

BCC Mtg. Date: May 9, 2017

EFFECTIVE DATE: June 30, 2017

ORDINANCE NO. 2017-10

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN," AS AMENDED, BY ADOPTING AMENDMENTS PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2017 CALENDAR YEAR (FIRST CYCLE); AND PROVIDING EFFECTIVE DATES.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Legislative Findings, Purpose, and Intent.

a. Part II of Chapter 163, Florida Statutes, sets forth procedures and requirements for a local government in the State of Florida to adopt a comprehensive plan and amendments to a comprehensive plan;

b. Orange County has complied with the applicable procedures and requirements of Part II of Chapter 163, Florida Statutes, for amending Orange County's 2010-2030 Comprehensive Plan ("Comprehensive Plan");

c. On December 15, 2016, the Orange County Local Planning Agency ("LPA") held a public hearing on the transmittal of the proposed amendments to the Comprehensive Plan as described in this ordinance;

d. On January 24, 2017, the Board of County Commissioners ("Board") held a public hearing on the transmittal of the proposed amendments to the Comprehensive Plan as described in this ordinance;

e. On March 13, 2017, the DEO issued a letter to the County relating to the DEO's review of those proposed amendments;

f. On April 20, 2017, the LPA held a public hearing on the adoption of the proposed amendments to the Comprehensive Plan as described in this ordinance; and

g. On May 9, 2017, the Board held a public hearing on adoption of the proposed amendments as described in this ordinance, and decided to adopt them.

Section 2. Authority. This ordinance is adopted in compliance with and pursuant to Part II of Chapter 163, Florida Statutes.

Section 3. Amendments to Text of Conservation Element. The Comprehensive Plan is hereby amended by amending the text of the Conservation Element to read as follows, with underlines showing new numbers and words, and strike-throughs indicating repealed numbers and words.

C1.11.11 Orange County will continue to implement the water conservation efforts identified in the Work Plan. These efforts include:

- Continued staffing of the County's water conservation program and extensive public education program;
- Continued enforcement of ordinances and policies that limit irrigation days and hours, encourage Florida Friendly landscaping, require the use of ultra-low volume fixtures, and require rain sensor devices;
- Continued water conservation practices, such as participation in Florida Friendly Landscape workshops, water use audits, toilet retrofit program, showerhead exchange program, efficient irrigation nozzle replacement program, distribution system leak program, presentation and events, and participation in public awareness campaigns;
- Continued use of a tiered inclined block water conservation rate structure, including rate increases;
- Further assessment of existing water conservation program effectiveness and development of new program initiatives; and,

- Periodic review and update of existing water conservation and landscaping ordinances to promote additional improvements in water conservation.

Section 4. Amendments to Text of Potable Water, Wastewater and Reclaimed Water Element. The Comprehensive Plan is hereby further amended by amending the text of the Potable Water, Wastewater and Reclaimed Water Element to read as follows, with underlines showing new numbers and words, and strike-throughs indicating repealed numbers and words.

PW1.1.1 Orange County shall review the Master Plan every five years and shall review and update the Water Supply Facilities Work Plan (Work Plan) within 18 months of the update to the Regional Water Supply Plans, which are required to be updated at least every five years, to identify system deficiencies and, if necessary, implement a plan for correction. The Work Plan (~~Orange County Water Supply Facilities Work Plan, 2008~~ Orange County Water Supply Facilities Work Plan, Fiscal Year 2017/2018 to 2027/2028), prepared by the Orange County Utilities Department in conjunction with the Planning Division, is herein adopted, by reference, as data, analysis and supporting documentation for the element.

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PW1.2.5 When central water service from Orange County Utilities is required for development, the level of service standard shall be 275 gallons per day (average daily flow) per Equivalent Residential Unit. 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 only to review Developments of Regional Impact (DRI) and Comprehensive Plan Future Land Use Map Amendments.

~~A. Timing of Future Treatment Facility Expansion. Orange County Utilities shall ensure that sufficient water treatment facility capacity is maintained. Once the maximum daily flow (MDF) equals or exceeds 75% of a system's permitted capacity or once the sum of current MDF plus future commercial MDF equals or exceeds 90% of permitted capacity, a report shall be presented to the Florida Department of Environmental Protection (FDEP) on the need to increase capacity and, if capacity needs to be increased, the method of increase, estimated cost and timing. The capacity report shall identify~~

~~recommended improvements, improvement costs and the timing of such improvements. Facilities scheduled for design and construction, as identified by the capacity report, shall be considered for inclusion into Orange County's Five Year and Ten Year Capital Improvement Program. Facilities approaching build out shall be exempt from this requirement. Facilities approaching build out are defined to be built to the ultimate capacity required to accommodate all projected growth within the system's service area. (Added 12/00, Ord. 00-25, Policy 1.2.5-r)~~

- A. The LOS standard OCU has adopted for planning and engineering of its water supply facilities is based on the Florida Department of Environmental Protection's (FDEP's) capacity analysis standards. OCU evaluates the need for water supply facility expansion over a ten year planning horizon if observed maximum day water demands are equal to or greater than 75% of the total permitted maximum day operating capacity of the water supply facilities. If the observed maximum day demand exceeds 75% of the total permitted maximum day operating capacity of the water supply facility, then OCU will be required to submit a Capacity Analysis Report to the FDEP in accordance with the requirements of Section 62-555.348 of the Florida Administrative Code (FAC).

In addition, OCU has developed WSF and Water Reclamation Facility (WRF) treatment capacity percentage based expansion criteria and schedule to address the requirements of Sections 62-555.348 and 62-600.405(8) of the FAC. The expansion criteria and schedule are as follows:

- WSF: When the MDD equals or exceeds 75% of maximum day treatment capacity, submit capacity analysis report.
- WRF: When the maximum 3-month ADF exceeds 50% of the permitted treatment, submit capacity analysis report.
- WSF/WRF: When the MDD / maximum 3-month ADF meets or exceeds 80% of the permitted treatment capacity, start request for proposals for consultant services for preliminary and final design.
- WSF/WRF: When the MDD / maximum 3-month ADF meets or exceeds 85% of the permitted treatment capacity, begin final design.
- WSF/WRF: When the MDD / maximum 3-month ADF meets or exceeds 90% of the permitted treatment capacity, the expansion needs to be in construction.

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PW1.2.11 When central water service from private utilities or municipalities is required for development in unincorporated Orange County, the level of service standard shall be as listed below.

UTILITY NAME	LOS	
City of Apopka		
Residential	227 gallons per day (gpd)/capita	
Nonresidential	200 per 1,000 square feet	
City of Casselberry	140 gpd/capita	
City of Eatonville	63 gpd/capita	
City of Kissimmee	114.4 gpd/capita	
City of Maitland	350 gpd/equivalent residential connection (erc)	
City of Mount Dora	135 gpd/capita	
Town of Oakland	300 gpd/equivalent residential unit (eru)	
UTILITY NAME	LOS	
City of Ocoee	300 gpd/ERC	
Winter Park Utilities	215 gpd/capita	
City of Winter Garden	350 gpd/eru	
Orlando Utilities Commission		
Land Use	Unit	Gallons/Day
Single Family Residential	Dwelling	360
Multifamily Residential	Dwelling	259
Office	Square Foot	0.15
Commercial	Square Foot	0.13
Hotel	Rooms	187
Industrial	Square Foot	0.22

Government	Square Foot	0.15
Hospital	Square Foot	0.22
Reedy Creek Utilities		
Land Use	Unit	Gallons/Day
Residential	dwelling	350
Hotel (general)	rooms	
Luxury/Deluxe	rooms	200
First Class	rooms	250
Moderate/Economy	rooms	200
Other Resort	Unit	150
Other Resort	Unit	300
Support/Office	square foot	
Retail/Commercial	square foot	0.25
Restaurant	seat	0.3
Theme Parks (general)	guest	25
Theme Parks (water)	guest	80
Central Florida Research Park	Not available	170
East Central Florida Services Inc. ⁺	Not available	
Florida Water Service	Not available	
Lake Ola Homeowners	Not available	
Park Manor Utilities	300 gpd/eru	
Southern States Utilities	200 gpd/eru	
Taft Water Association	140 gpd/capita	

Utilities Inc. of Florida (Wedgefield Utilities Inc.)	615 gpd/eru
Zellwood Water Users	Not available
† This system serves the Deseret Ranch's pasture and citrus grove irrigation system and homes on ranch property. NOTE: Orange County Planning Division has distributed surveys to all private and public providers throughout the County in order for the above information to be updated.	

<u>UTILITY NAME</u>	<u>LOS</u>
City of Apopka	177 gallons per day (gpd)/capita
City of Casselberry	100 gpd/capita
City of Eatonville	100 GPD/ capita
City of Kissimmee	96 gpd/capita residential
	120 gpd per room hotel/motel
	0.1 gpd per gross square foot of floor area commercial
	10 gpd per student public or private schools
City of Maitland	350 gpd/equivalent residential connection (erc)
City of Mount Dora	135 gpd/capita
Town of Oakland	119 gpd/capita
City of Ocoee	300 gpd/ERC
Winter Park Utilities	150 gpd/capita average usage
City of Winter Garden	350 gpd/eru
Orlando Utilities Commission	325 g/dwelling unit/day without reclaimed or 160 g/du/d with reclaimed
<u>Land Use</u>	
Single Family Residential	325 g/du/day without reclaimed or 160 g/du/day with reclaimed
Multifamily Residential	200 g/du/day
Office	0.15 g/sqft/ day
Commercial	0.13 g/sqft/ day
Hotel	187 g/room/ day
Industrial	0.22 g/sqft/ day
Government	0.15 g/sqft/day
Hospital	0.22 g/sqft/day
Reedy Creek Utilities	Does not have an adopted LOS per RCU
Central Florida Research Park	Not Available

<u>East Central Florida Services Inc.¹</u>	<u>Not Available</u>
<u>Florida Water Service</u>	<u>Not Available</u>
<u>Lake Ola Homeowners</u>	<u>Not Available</u>
<u>Southern States Utilities</u>	<u>200 gpd/eru</u>
<u>Wedgefield Utilities Inc.</u>	<u>356 gpd/capita</u>
<u>Zellwood Water Users</u>	<u>Not Available</u>
<u>1 This system serves the Deseret Ranch's pasture and citrus grove irrigation system and homes on ranch property.</u> <u>NOTE: Orange County Planning Division has distributed surveys to all private and public providers throughout the County in order for the above information to be updated.</u>	

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OBJ PW3.1 Orange County shall develop and maintain a Water Supply Facilities Work Plan (Work Plan) for at least a 10-year planning period addressing traditional and alternative water supply sources, facilities, and issues necessary to serve existing and future development within the jurisdiction of Orange County.

The Work Plan is developed based on a long term strategy that incorporates the following components:

- Continue to implement and expand effective water conservation measures
- Increase rates for potable and non-potable water used for irrigation to encourage greater conservation
- Optimize the efficient use of fresh groundwater from the Floridian aquifer
- Interconnect systems to create regional flexibilities and efficiencies
- Maximize the beneficial use of reclaimed water
- Continue aquifer recharge projects in areas of greatest benefit
- Expand reuse distribution facilities for irrigation and other beneficial uses
- Continue to ~~Develop~~ additional alternative water supply sources such as surface water for potable supply and non-potable augmentation
- Investigate additional management and supply options such as ~~aquifer storage and recovery~~, reservoir storage, and stormwater reuse
- Utilize aquifer storage and recovery for supply management

POLICIES

- PW3.1.1 The Work Plan shall be consistent with the potable water level-of-service (LOS) standards established in Policies PW1.2.5, ~~PW1.2.5.1~~ and PW1.2.11.

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- PW3.1.6 Orange County's capacity related strategy and capital improvement projects for traditional water supply facilities are summarized below consistent with the Work Plan. These projects and project components, including estimated costs and funding sources, are adopted in the Capital Improvements Element as part of the 5-year schedule of capital improvements. Project numbers are listed as appropriate for cross reference to Index by Financial Unit in the capital improvements schedule.

- ~~Western Regional WSF/Wellfield Phase III (treatment plant expansion and new Lower Floridan aquifer wells) (CIS 1532).~~
- ~~Horizon West WSF/Wellfield (new treatment plant and wells) (CIS 1506).~~
- ~~Malcolm Road WSF/Wellfield (new treatment plant and wells) (CIS 1506).~~
- ~~Southern Regional WSF/Wellfield, Phase I (new plant and wells) (CIS 1498).~~
- ~~Eastern Regional WSF, Phases IIB and III (plant and wellfield expansions) (CIS 1497).~~
- ~~East Service Area Potable Water Storage and Repump Facility (CIS 1498).~~
- ~~East Service Area South Service Area Water Transmission Main Interconnection (CIS 1450 and 1508).~~
- Oak Meadows Wellfield Expansion (Permitted Well OM-5), currently in the construction phase, includes one new Lower Floridan aquifer well at the facility with a capacity of 1.8 mgd, AADF. This well is planned for completion by 2017. (West Service Area, CIS 1532-14)
- Western Regional WSF/Wellfield Phase IIIB Expansion, currently in design and planned for completion by 2023, may increase treatment capacity by another 7.0 mgd, AADF and involves one new Lower Floridan aquifer well (well WR-11, already permitted) with a capacity of 2.2 mgd, AADF, to be completed by 2018. (West Service Area, CIS 1532)
- Malcolm Road WSF/Wellfield, currently in design (treatment facility) and construction (wells), includes a new treatment plant and Floridan aquifer wellfield, each with capacity of 4.0 mgd, AADF. Wells are planned for completion by 2017, and treatment plant by 2019. (Southwest Service Area, CIS 1557)

- Eastern Regional WSF Phase IIIB Expansion, with final design and construction planned for completion in September 2017 and February 2020, respectively, increases treatment capacity from 50 mgd to 62.4 mgd AADF. (East Service Area, CIS 1554-02)
- East Service Area-South Service Area Water Transmission Main Interconnection, planned to be constructed by 2019, will increase system flexibility and reliability. (CIS 1450 and 1508)
- I-Drive Booster Pump Station, currently in the construction phase and planned for completion in 2018, will eventually transmit water from the Cypress Lake brackish groundwater AWS project. (CIS 1498-10).

PW3.1.7

Development of Orange County's reclaimed water system is a critical component of the County's water supply strategy. Orange County's capacity-related strategy and capital improvements projects for water reclamation and reuse facilities are summarized below consistent with the Work Plan. These projects and project components, including estimated costs and funding sources, are adopted in the County's Capital Improvements Element as part of the 5-year schedule of capital improvements. Project numbers are listed as appropriate for cross reference to Index by Financial Unit in the capital improvements schedule.

- ~~Northwest WRF Phase III Expansion (treatment capacity increase) (CIS 1435).~~
- ~~Northwest WRF RIB System Expansion (CIS 1496).~~
- ~~Northwest WRF Reclaimed Water Project (reclaimed water storage, pumping, distribution and capacity for reuse) (CIS 1496).~~
- ~~Southwest WRF, Phases I and II (new treatment plant, outside 5 year schedule) (CIS 1507)~~
- ~~Southwest Service Area Reclaimed Water Reuse System (reuse distribution system) (CIS 1542).~~
- ~~South WRF, Phase V Expansion (treatment capacity expansion) (CIS 1555).~~
- ~~South Service Area Reclaimed Water and Reuse System Expansion (CIS 1411).~~
- ~~Eastern WRF, Phases IVC, V, and Re Rating (treatment capacity expansions) (CIS 1538).~~
- ~~Eastern Regional Reclaimed Water Distribution System (joint project with the City of Orlando).~~
- ~~East Service Area (a.k.a. Southeastern, Eastern WRF) Reclaimed Water Reuse System (expansion of reclaimed water pumping, storage, and distribution system facilities) (CIS 1483).~~

- Northwest WRF Phase IIIB Expansion, planned to be constructed by 2025, will increase the capacity of the chlorine contact chamber, increasing the overall treatment capacity of the facility by 1.0 mgd, AADF. (West Service Area, CIS 1435)
- Northwest WRF Reclaimed Main Extension to Apopka, planned to be constructed by 2022, and expected to add 2.5 mgd to 3.0 mgd, AADF to the existing capacity of the reuse system in the West Service Area. (West Service Area, CIS 1435)
- Southwest WRF Phase I, planned to be constructed by 2025, for a total treatment capacity of 5.0 mgd, AADF. Further phases are planned to provide additional capacity and to receive flow diversion from the South Service Area. (Southwest Service Area, CIS 1507)
- South WRF Phase V Expansion, planned completion of March 2019, will increase treatment capacity by 13 mgd from 43.0 to 56.0 mgd, AADF. (South Service Area, CIS 1555-01)
- Eastern WRF Phase V Improvements, planned for completion by May 2018, will increase treatment capacity from 19.0 to 24.0 mgd, AADF. (East Service Area, CIS 1538)
- Eastern WRF Phase VI Expansion, planned to be completed by 2027, will increase treatment capacity from 24.0 to 29.0 mgd, AADF. (East Service Area, CIS 1538)
- Southeast Reclaimed Water System Expansion Project, will be constructed throughout the planning horizon to distribute reclaimed water to meet reuse irrigation demands in the East Service Area, estimated to be as much as 9 mgd, AADF by 2020. (CIS 1483, CUP #3317 Condition 26)

PW3.1.8

Development of alternative water supply projects is a critical component of the County's water supply strategy and necessary to meet future water demands. Orange County's alternative water supply projects including surface water capital improvement projects are summarized below consistent with the Work Plan. These projects and project components, including estimated costs and funding sources are adopted in the County's Capital Improvements Element as part of the 5-year schedule of capital improvements. Project numbers are listed as appropriate for cross reference to Index by Financial Unit in the capital improvements schedule.

- ~~St. Johns River/Taylor Creek Reservoir Water Supply Project (new regional, cooperative surface water supply) (CIS 1550). Funding for this alternative water~~

~~supply project will be shared by Orange County, the other five project utility partners, the SJRWMD, and the SFWMD.~~

- ~~• Kissimmee River Basin Lake Tohopekaliga Potable Water Supply Project (new regional, cooperative surface water supply at the conceptual phase; outside 5 year schedule of capital improvements). Funding for this alternative water supply project will be shared with other central Florida potable water utility partners, with additional cooperative funding from the state (CIS 1550).~~
- ~~• St. Johns River at SR 46 Water Supply Project (conceptual surface water supply project, outside Work Plan planning horizon).~~
- ~~• Aquifer Storage and Recovery (ASR) Pilot Well Project, a cooperative study with the SJRWMD (CIS 1550).~~
- Cypress Lake Wellfield, a collaborative AWS STOPR project, will provide OCU with a 9 mgd, AADF finished water potable supply capacity increase. Construction of this project is currently projected to be completed by approximately 2023. (CIS 1550-08, CFWI RWSP Projects 3, 4 and 5).
- St. Johns River/Taylor Creek Reservoir Water Supply Project, an estimated 50 mgd, AADF surface water potable supply project in 2030 (CIS 1550; CUP #3317 Condition 23; WUP # 48-00134-W Condition 25; CFWI RWSP Project 126), peak production of 54 mgd finished water. OCU is participating collaboratively in this regional water supply development project with five other central Florida potable water suppliers: OUC, East Central Florida Services, and Tohopekaliga Water Authority (who all provide some water in unincorporated Orange County); and the City of Cocoa and City of Titusville. The exact supply volume distribution among suppliers is yet to be finalized, but it is anticipated that OCU's share would be at least 10 mgd, AADF.

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Section 5. Effective Dates for Ordinance and Amendments.

- (a) This ordinance shall become effective as provided by general law.
- (b) In accordance with Section 163.3184(3)(c)4., Florida Statutes, no plan amendment adopted under this ordinance becomes effective until 31 days after the DEO notifies the County that the plan amendment package is complete. However, if an amendment is timely

challenged, the amendment shall not become effective until the DEO or the Administration Commission issues a final order determining the challenged amendment to be in compliance.

(c) No development orders, development permits, or land uses dependent on any of these amendments may be issued or commence before the amendments have become effective.

ADOPTED THIS 9th DAY OF MAY, 2017.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Teresa Jacobs*
Teresa Jacobs
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk to the Board of County Commissioners

Katie Smith
Deputy Clerk