

State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: October 22, 1998
 TO: Blanca Bayo, Division of Records and Reporting
 FROM: Gerald Edwards, Bureau of Economic Regulation *GE*
 RE: Docket No. 980657-WS, Florida Water Services Corporation in Seminole County,
 Filing fees for an Application for Amendment, territory expansion.

Attached is a response from the Department of Community Affairs concerning docket number 980657-WS, Florida Water Services Corporation. Please enter the attached correspondence into the above referenced docket.

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- ENG _____
- LEC _____
- LIN _____
- OPD _____
- RCM _____
- SEC /
- WAS _____
- OTH _____

DOCUMENT NUMBER-DATE

11817 OCT 22 88

DIVISION OF RECORDS AND REPORTING



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

"Helping Floridians create safe, vibrant, sustainable communities"

LAWTON CHILES
Governor

JAMES F. MURLEY
Secretary

October 14, 1998

Charles H. Hill, Director
Division of Water and Wastewater
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECEIVED

OCT 14 1998

Florida Public Service Commission
Division of Water and Wastewater

RE: PSC Docket No. 980657-WS: Application for Amendment by Florida Water Services Corporation in Seminole County

Dear Mr. Hill:

The Department has completed its review of the Florida Water Services Corporation application to the Public Service Commission for an expansion of its water and wastewater service area in Seminole County. A copy of the staff memorandum is attached for your review.

We have identified growth management concerns related to consistencies with the *Seminole County Comprehensive Plan* and the potential for the promotion of urban sprawl. The utility expansion area is located in a area which is slated by the Seminole County Plan to remain rural in character. The land uses designated on the FLUM are primarily rural. The expansion appears to be inconsistent with FLUE Policies 2.11.10 and 2.11.11, and PWE Policy 11.4.2 of the County's Plan, concerning the expansion of water and sewer facilities into the rural area in East Seminole County. The expansion may contribute to urban sprawl, and is therefore, inconsistent with PWE Policy 11.4.1. The Florida Water Services application for expansion of its service area indicates that the expansion area is anticipated to develop at approximately two dwelling units per acre. As indicated above, this anticipated development density is inconsistent with the Seminole County Plan, which designates this area for primarily rural development.

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100

Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781

Internet address: <http://www.state.fl.us/comaff/dca.html>

FLORIDA KEYS
Area of Critical State Concern Field Office
2796 Overseas Highway, Suite 212
Marathon, Florida 33050-2227

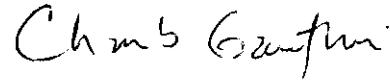
GREEN SWAMP
Area of Critical State Concern Field Office
155 East Summerlin
Bartow, Florida 33830-4641

SOUTH FLORIDA RECOVERY OFFICE
P.O. Box 4022
8600 N.W. 36th Street
Miami, Florida 33159-4022

Charles H. Hill
October 12, 1998
Page Two

If you have any questions, please contact Brenda Winningham, Planning Manager, or James Stansbury, Community Program Administrator, at (850) 487-4545.

Sincerely,

A handwritten signature in cursive script that reads "J. Thomas Beck".

J. Thomas Beck, Chief
Bureau of Local Planning

Attachment

JTB/bw

cc: Francis Chandler, Seminole County



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

"Helping Floridians create safe, vibrant, sustainable communities"

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MEMORANDUM

RECEIVED
OCT 14 1998
Florida Public Service Commission
Division of Water and Wastewater

TO: *JTC* J. Thomas Beck, Bureau Chief

THROUGH: *CC* Charles Gauthier, Section Administrator *prepare no letter*
James Stansbury, Community Program Administrator

FROM: Brenda Winningham, Planning Manager *BW*

SUBJECT: Public Service Commission Utilities Expansion Application
Florida Water Services Corporation; PSC Docket No. 980657-WS

DATE: October 8, 1996

Comment Due to PSC: October 16, 1998

I. Summary of Staff Analysis

Florida Water Services Corporation (FWS) has applied to the Public Service Commission to amend its Certificates Nos. 279.W and 226-S to include additional land (approximately 1,663 acres) in unincorporated Seminole County in its service territory. Staff finds that the proposed expansion area is not appropriate for central water and central wastewater due to the Rural land use designations, inconsistency with the County's Comprehensive Plan, and the potential for urban sprawl.

II. Location of Proposed Service Territories

The total area of the proposed water and wastewater service territory expansion is approximately 1,663 acres. As depicted in Attachment 1, this area is generally located adjacent to and east of the City of Oviedo, southeast of the Flying Seminole Ranch site within Oviedo, surrounding Chuluota in unincorporated Seminole County, to the north, east, and west of CR 419. The existing service area is primarily within the Chuluota area.

III. Local Government Comprehensive Plan

The area proposed for the service expansion is within the Econlockhatchee River Basin. The County's Future Land Use Map (FLUM) designations for the area include Rural 5 (1 unit/5 acres), Rural 3 (1 unit/3 acres), Suburban estates (1 unit/acre), Low Density Residential (4 units/acre), Recreation, and Conservation. The area designated Low Density Residential is a very small portion of the area, adjacent to the City of Oviedo, in the southwest portion of the proposed expansion area. The area is within the rural area of the County as identified on Figure 2.9 of the Future Land Use Element (FLUE). The expansion of water and sewer service further into the rural area of East Seminole County is inconsistent with FLUE Policies 2.11.10 and 2.11.11, and Potable Water Element (PWE) Policy 11.4.2, which indicate that new development in East Seminole County which is located outside the adopted central service areas shall not be designed nor constructed with central water and or/sewer systems. The expansion is also inconsistent with PWE Policy 11.4.1 which indicates that the County shall not expand the water service area if the expansion will encourage urban sprawl. The Department found Seminole County Amendment 97F.FLU4 in Amendment Package 97-2 not in-compliance. The amendment was within the proposed service expansion area. The amendment would have increased densities and indicated that water and sewer service would be extended to serve the site. The Department raised urban sprawl as one of the issues for it's not in-compliance determination.

The FWS anticipates that the additional territory will develop at approximately 2 units per acre. As indicated by the discussion of the County's FLUM designations for this area, this assumption is inconsistent with the County's FLUM. The County is currently conducting a small area study, which includes this service area. The purpose of the study is to determine whether the whether this area should continue to be developed as a rural area. The Department has not received the Chuluota Small Area Study to date. The County anticipates completing the study by the end of October.

IV. Agency Comments

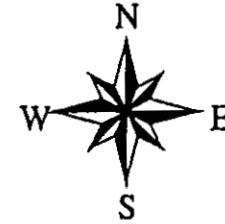
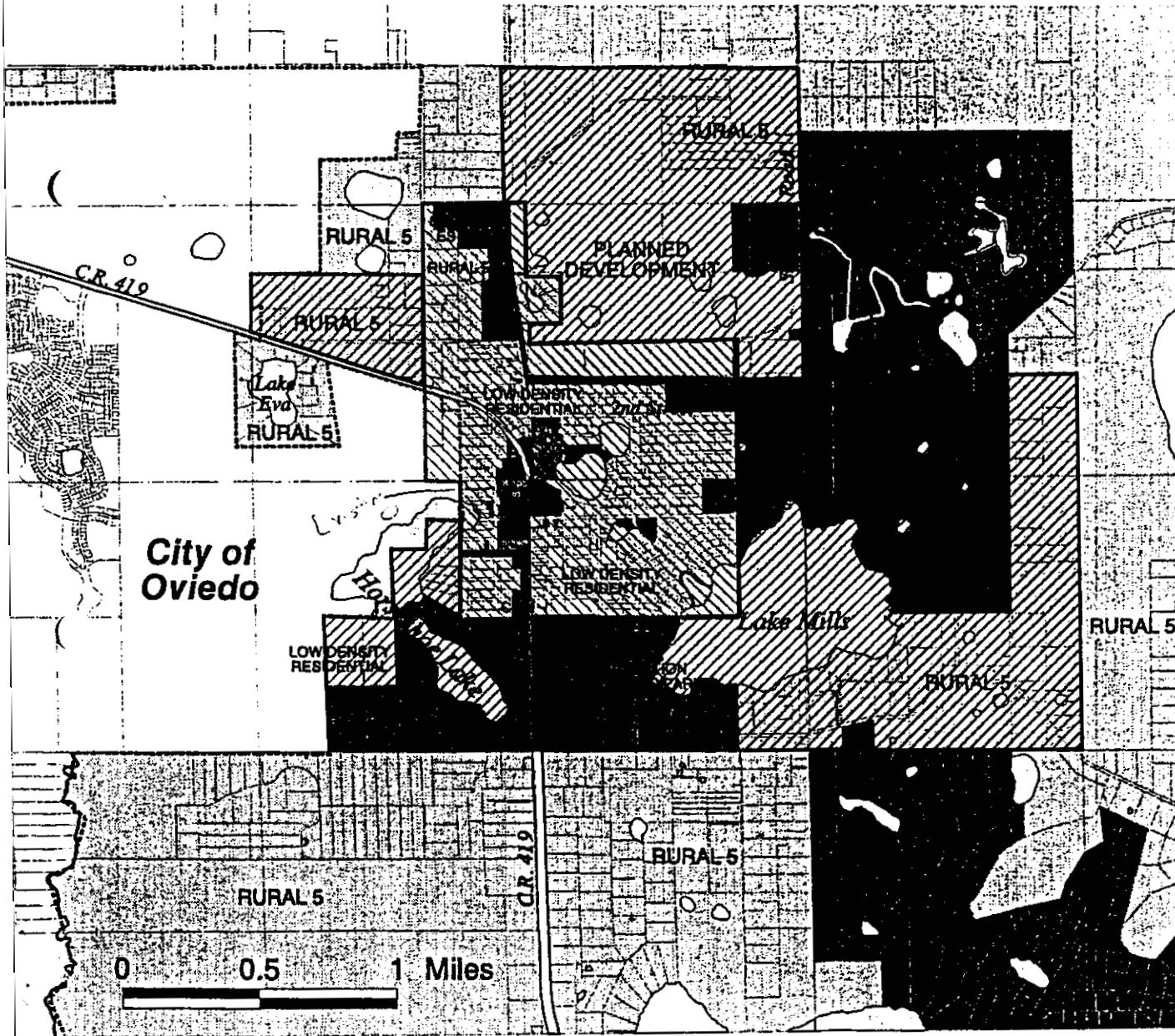
Seminole County provided the Department with a copy of the County's letter to the PSC expressing the county's objection to the extension of central water and sewer services into the Rural Area of Seminole County. The County cites the Rural land use designations for the area, that the site is located within the County's Rural Area, and that the proposed extension of the service area is inconsistent with FLUE Policies 2.11.10 and 2.11.11 of the County's Plan.

The Department received a copy of a letter from the Coalition for Responsible Econlockhatchee Development, Inc. (C-RED), to the PSC objecting to the proposed expansion of the service area. C-RED raised concerns that the expansion is in violation of the Seminole County Comprehensive Plan and would encourage higher densities and intensities of development in an area of "specific rural character rather than an area intended to be urbanized."

V. Conclusions

The expansion is inconsistent with Seminole County's Comprehensive Plan FLUE Policies 2.11.10 and 2.11.11, and PWE Policy 11.4.2 concerning the expansion of water and sewer facilities into the rural area in East Seminole County. The expansion would contribute to urban sprawl, and is therefore, inconsistent with PWE Policy 11.4.1.

Florida Water Service - Water & Sewer Service Area Proposed Change



LEGEND:

- Existing Florida Water Service Area as adopted in Comprehensive Plan
 - Proposed Florida Water Service Area
 - Water
 - Parcel
- Seminole County Future Land Use Categories
- RURAL 10 - MAX 1 DU PER 10 AC
 - RURAL 5 - MAX 1 DU PER 5 AC
 - RURAL 3 - MAX 1 DU PER 3 AC
 - SUBURBAN ESTATES - MAX 1 DU PER AC
 - LOW DENSITY RES. - MAX 4 DU PER AC
 - MEDIUM DENSITY RES. - MAX 10 DU PER AC
 - HIGH DENSITY RES. - > 10 DU PER AC
 - OFFICE
 - COMMERCIAL
 - PLANNED DEVELOPMENT
 - INDUSTRIAL
 - RECREATION
 - PUBLIC
 - WATER
 - ROAD RIGHT-OF-WAY
 - URBAN/RURAL BOUNDARY

SOURCE: Seminole County Comprehensive Planning/Cartographics
 DATE: May 28, 1998