (d) above, if the non-residential potable water impact is equivalent to the impact of more than two (2) residential units to the acre, then central water shall be required in order for the project to be approved. Non-residential development projects whose potable water and sewer requirements are below the aforementioned thresholds may be approved on a local septic system and well water as long as they meet all the requirements defined by the permitting authorities. Furthermore, Lake County Land Development Regulations, sections 5.03.02B and 5.03.02E (Sanitary Sewer and Potable Water respectively), both state that the demand on public facilities and services shall be based on an equivalent residential usage (ERU) that equates to a flow of 300 gallons per day for sewage and 300 gallons per day for potable water per dwelling unit. These volumes shall be used in determining if the threshold equivalents noted above could be exceeded at which point central water and/or central sewer would be required.

If you have any questions about these staff guidelines or the adopted comprehensive plan policies or land development regulations noted above, please do not hesitate to contact this office and speak with either our Planning Director or one of our Chief Planners. Thank you for your cooperation.