




Interoffice Memorandum

April 12, 2024

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

FROM: Tanya Wilson, AICP, Director 
Planning, Environmental, and Development Services
Department

**CONTACT PERSON: Jason Sorensen, AICP, Chief Planner
407-836-5602**

SUBJECT: Transmittal Public Hearing – May 7, 2024, Regular Cycle Staff-
Initiated Text Amendment 2024-1-B-CP-1
Countywide

2024-1 Regular Cycle Staff-Initiated Text Amendment 2024-1-B-CP-1 is scheduled for a Board transmittal public hearing on May 7, 2024.

The above-referenced 2024-1 Regular Cycle Staff-Initiated Amendment revises Level of Service (LOS) standards for Potable Water, Wastewater and Reclaimed Water Element Policies WAT1.2.5 and WAT1.2.6, along with Capital Improvements Element (CIE) Policies CIE1.3.4 and CIE1.3.5.

The amendment request was heard by the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) at a transmittal public hearing on March 21, 2024, where the request was unanimously recommended for approval after a discussion regarding the proposed requested update in LOS standards for water and wastewater for single-family homes. Orange County Utilities Staff stated that based on a study of single-family potable billing records for potable water, they have determined that the LOS standard should be updated to reflect the effects of water conservation, water saving fixtures/devices, smaller lots, and the increased percentage of new homes using reclaimed water instead of potable water for irrigation. Also, the LOS standards are proposed to be revised in the Capital Improvement Element. Current LOS standards have been in place since 2013.

Following the Board transmittal public hearing, the proposed amendment will be transmitted to the Florida Department of Commerce (“DOC”) and other State agencies for review and comment. Staff expects to receive comments from DOC and/or the other State agencies in June 2024. Pursuant to 163.3184, Florida Statutes, the proposed amendment must be adopted within 180 days of receipt of the comment letter.

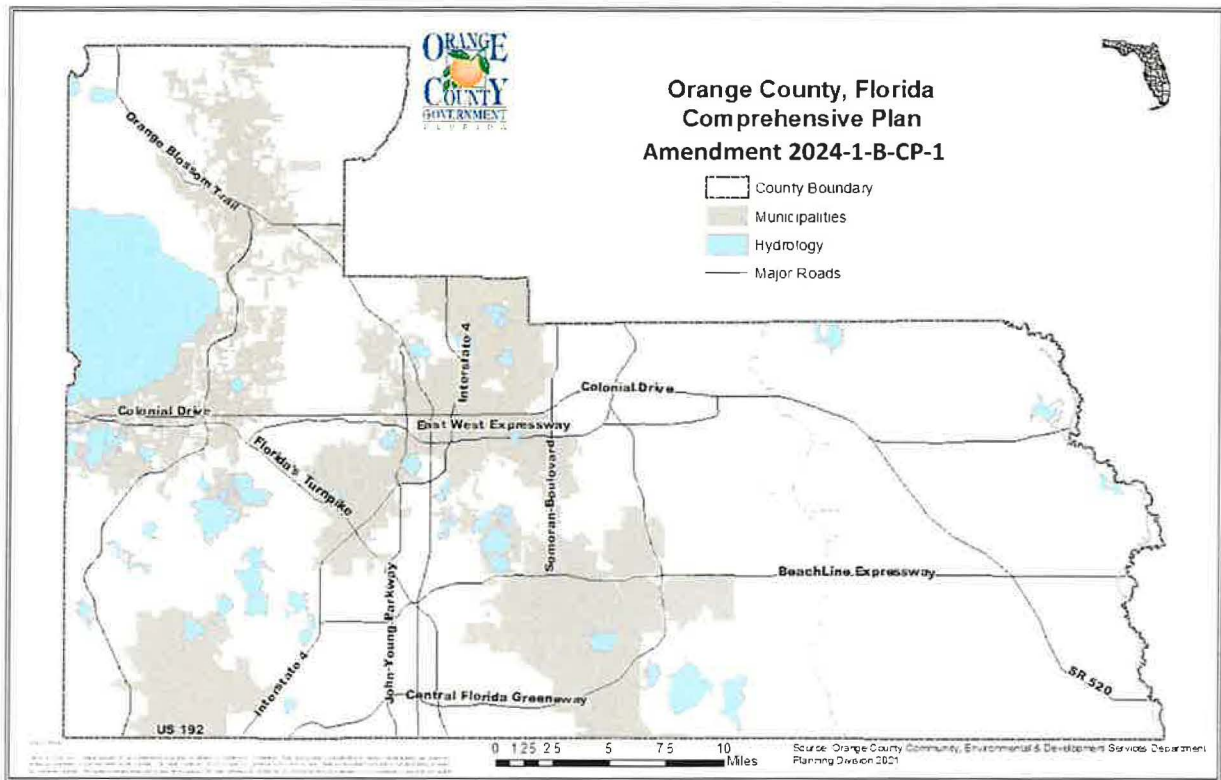
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Any questions concerning this document should be directed to Alberto A. Vargas, MArch, Manager, Planning Division, at (407) 836-5802 or Alberto.Vargas@ocfl.net or Jason Sorensen, AICP, Chief Planner at (407) 836-5602 or Jason.Sorensen@ocfl.net.

ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan and TRANSMIT Staff-Initiated Text Amendment 2024-1-B-CP-1. Countywide

TW/JHS/kh
Attachment

c: Jon V. Weiss, P.E., Deputy County Administrator
Georgiana Holmes, Deputy County Attorney
Whitney Evers, Senior Assistant County Attorney
Roberta Alfonso, Assistant County Attorney
Lindy Wolfe, P.E. Manager, Utilities Engineering
Jason Sorensen, AICP, Chief Planner, Planning Division
Jim Resta, AICP, Chief Planner, Planning Division
Olan D. Hill, AICP, Assistant Manager, Planning Division
Nicolas Thalmueller, AICP, Planning Administrator, Planning Division
Read File



The following meetings and hearings have been held for this proposal:			Project Information	
Report/Public Hearing		Outcome	Title: Amendment 2024-1-B-CP-1	
✓	Community Meeting	Not required	Division: Utilities Engineering	
✓	Staff Report	Recommend Transmittal		
✓	LPA Transmittal – March 21, 2024	Recommend Transmittal 5-0	Request: Text Amendments to Potable Water, Wastewater and Reclaimed Water Element (WAT) Policies WAT1.2.5 and WAT1.2.6 and Capital Improvements Element (CIE) Policies CIE1.3.4 and CIE1.3.5 to revise Level of Service (LOS) standards.	
	BCC Transmittal		Revision: WAT1.2.5, WAT1.2.6, CIE1.3.4, CIE1.3.5	
	State Comments			
	LPA Adoption			
	BCC Adoption			

STAFF RECOMMENDATION

Make a finding of consistency with the Comprehensive Plan, determine that the proposed amendment is in compliance, and recommend **TRANSMITTAL** of Text Amendment 2024-1-B-CP-1 revising Potable Water, Wastewater and Reclaimed Water Element (WAT) Policies WAT1.2.5, WAT1.2.6 and Capital Improvements Element (CIE) Policies CIE1.3.4 and CIE1.3.5.

LOCAL PLANNING AGENCY TRANSMITTAL PUBLIC HEARING

Staff presented the staff report to the Local Planning Agency (LPA) with the recommendation to transmit the amendment to the state reviewing agencies and answered various questions. No members of the public appeared to speak regarding the proposed amendment.

The LPA voted 5-0 to **recommend transmittal of Amendment 2024-1-B-CP-1.**

<i>Motion/Second</i>	<i>Eddie Fernandez / Evelyn Cardenas</i>
<i>Voting in Favor</i>	<i>Evelyn Cardenas, Eddie Fernandez, Gordon Spears, David Boers, and George Wiggins</i>
<i>Voting in Opposition</i>	<i>None</i>
<i>Absent</i>	<i>Michael Arrington, Walter Pavon, Nelson Pena, and Camille Evans</i>

ANALYSIS

1. Background

The Utilities Department conducted a review of the average flows used to determine the Level of Service (LOS) standards for water and wastewater service provided by Orange County Utilities. The current LOS standards are 275 gallons per day (average daily flow) per Equivalent Residential Connection (ERC) for water service and 225 gallons per day (average daily flow) per Equivalent Residential Unit (ERU) for wastewater service. The single-family potable water billing records indicated updated average flows due to water conservation, water saving fixture regulations, smaller lots, and increased use of reclaimed water instead of potable water for the irrigation of new homes. Therefore, the Utilities Department is proposing to modify the LOS to 225 gallons per day per ERC for water and 200 gallons per day per ERU for wastewater.

2. Amendment Analysis

Following are the policy changes proposed by this amendment. The proposed amendments are shown in underline/~~strikethrough~~ format.

WAT1.2.5	When central water service is required for development, the level of service standard shall be as listed in the table below, on an average daily flow basis. Flow demands for commercial, industrial or other special developments differing from the flow values established by the serving utility shall be established from existing records or by
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estimated projections, using the best available data. These levels of service shall also be applied for planning purposes.

UTILITY NAME	LEVEL OF SERVICE (LOS)
Orange County Utilities	275 <u>225</u> gallons per day (gpd)/equivalent residential connection (ERC)

WAT1.2.6

When central wastewater service is required for development, the level of service standard shall be as listed in the table below, on an average daily flow basis. Interim wastewater systems (permanent package treatment plants are no longer allowed in Orange County) shall have the same level of service standard. Wastewater flow demands for commercial, industrial or other special developments differing from the flow values established by the serving utility shall be established from existing records or by estimated projections, using the best available data. These levels of service shall also be applied for planning purposes.

UTILITY NAME	LEVEL OF SERVICE (LOS)
Orange County Utilities	225 <u>200</u> gpd/equivalent residential unit (ERU)

CIE1.3.4

When central water service from Orange County Utilities is required for development, the level of service standard shall be ~~275~~ 225 gallons per day (average daily flow) per equivalent residential connection. Flow demands for commercial, industrial or other special developments differing from the flow values established by the serving utility shall be established from existing records or by estimated projections, using the best available data. These levels of service shall also be applied for planning purposes.

CIE1.3.5

When central wastewater service from Orange County Utilities is required for development, the level of service standard shall be ~~225~~ 200 gallons per day (average daily flow) per equivalent residential unit. Interim wastewater systems (permanent package treatment plants are no longer allowed in Orange County) shall have the same level of service standard. Wastewater flow demands for commercial, industrial or other special developments differing from the flow values established by the serving utility shall be established from existing records or by estimated projections, using the best available data. These levels of service shall also be applied for planning purposes.