

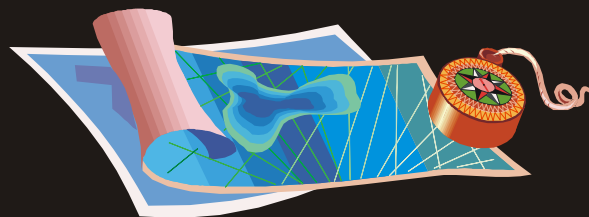
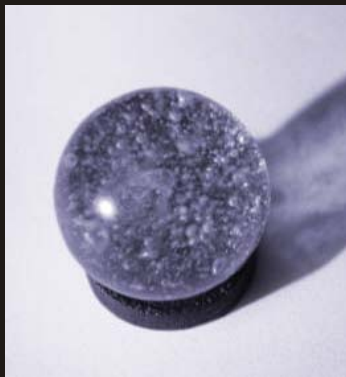
FUTURE LAND USE ELEMENT

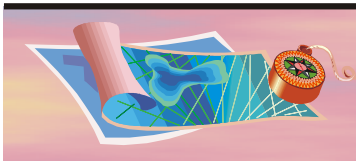
- Introduction
- Issues and Concerns
- Goals, Objectives and Policies
- Exhibits



FUTURE LAND USE

VISION 2020





Vision 2020 Comprehensive Plan Seminole County, Florida

FUTURE LAND USE ELEMENT INTRODUCTION

The Future Land Use Element includes objectives and policies to implement a future land use plan that achieves an appropriate balance between public and private interest in the protection of the environment, creation of favorable economic conditions, provision of adequate housing and adequate services and facilities, maintenance of established residential neighborhoods, protection of rural and agricultural areas, and protection of private property rights. The Future Land Use Element includes several objectives to meet the Element's goal and numerous policies to implement each objective. The Element consists of numerous policies and procedures to promote community value and limit urban sprawl. These policies and procedures are required to minimize the cost of providing public facilities, ensure that adequate services are available for new development and prevent development from encroaching into environmentally sensitive lands.

Seminole County's Future Land Use Element and *Exhibit FLU: Future Land Use Map* designate the long range desired use of properties within the County and the Plan's policies and standards determine how and when property will be developed. The *Exhibit FLU: Future Land Use Map* (FLUM) is comprised of 19 future land use designations and provides for an adequate mix of land use types in appropriate locations ranging from rural residential, suburban estates, traditional single family neighborhoods, and medium to high density development. The FLUM also provides a variety of office, commercial and industrial, public recreation and cultural uses, and extensive agricultural and conservation lands. In developing the Plan, each of these uses were appropriately located to protect existing neighborhoods, provide shopping, recreational and cultural uses in close proximity to residents, and to make the most efficient use of infrastructure by limiting higher intensity uses to major interchange areas.

The *Exhibit FLU: Future Land Use Map* is not a static document but is designed to allow changes to meet development trends and changing conditions. The FLUM provides sufficient amounts of each land use type to accommodate projected land use trends with adequate lands remaining for market flexibility and contingency.

Future land use designations must be consistent with facility and service elements and the County's five year capital improvements plan. This coordination is accomplished through a process of:

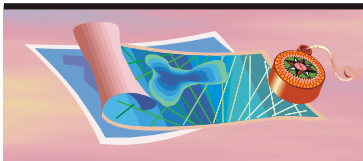
- Evaluating population projections prepared by the University of Florida Bureau of Economic and Business Research;
- Taking the total projected growth and assigning it to specific areas (212 traffic zones) based upon the adopted *Exhibit FLU: Future Land Use Map* designations, committed development and land constraints;
- Developing service and facility plans to meet these projected growth needs;
- Evaluating the cost impacts of facility needs; and
- Scheduling needed capital improvements within the five year Capital Improvements Element.

The Future Land Use Element must be coordinated with the comprehensive plans of adjacent cities within the County and be consistent with the Strategic Regional Policy Plan and State Comprehensive Plan.



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FUTURE LAND USE ELEMENT ISSUES AND CONCERNS

Issue FLU 1 **Concurrency Management**

Rule 9J-5.006(3)(c)3, Florida Administrative Code (FAC), requires that facilities and services at established level of service standards are available concurrent with the impacts of development, or that development orders and development permits are conditioned on the availability of facilities and services.

The Seminole County Comprehensive Plan (the "Plan") future land use designations were developed after a review of long range facility and service plans. The County's Concurrency Management System (CMS) is intended to serve the long term interests of the citizens of Seminole County by implementing a managed growth perspective that monitors the capacity of important concurrency public facilities and services and maintains the high quality of life that the citizens of Seminole County now enjoy. The CMS includes specific procedures and criteria to ensure that level of service standards adopted in the Plan will be achieved or exceeded. The CMS evaluates final development orders to ensure that the adopted levels of service standards for transportation, potable water, sanitary sewer, solid waste, mass transit, stormwater drainage, and recreation are met. Currently, impact fees are collected for roads, fire and rescue systems, libraries, and schools.

Issue FLU 2 **Mixed Use and Higher Intensity Planned Development (HIP) Standards**

Rule 9J-5.006(2)(c)1, FAC, requires all land use map designations to have allowable uses and intensity ranges to project growth and facility and service needs. Rule 9J-5.006(3)(c)5,(4)(c), FAC, encourages policies for the implementation of mixed use classifications, if locally desired.

The *Exhibit FLU: Future Land Use* and *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications* defines types, densities and intensities and allowable zoning classifications for all conventional land uses in the County. The Mixed Development, Planned Development and Higher Intensity Planned Development future land use designations (i.e., Target Industry, Core and Transitional and Airport areas) allow for both single use and mixed use developments. These future land use designations are implemented through numerous Plan policies and land development regulations that address uses, location, timing, services and facilities, density/intensity, phasing, compatibility, and represent one of the County's techniques for discouraging urban sprawl.

Issue FLU 3 **Exhibit FLU: Future Land Use Map Based On Growth Needs/Buildout**

The *Exhibit FLU: Future Land Use Map* is based on the amount of land use by type needed to accommodate the County's projected growth over the planning period.



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In Seminole County both private and publicly owned properties are designated as one of the several future land use designations on the adopted *Exhibit FLU: Future Land Use Map*. The *Exhibit FLU: Future Land Use Map* is based on the amount of land use by type needed to accommodate the County's projected growth over the planning period.

Based on the currently adopted *Exhibit FLU: Future Land Use Map*, it is projected that between 2015 and 2020 the County will experience a shortage of vacant developable land for single family and multi-family development. Among the options available to address this shortage includes amending the Plan to allow increased densities within existing residential designation and creating infill parcels where a mix of residential and nonresidential uses would be allowed.

Subsequent to adoption of the 2001 Plan Update, this issue should be fully assessed and recommended options prepared as part of the next Evaluation and Appraisal Report of the Plan scheduled for 2005.

Issue FLU 4

Urban Sprawl

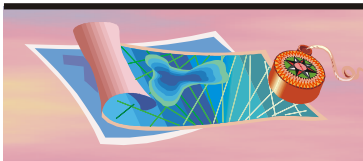
Rule 9J-5.006, FAC, requires that plans of local government's contain specific provisions to discourage urban sprawl. Urban sprawl can be defined as scattered, poorly planned development occurring at the urban fringe and rural areas, which frequently invades land important for natural resource protection. Types of urban sprawl land uses include leapfrog development, strip development along a roadway and large expanses of low density, single-dimensional development.

Between Plan adoption in 1991 and completion of the County's Evaluation and Appraisal Report (EAR) in 1999, urban sprawl, as historically defined by the Florida Department of Community Affairs (Department) and repeated in the Plan, has not occurred in unincorporated Seminole County.

This absence of sprawl is due to extensive revisions to the County's *Exhibit FLU: Future Land Use Map* in 1987 to redesignate vacant, infill and urban fringe areas for urban development intensities. This major update, along with the long standing Conservation Land Use policies and regulations help to meet Department's sprawl tests. In 1991, the Plan was amended to establish the East Rural Area and adoption of an urban/rural boundary. Additional steps such as creation of the Higher Intensity Planned Development future land use series, (i.e., Target Industry, Core and Transitional and Airport areas), purchase of natural lands, limiting commercial development to major roadway intersections, and providing for mixed use developments, joined with land development regulations, have effectively served as tools to address urban sprawl.

The County's EAR fully addressed the sprawl indicators cited in Rule 9J-5.006(5), FAC. For a list of these indicators and the County's response, please refer to the EAR document.





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The numerous Plan policies, in combination with standards and regulations of the County's Land Development Code, provide development standards for stormwater management, traffic flow, open space, well field protection, protection of the environment, habitat protection, and compatibility. Examples of these standards are the requirements for a species survey to address habitat protection and active/passive buffers to ensure compatibility of land uses. These policies and regulations help to ensure a high quality of life for the citizens of Seminole County and support regional and State policy and management plans.

Issue FLU 5

Redevelopment Activities and Removal of Blight

Land use designations and policies are required for infill and redevelopment activities to enhance economic development and remove blight.

The County currently implements two types of redevelopment activities: (1) community development target areas; and (2) economic redevelopment areas. Redevelopment and removal of blight is achieved by designating appropriate future land use designations on the *Exhibit FLU: Future Land Use Map* and by adopting policies which encourage redevelopment of target areas. The County has assigned residential land uses (i.e., low to medium density uses) in these areas as a means to preserve neighborhoods and encourage infill development of single family and duplex structures. The County has also adopted community development and code enforcement programs to enhance target area living conditions and continues to encourage redevelopment of these areas through private development proposals and community development activities.

Since adoption of the 1991 Plan, the County has also focused efforts toward economic redevelopment. In 1997, the County, along with the cities of Casselberry, Lake Mary, Sanford, and Winter Springs, established the US Highway 17-92 Corridor Redevelopment Area. As the physical, economic and functional condition of the 17-92 Corridor is of significant importance to the citizens of several communities, the 17-92 Corridor Redevelopment Plan was adopted in 1997 to provide a set of strategies to improve the corridor and adjacent lands. The County has also worked with the cities of Casselberry and Sanford to establish the Casselberry Central City Redevelopment Area and the Sanford Towne Center Redevelopment Area and Sanford Downtown Waterfront Redevelopment Area.

The 2001 Plan update (Vision 2020) sets forth additional policy direction regarding redevelopment, removal of blight and infill development opportunities. As the threshold approaches for buildout of lands designated for single and multi-family residential use, the County must be prepared to address future development challenges and opportunities through redevelopment and infill activities.

Issue FLU 6

Nonconforming Uses, Nonconforming Zonings and Conflicting Zonings

Nonconforming uses and conflicts between future land use designations and zoning classifications may occur on parcels of land. A use which does not conform to the requirements of the future land use designation; a zoning which is more intense than the future land use designation; or a zoning which is less intense than the future land use designation, but does not result in compatibility conflicts with surrounding land uses, are examples of nonconformities.



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In 1991, the County processed administrative rezonings and future land use amendments to eliminate identified nonconformities. The Plan's Implementation Element sets forth procedures for eliminating zoning conflicts and reducing nonconforming uses and zonings that may be identified in the future.

Issue FLU 7

Special Area Plans and Evaluation and Appraisal Report Amendments

Since Plan adoption in 1991, several areas of the County have been identified as requiring more effective growth management techniques and community consensus building to ensure consistency with the goals and objectives of the Future Land Use Element. To address these concerns, several special area studies have been completed. Included among these is the "GreeneWay/SR 434 Small Area Study" (1994), "Airport Area Land Use Study" (1995), Northwest HIP Study (1995 and associated North I-4 Target Area Master Plan in 1996), "Chuluota Small Area Study" (1999), and "Wekiva Special Area Study" (1999), and "Myrtle Street Special Area Study" (2003). These studies have resulted in future land use amendments and/or policy amendments to the Plan to manage growth and development more effectively.

Additionally, in 1999, upon evaluation of the Exhibit FLU: Future Land Use Map, the County adopted a number of administrative future land use amendments on properties throughout the County where it was determined that the existing future land use designation was no longer appropriate. These future land use amendments and amendments resulting from the Chuluota Small Area Study and Wekiva Special Area Study were identified in the County's 1999 Evaluation and Appraisal Report found sufficient by the Florida Department of Community Affairs.

(Revised: Amendment 03F.TXT03.1; Ordinance 2003-63, 12/09/2003)

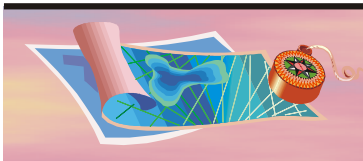
Issue FLU 8

Amendments to the Exhibit FLU: Future Land Use Map

Amendments to the Exhibit FLU: Future Land Use Map will continue to occur as the County becomes more urbanized, land prices rise, market demands change, when property owners desire a return on holdings or investments, and when existing uses are no longer appropriate due to road expansion or other public or private actions.

Plan amendments are evaluated based upon numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. The Plan amendment application review and evaluation process are prepared and presented in a format consistent with the major categories of Plan policies regarding programs, regulations, development policies, and coordination. In certain instances, an amendment application may be evaluated consistent with the requirements for a quasi-judicial review. Amendments shall be reviewed to determine any Countywide or significant areawide impacts and affect of land use changes to the internal consistency or fiscal structure of the Plan. Plan amendments may be initiated by property owners or by the County. From time-to-time the text of the Plan is amended to address emerging planning issues or legislation. Plan amendments are processed in accordance with the requirements of State law, including public hearings.





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Plan policies and land development regulations such as transitioning of land uses, enforcement of the “Lot Size Compatibility Ordinance” and regulating active uses next to residential areas will help ensure compatibility between conflicting uses as the County continues to urbanize and the demand for land suitable for development continues to increase.

Issue FLU 9

Intergovernmental Coordination

Due to the rapid growth along city fringe areas and the need for consistent land uses to maximize compatibility and meet infrastructure needs, the County and cities need to coordinated development of future land use plans.

The County has developed Joint Planning Agreements (JPAs) with the cities of Sanford (1991) and Oviedo (1999) and is currently working with the cities of Winter Springs and Casselberry to adopt JPAs. JPAs are intended to establish future annexation boundaries, ensure compatible land uses at jurisdictional borders, provide for adequate services and facilities, and provide for a formal review process of land use actions. Since 1991, the County has entered into agreements with the cities of Altamonte Springs and Longwood regarding annexation of enclaves.

In 1997, the County, County municipalities and County School Board joined in an agreement for the general purpose of establishing a framework for coordination, communication and notification of proposed land use actions, and to build cooperation between affected local governments and the School Board. This agreement also established the Joint Planning Technical Advisory Committee (PTAC) comprised of one County planner, one School Board planner and one city planner from each of the municipalities. As an advisory committee, the PTAC serves to enhance intergovernmental coordination of comprehensive plan programs and helps ensure consistency between these programs and issues of multi-jurisdictional concern.

In 1999, the County amended the Plan to address the location of public elementary, middle and high schools to meet the provisions of Chapter 163, Florida Statutes. Efforts are currently underway to develop an interlocal agreement among the County, municipalities and School Board to establish joint processes for collaborative planning as required by Chapter 163, Florida Statutes.

In addition, the County also coordinates with various State agencies such as the Florida Department of Community Affairs and Florida Department of Transportation, among others, regarding land use issues.

Issue FLU 10

Trends in Comprehensive Planning

Since the 1991 Plan Update, two popular themes have emerged that have a direct relationship to comprehensive planning. The first of these, “sustainability”, suggests the idea of the responsible use of resources to meet current needs without jeopardizing the needs of future residents. The second theme, “smart growth” involves the basic ideas of environmental protection, livable communities and efficient use of public funds. Both themes have in common the idea of community, economic opportunities and protection of the environment.



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In Seminole County “sustainability” and “smart growth” in land use are achieved through, but not limited to, application of the following planning techniques:

- Economic planning to create target industry areas;
- Acquisition of sensitive natural lands;
- Creation of an urban/rural boundary and Plan policies regarding protection of the Rural Area;
- Restricting densities and intensities within the Wekiva River and Econlockhatchee River areas;
- Applying a tiered level of service to encourage infill development and discourage sprawl; and
- Joint planning agreements.

These two themes are clearly evident in the goal of the Future Land Use Element, which is to achieve an appropriate balance between public and private interests in the protection of the environment, creation of favorable economic conditions and maintenance of established residential neighborhoods.

The County’s Plan and land development regulations set forth policies and provisions to ensure that these areas development in a manner to provide compatibility, accommodate necessary facilities and services and protect the natural environment.

The County will evaluate the need for additional or amended Plan policies during the next Evaluation and Appraisal period of the Plan scheduled for 2005.

Issue FLU 11

Protection of Rural Areas

The “Wekiva River Protection Area” and “East Rural Area” represent two separate and distinct areas within Seminole County where the Comprehensive Plan sets forth specific policy guidance for the long term maintenance of rural character.

In 1988, the Florida Legislature enacted the “Wekiva River Protection Act” for the purpose of protecting the natural resources and rural character of the “Wekiva River Protection Area” as defined in the Act. To comply with the Act, the County’s Comprehensive Plan was amended to create a set of Plan policies that would ensure the maintenance of the rural density and character in the aggregate, protect natural resources and ensure the long term viability of the Wekiva River Protection Area (see Objective FLU 14 and the *Exhibit FLU: Future Land Use Map* of this Plan). In 1999, with assistance from the Florida Department of Community Affairs, various environmental groups and citizens, the County adopted a Plan objective and additional set of Plan policies, substantially based on the “1999 Wekiva Special Area Study”, to provide greater protection for this area. The Plan also establishes one (1) dwelling unit per net buildable acre as the final development form





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for the Wekiva River Protection Area to maintain rural density and character in the aggregate. This Plan also allows for a density of up to 2.5 dwelling units per net buildable acre in the area identified as the “East Lake Sylvan Transitional Area”.

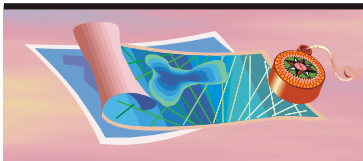
In the future, the County will be creating additional provisions in the Land Development Code for the purpose of implementing the policies of this Plan relating to the Wekiva River Protection Area.

In 1991, the County’s Comprehensive Plan was amended, based on the “1991 East Seminole County Rural Area Plan” to create the “East Rural Area” of Seminole County (see Objective FLU 11 and the *Exhibit FLU: Future Land Use Map* of this Plan). This Plan amendment created and assigned a set of rural future land use designations (Rural-3, Rural-5 and Rural-10) and associated rural zoning classifications (A-3, A-5 and A-10) to properties within the Rural Area. These land use designations and zoning classifications, together with Plan policies and rural subdivision standards, were established to preserve and reinforce the positive qualities of the rural lifestyle of the Rural Area. In 1999, the Comprehensive Plan was amended, based on the “1999 Chuluota Small Area Study” to further strengthen the rural character of the Rural Area. The East Rural Area of Seminole County is distinguished from the County’s predominantly urban area by the urban/rural boundary (see the *Exhibit FLU: Future Land Use Map* of this Plan).



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FUTURE LAND USE ELEMENT GOALS, OBJECTIVES AND POLICIES

GOAL

To implement the County's Future Land Use Plan to achieve an appropriate balance between public and private interests in the:

- Protection of the environment;
- Creation of favorable economic conditions;
- Provision of adequate housing;
- Provision of adequate services and facilities;
- Maintenance of established residential neighborhoods;
- Protection of rural and agricultural areas; and
- Protection of private property rights.

OBJECTIVE FLU 1 NATURAL, HISTORIC AND ARCHAEOLOGICAL RESOURCES

Pursuant to Article II, Section 7 of the Constitution of the State of Florida, the County shall ensure that natural, historic and archaeological resources are protected for the enjoyment of all citizens through provisions of the Land Development Code of Seminole County (the "Land Development Code") and Vision 2020 Comprehensive Plan (the "Plan") policies.

Policy FLU 1.1 Conservation Land Use

The County shall continue to regulate development and preserve environmentally sensitive areas by means of the Conservation future land use designation and associated provisions of the Land Development Code where soils, topography, wetlands, floodplains, land use, and other constraints exist.

Policy FLU 1.2 Flood Plain Protection

The County shall continue to implement the Conservation land use designation through the regulation of development consistent with the Flood Prone Area Zone Classification (FP-1) which:

- A Restricts uses which are dangerous to health, safety and property, and minimize public and private losses due to flood conditions;
- B Prohibits land filling and grade changes where such activity will cause erosion or inhibit flood waters;
- C Requires development to comply with the requirements and rules of the National Flood Insurance Program and Florida Department of Health; and



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- D Requires all subdivisions and site plans to maintain pre-development run off characteristics, provide compensating storage, comply with wetland regulations, and dedicate post-development flood prone and wetland areas to the County as a conservation easement.

Policy FLU 1.3

Wetlands Protection

The County shall implement the Conservation land use designation through the regulation of development consistent with the Wetlands Overlay Zoning Classification (W-1) which shall be revised by July 2001 to include the following:

- E Regulates development activities according to wetland significance;
- F Requires the identification of wetland type, land use, extent, significance, development compatibility, and applicable performance standards prior to County review and approval of development activities;
- G Requires, at a minimum, compliance with all performance standards set forth in the Planning Standards for Natural Resources (Land Development Code of Seminole County, appendix H), which standards and guidelines are accepted herein verbatim by this reference;
- H Provides for development flexibility through mitigation/compensation measures where more beneficial environmental results may be achieved; and
- I Requires dedication to the County of all post-development wetlands as conservation easements.

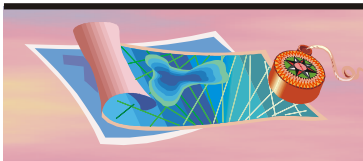
** Editor's note: Seminole County is currently undergoing a study which will result in the amending of the W-1 Zoning of the Land Development Code by July of 2001. The study has taken a comprehensive look at wetland impact trends during the previous ten years, new legislation of wetlands, and property owner's rights, and will result in a system of development regulations that focuses impacts on the urban area (with the exception of the Wekiva River Protection Area) and preserves the high quality ecosystems of the rural area through an aggressive mitigation plan for impacts in the urban services area. Special consideration and analysis have been given to evaluating the relationship of wetland structure and function in urban vs. rural areas, as well as new Water Management District rules regarding drainage basins. It is important to note that as referenced, W-1 Zoning will be different than it appears prior to the July 2001 deadline.*

Policy FLU 1.4

Conservation Easements

The County shall continue to require conservation easements in accordance with Section 704.06, Florida Statutes, or dedication of post-development flood prone and wetland areas as a limitation to any future encroachment or development of these environmentally sensitive areas.





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Policy FLU 1.5

Cluster Development

The County shall provide for clustering of uses within planned unit developments to:

- A Preserve conservation areas and other open space and groundwater aquifer recharge areas;
- B Allow for creative design;
- C Provide for open space;
- D Promote the efficient use of infrastructure;
- E Provide sites for schools; and
- F Promote affordable housing opportunities.

Policy FLU 1.6

Arbor Regulations

The County shall continue to ensure the preservation of trees and require the replacement of trees removed during development activities through existing Land Development Code provisions which:

- A Requires a permit for the removal, relocation or replacement of trees;
- B Requires the use of protective barriers to prevent the destruction/damage of trees during construction;
- C Requires that logging permits include conditions for restoration, buffers between residential areas, public parks and water bodies, and preservation of rare or historic trees; and
- D Provides for tree replacement standards, including minimum caliper and species type.

Policy FLU 1.7

Wekiva River Protection

The County shall continue to regulate the development of land along the Wekiva River and its wetlands and tributaries to implement Protection Zone policies and regulations regarding maintaining rural density and character in the aggregate, development setbacks, concentrating permitted development farthest from surface waters and wetlands where permitted, minimizing development impacts on water quantity and quality, and restricting open space areas to passive recreational uses.

Regardless of the land use designation or zoning classification assigned to any parcel of property located within the Wekiva River Protection Area as defined in Section 369.303(9), Florida Statutes, no development may be approved upon parcels so located unless the proposed development conforms to the provisions of the Wekiva River Protection Act (Part III, Chapter 369, Florida Statutes), and the provisions of this Plan adopted to conform to said Act. See Future Land Use Objective 14 for additional policies regarding the goals of the of the Wekiva River Protection Area .

Notwithstanding any other provision of this Plan, middle schools and high schools shall not be permitted on property located within the Wekiva River Protection Area except for 8.7 acres owned by the Seminole County School Board prior to October 26, 1999, which is located in the East Lake Sylvan Transitional Area, which is depicted in Exhibit FLU: East Lake Sylvan Transitional Area/School Site..

(Added: Amendment 02F.TXT03; Ordinance 2002-55, 12/10/2002)



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Policy FLU 1.8

Econlockhatchee River Basin Protection

The County shall, at a minimum, continue to regulate development consistent with the Seminole County Econlockhatchee River Protection Overlay Standards Classification to ensure the preservation of the Econlockhatchee River as an recognized outstanding natural resource. Minimum ordinance provisions necessary to ensure protection of the Econlockhatchee River Basin shall include:

- A A 550 foot development restriction zone;
- B Provisions for density transfers outside of protection zones and critical habitats;
- C Protection of floodplain, wetlands and critical native upland habitat;
- D Historic and archaeological resource assessments; and
- E Minimal removal of native habitats.

Policy FLU 1.9

Historic and Archaeological Resources and the National Park Services

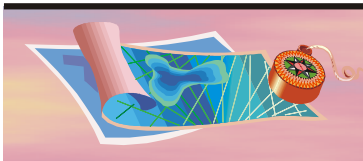
The County shall continue to apply for matching archaeological site survey grants from the Florida Department of State, Division of Historical Resources Grants-in-Aid program and the US Park Service.

A Protection of Historical Resources

Significant historical and archaeological sites, including, but not limited to, sites on the Florida Master Site File, shall be protected by implementing the following:

- 1 After the identification and evaluation of the County's historic resources following the grant surveys, the County shall determine which structures or archaeological sites are deemed significant as judged in part by the criteria listed in this policy and adopt by resolution a local historic register and map of designated sites.
- 2 As part of all site plan evaluations, County staff shall identify whether or not the proposed construction activity and/or final development would disturb a site listed on the Florida Master Site File. If so, the developer shall be notified and shall in turn notify the Florida Division of Historical Resources, Bureau of Historic Preservation, Compliance Review Section and shall enter a binding agreement in which the developer agrees to comply with the recommended course of action or mitigation requested by the Division prior to a development order being issued. Additionally, all developers shall affirm that they have notified the construction manager of the potential for artifact discoveries within Seminole County. In the event of the discovery of artifacts of potential historical or archaeological significance during construction, the construction manager shall immediately suspend all disruptive activity within a twenty foot (20') radius of the site of discovery and report the suspected finding(s) to the Florida Division of Historical Resources, Bureau of Historic Preservation, Compliance Review Section and developer. The developer shall comply with the recommended course of action or mitigation requested by the Division and notify in writing the Building Official, of the County Building Division of the action or mitigation requested. From the date of notification, construction shall be suspended for a period of up to one-hundred-twenty (120) days to allow evaluation of the site and mitigation, if necessary.





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- 3 The County shall continue to enforce Land Development Code regulations to ensure that future land development and public improvement activities limit and mitigate disruption to or damage of sites determined to be significant historical resources, both structural and archaeological. Land Development Code provisions shall be based on the guidelines and criteria listed in this policy and, at a minimum, consider criteria and procedures for protecting, reporting and evaluating the on-site discovery of artifacts. Mitigation, incentives, disincentives and long term protection guidelines for historically significant sites shall also be addressed.
- B Guidelines and Criteria For Preservation and Protection of Historic Resources
The criteria for evaluating historic resources as significant shall include, but not be limited to, the following adapted for the "Criteria For Listing" of the National Register Of Historical Places:
- 1 That the resource be associated with events that have made a significant contribution to the broad patterns of history; or
 - 2 That the resource be associated with the lives of persons significant in the past; or
 - 3 That the resource embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction (e.g., historic district); or
 - 4 That the resource has yielded, or may be likely to yield, information important in prehistory or history.

Guidelines for evaluation and assessment of historical resources shall be based on but not limited to the Secretary of the Department of Interior's Guidelines for Architectural and Engineering Documentation and the Historic Preservation Compliance Review Program of the Florida Department of State, Division of Historical Resources, in particular Chapter 4, Standards for Conducting, Reporting, and Reviewing Archaeological and Historic Site Assessment Survey Activities.

Policy FLU 1.10

Water Quality and Drainage Control

The County shall continue to require water quality and drainage control for all new subdivisions and site plans adjacent to water bodies to prevent unnecessary shoreline disruption and maintain water quality through existing Land Development Code provisions which requires, at a minimum:

- A A permit for all water quality and drainage control activities in waters and wetlands; and
- B Restoration of disturbed areas to their natural state.

Policy FLU 1.11

Wellfield Protection

The County shall provide protection for areas surrounding public water supply wellfields through the regulatory framework of the United States Environmental Protection Agency, the Florida Department of Environmental Protection, the Florida Department of Health and the St Johns River Water Management District. The applicable rules and regulations of these agencies are contained in the County's Wellfield Protection Ordinance, Chapter 55 of the Land Development Code of Seminole County.



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OBJECTIVE FLU 2 PROTECTION OF RESIDENTIAL NEIGHBORHOODS

The County shall ensure the long term viability of residential neighborhoods by regulating future development to create compatibility with surrounding land uses.

Policy FLU 2.1 Subdivision Standards

The County shall maintain the viability of established and future residential neighborhoods by continuing to enforce Land Development Code provisions relating to:

- A Development within flood prone areas;
- B Building setbacks and heights;
- C Roadway buffers;
- D Landscaping;
- E Tree preservation;
- F Signage;
- G On-site traffic circulation and parking;
- H Drainage and stormwater management;
- I Fences, walls and entrance features; and
- J Maintenance and use of common open space areas through homeowners associations.

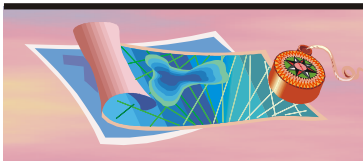
Policy FLU 2.2 Regulation of Active Uses

The County shall continue to enforce Land Development Code standards relating to active uses such as parking, loading, refuse containers, signs, lights, balconies, and storage areas to minimize impacts upon and intrusions into residential areas.

Policy FLU 2.3 Roadway Compatibility

- A The County shall encourage the viability of future residential neighborhoods adjacent to collector and arterial roadways by:
 - 1 Requiring additional setbacks and buffers for residential development adjacent to future major collector and arterial roadways to minimize the impacts of future roadway improvements;
 - 2 Requiring development plans to transition residential and nonresidential land use intensities at major intersections to maximize compatibility with existing residential neighborhoods;
 - 3 Discouraging through traffic on local residential roadways; and





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- 4 Enforcing Land Development Code standards providing when and where pedestrian, bicycle and vehicular linkages between abutting residential areas are required to provide convenient access to recreation, schools, libraries, and shopping. Vehicular connections between subdivisions shall be designed to serve local residents and discourage through traffic.

Policy FLU 2.4

Neighborhood Commercial Uses

The County may allow commercial Plan amendments in areas designated for residential uses only under the following conditions:

- A Uses do not encourage urban sprawl;
- B Uses are located at the intersection of a collector or arterial roadways and will not set a precedent for future strip commercialization;
- C Development intensity is limited and designed to serve the needs of the immediate neighborhoods;
- D Development occurs as a planned development (including master/site plan) to provide for the following:
 - 1 Ample public review prior to development approval;
 - 2 Intensity limitations based on traffic impact studies;
 - 3 On-site and necessary off-site sidewalks for convenient and safe pedestrian access;
 - 4 Building size and location to maximize visual compatibility;
 - 5 Sufficient setbacks, landscaping and buffers to maximize visual compatibility; and
 - 6 Appropriate hours of operation to minimize noise and lighting impacts.

Policy FLU 2.5

Transitional Land Uses

The County shall evaluate Plan amendments to ensure that transitional land uses are provided as a buffer between residential and nonresidential uses, between varying intensities of residential uses and in managing redevelopment of areas no longer appropriate as viable residential areas. *Exhibit FLU: Appropriate Transitional Land Uses* is to be used in determining appropriate transitional uses.

Policy FLU 2.6

Conversion of Residential Structures

The County shall allow conversion of existing residential structures to professional office and restricted neighborhood commercial uses only where:

- A The character of the area has undergone a significant change due to roadway improvements or development trends;
- B Adequate access and parking to redeveloped parcels can be maintained; and
- C Land Development Code standards for buffers can be provided to effectively maintain the viability of adjacent residential uses.

Definition: Restricted neighborhood commercial uses are those uses provided in Chapter 30, Part 38 of the Land Development Code of Seminole County designed to serve those areas that are residential in character but which require some neighborhood service establishments and shops. Commercial uses permitted are highly restrictive and designed to serve primarily the residents of the immediate neighborhood.

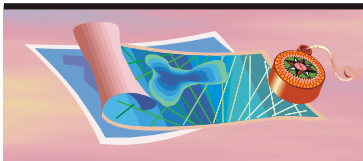


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- Policy FLU 2.7 Location of Industrial Uses**
The County shall ensure that future Plan amendments to industrial uses adjacent to or in close proximity to residential areas shall be light industrial uses only to protect residences from the adverse impacts of smoke, fumes, vibrations, light, glare, odors, and noise.
- Policy FLU 2.8 Orlando Sanford Airport**
Development of industrial land use adjacent the Orlando Sanford Airport must be timed concurrent with facility capacity to ensure the provision of adequate public services according to adopted standards and facility plans.
- Policy FLU 2.9 Location of Communication Towers**
The County shall continue to enforce Land Development Code regulations regarding the location/construction of communication towers to protect existing and future residential neighborhoods from potential adverse impacts resulting from these facilities.
- Policy FLU 2.10 Determination of Compatibility in the Low Density Residential Future Land Use Designation**
The County shall continue to enforce Land Development Code regulations to determine whether a particular single family residential zoning classification is compatible with surrounding zoning classifications assigned the Low Density Residential future land use designation. The methodology shall be an objective procedure to ensure harmonious and appropriate transitional residential land uses relative to density, intensity, lot sizes, house sizes, and setbacks among various residential zoning classifications and is intended to accomplish the following:
- A Provide reasonable assurance of an objective compatibility determination for parcels which are the subject of a rezoning application;
 - B Provide homeowners and homebuyers reasonable assurance of the intensity of development to be expected in the future for surrounding parcels of property;
 - C Provide an objective means for citizens to evaluate development trends without the necessity of consulting with the County's Current Planning Division;
 - D Simplify and expedite the public hearing process; and
 - E Protect the private property rights of property owners owning developed property and owners of property which will be developed in the future.





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Policy FLU 2.11 Determination of Compatibility in the Planned Unit Development and Planned Commercial Development Zoning Classifications

The County shall consider uses or structures proposed within the Planned Unit Development (PUD) and Planned Commercial Development (PCD) zoning classifications on a case by case basis evaluating the compatibility of the proposed use or structure with surrounding neighborhoods and uses. Compatibility may be achieved by application of development standards such as, but not limited to, lot size, setbacks, buffering, landscaping, hours of operation, lighting, and building heights. The Board of County Commissioners shall have discretion as to the uses and structures approved with a PUD or PCD zoning classification.

Policy FLU 2.12 On-Site Traffic Flow

The County shall continue to establish and enforce policies, standards and regulations which provide safe and convenient on-site traffic flow, considering site access, traffic circulation and parking for both motorized and non-motorized movement of vehicles and pedestrians.



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OBJECTIVE FLU 3: REDUCTION OF NONCONFORMING USES AND ANTIQUATED PLATS

The County shall reduce uses that are inconsistent with community character, future land uses and service and facility plans through a systematic program to reduce nonconforming uses, eliminate nonconforming zonings and resolve issues related to antiquated plats.

Policy FLU 3.1 Nonconforming Uses, Nonconforming Zonings and Conflicting Zonings

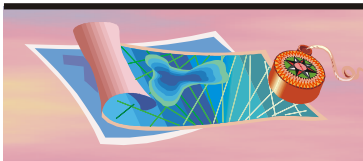
The County shall reduce nonconforming uses and zonings and eliminate conflicting zonings by means of procedures set forth in the Implementation Element of this Plan.

Policy FLU 3.2 Antiquated Plats

The County shall continue to resolve land use compatibility, environmental and infrastructure issues related to antiquated plats by way of, but not limited to, the following techniques:

- A Requiring the combining of lots; and
- B Allowing for replatting and vacating and abandonment procedures.





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OBJECTIVE FLU 4 REDEVELOPMENT AND RENEWAL OF BLIGHTED AREAS

The County shall encourage the redevelopment and renewal of blighted areas to maintain and enhance neighborhood viability and discourage urban sprawl.

Policy FLU 4.1 Redevelopment of Low Income Neighborhoods

The County shall prepare neighborhood redevelopment plans and update existing plans by 2005 for each community development target area. These plans shall provide specific land use, zoning, infrastructure, housing, community service, and financing options to stabilize and revitalize target areas.

Policy FLU 4.2 Infill Development

By January 2003, the County shall develop a strategy to address infill development opportunities which may include:

- A Identification of potential sites suitable for infill development activities;
- B Incentives to redevelop vacant shopping centers;
- C Design standards for infill development such as access, stormwater management and building heights and require a binding site plan to ensure compatibility;
- D Developer incentives for creative design consistent with adopted design standards;
- E Coordination with the goals, objectives and policies of the Seminole County Corridor Redevelopment Plan or other directives of the US 17-92 Corridor Redevelopment Agency;
- F Identification of facility needs and funding sources to support infill development;
- G Mixed use development (multi-family residential, office, and commercial uses); and
- H Locations of parcels for medium to high density residential development that front on collector or arterial roadways and are located within walking distance (e.g., 1/4 mile) to shopping and work areas uses.

Policy FLU 4.3 Community Redevelopment Agency

The County shall continue to support the US Highway 17-92 Corridor Redevelopment Agency to maintain the existing corridor assets, to discover and promote its hidden assets, and to improve or eliminate deficiencies in the target redevelopment area.



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OBJECTIVE FLU 5 FUTURE LAND USE MAP FOUNDATION: GROWTH MANAGEMENT POLICIES FOR COMPATIBILITY, MIXED USE DEVELOPMENT AND URBAN SPRAWL

The County shall continue to develop and enforce innovative planning techniques and land development regulations designed to protect residential neighborhoods, enhance the economic viability of the community, promote the efficient use of infrastructure, and preserve natural resources. The Future Land Use Map series embodies strategies designed to build long term community value, discourage urban sprawl and ensure that public facilities and services are provided in the most cost-effective and efficient manner.

Policy FLU 5.1 Adopted Future Land Use Map Series

The County adopts the Future Land Use Map Series as depicted in the following exhibits: *Exhibit FLU: Future Land Use Map, Existing Water Supply Wells, Cones of Influence, Flood Plains, Wetlands, General Soils, Areas of High Potential and General Archaeological and Historical Sites, Conservation and Trails Corridors, Resource Protection Areas, and Recharge Areas.*

Policy FLU 5.2 Mixed Commercial/Residential Use Development

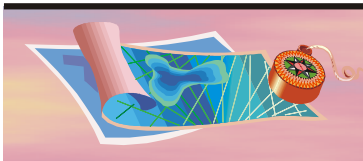
- A The County shall encourage properties designated as Commercial on the County's *Exhibit FLU: Future Land Use Map* be developed as mixed residential/commercial planned developments. The following residential uses shall be permitted within the Commercial land use designation as an incentive to maintain short travel distances between commercial and residential areas:
- 1 Attached multifamily units such as condominiums, apartments and townhouses of medium to high density; and
 - 2 Above store or office flats.
- B The County shall encourage mixed use developments to discourage urban sprawl, maintain short travel distances between commercial and residential areas and provide transitional uses between low density residential and nonresidential uses.

Policy FLU 5.3 Strip Commercial Development

To discourage the proliferation of urban sprawl, the County shall not designate additional strip commercial development through Plan amendments. Instead, commercial and retail uses shall be:

- A Located adjacent to collector and arterial roadway intersections to maintain road capacity and not set a precedent for further strip development; or
- B Located where commercial uses are the predominant existing use along the roadway in both directions from the site and, therefore, the proposed commercial development represents infill development; or
- C Located within a mixed use planned development to provide convenient retail services for residents and reduce residential traffic on area roadways; or





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- D Located adjacent to residential areas only where compatibility with the residential area can be maintained in order to preserve neighborhood viability and community character.

Policy FLU 5.4 Floor Area Ratios

The County shall continue to use floor area ratios, impervious site ratios and flexible height and setback standards as a means of projecting public facility and service needs, protecting important on-site natural features and providing options for maintaining compatibility with surrounding development. Floor Area Ratios are presented in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications*.

Policy FLU 5.5 Water and Sewer Service Expansion

The County shall encourage compact development and ensure that expansion of urban development occurs in a contiguous fashion through the detailed requirements of various policies within the Potable Water and Sanitary Sewer Elements which:

- A Ensure adequate service to residents within the established service area prior to expanding service areas;
- B Restrict the use of package plants;
- C Require mandatory hook-up to the County utility system; and
- D Require new development to fund the cost of utility line extension.

Policy FLU 5.6 Higher Intensity Planned Development (HIP) Purpose

The Higher Intensity Planned Development (HIP) land use designation is designed as a mixed use category which combines an aggressive strategy to attract specific "target industry," minimize urban sprawl, provide affordable housing opportunities, and alternative transportation strategies. This land use is specifically designed to:

- A Provide high density residential development and affordable housing in close proximity to employment centers;
- B Maintain compatibility by providing a transition of land use types, densities, intensities, and heights to buffer existing neighborhoods from nonresidential areas;
- C Discourage urban sprawl by clustering economic development activities along growth corridors;
- D Promote the development of target industries that will provide jobs in close proximity to the County's existing residential areas, support future mass transit systems and make the most efficient use of the County's substantial investment in infrastructure and services;
- E Promote target business development in close proximity to the regional road network providing high visibility and convenient access;
- F Ensure sufficient availability of land to realize the economic development goals of the County set forth in the Economic Element of this Plan; and





- G Provide for higher intensity mixed use development that is compatible with the operation and expansion of the Orlando Sanford Airport.

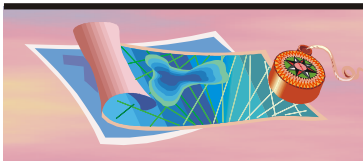
Policy FLU 5.7

Higher Intensity Planned Development (HIP) General Uses and Intensities

The Higher Intensity Planned Development (HIP) designation is designed to provide a variety of land uses, development intensities and target industry development. There are four (4) types of HIP land use designations: (1) HIP Transitional; (2) HIP-Core; (3) HIP-Target Industry; and (4) HIP-Airport. Allowable zoning classifications in the HIP designations are Planned Unit Development, Planned Commercial Development, Target Industry, and Public Lands and Institutions. In the HIP-Airport designation only, Mixed Residential Office, Mixed Residential Office Commercial and Mixed Residential Office Commercial Industrial are also allowed. Allowable uses vary according to each HIP designation.

- A Location and Timing of Specific Uses: Criteria and standards for the location and timing of specific uses are detailed in Policy FLU 5.8, 5.9 and 5.11. The ultimate land uses within these areas are subject to economic cycles and the timing of individual property owner(s) proposals and therefore should not be specifically designated on the *Exhibit FLU: Future Land Use Map*. Rather these areas should remain flexible in terms of future land use while ensuring that the uses developed can meet particular standards for facility capacity and land use compatibility.
- B Development Intensities: The County shall apply the development intensities as shown in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications* as a general guide to core and transitional area development. The criteria for establishing appropriate intensities includes, but are not limited to, compatibility with surrounding existing and planned uses, adequacy of existing and programmed public services and facilities, economic development objectives, and consistency with the Plan and site characteristics.
- C Allowable Uses and Development Standards: The County shall apply Land Development Code standards for Planned Unit Development and Planned Commercial Development zonings in the Higher Intensity Planned Development future land use designation. Standards shall address, but not be limited to, building setbacks, buffers, landscaping, building heights, access, parking, lighting, signage, and hours of operation. A range of residential and nonresidential uses (e.g., office, commercial, industrial) along with allowable densities and intensities are set forth within the policies, definitions and *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications* of this Plan. These uses and standards are intended to maximize the use of land designated for higher intensity uses, prevent urban sprawl or scattered development of higher intensity uses into adjacent residential areas, reduce travel demands on the County road system, and satisfy a need for living diversity and choice of work environments.





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Policy FLU 5.8 Higher Intensity Planned Development-Airport (HIP-Airport) Permitted Uses and Locational Standards

A Uses

The HIP-Airport area is designed to provide for higher intensity mixed use development that is compatible with the operation and expansion of the Orlando Sanford Airport (see *Exhibit FLU: HIP Airport Development Area*). To provide for a variety of residential and nonresidential uses, the HIP-Airport area shall be comprised of the following uses:

- 1 Industrial parks;
- 2 Corporate business parks;
- 3 Office complexes;
- 4 Commercial developments;
- 5 Attendant retail;
- 6 Service and hotel uses; and
- 7 Medium to high density residential developments.

B Residential Compatibility Standards

- 1 Existing communities should be protected from the encroachment of airport related uses through the use of design standards to the maximum extent possible.
- 2 The location of future high density residential developments shall comply with guidelines issued by the Federal Aviation Administration and Department of Transportation relating to airport compatible uses.

C Environmentally Sensitive Lands

- 1 Transitional land use zones and buffers must occur within HIP-Airport areas adjacent to preservation lands where applicable.
- 2 The County's Natural Lands Program will continue to pursue acquisition of environmentally sensitive lands along the Lake Jesup shoreline.

D Development Phasing

- 1 Services and Facilities
 - a HIP-Airport land use requires a full range of urban services and facilities (see *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications*).
 - b Development must be timed concurrent with the extension of central water and sewer to ensure the provision of adequate public services according to adopted standards and facility plans.
 - c Development must be timed concurrent with the construction of East Lake Mary Boulevard to ensure adequate transportation access.





- d Development must be timed concurrent with the necessary drainage facility improvements prior to urban development within the HIP- Airport Area.
- e In addition to development phasing concurrent with major public roadway improvements, the following provisions are required to maintain roadway capacity and minimize traffic congestion for area residents and through traffic:
 - 1) Internal access coordinated between and among individual parcels of land;
 - 2) Limited access points through cross access easements and joint use driveways;
 - 3) Dedication of necessary rights-of-way,
 - 4) Substantial private investment for the extension of water and sewer lines, intersection improvements, signalization, deficit correction, and feeder road improvements; and
 - 5) Use of pedestrian and mass transit facilities to reduce vehicle trips within interchange areas and trips along feeder routes.
- 2 Special Services - High intensity development may require special services such as aerial fire equipment, transit facilities and effluent re-use to meet public safety needs and to offset facility capacity impacts.

Policy FLU 5.9

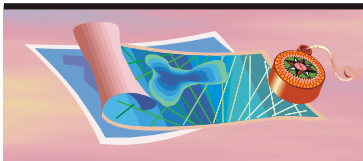
North I-4 Corridor Higher Intensity Planned Development-Target Industry (HIP-TI) Permitted Uses and Locational Standards

A Uses

The North I-4 Corridor HIP-TI Area is comprised of all HIP-TI designated lands in the northwest area of the County (see: *Exhibit FLU: North I-4 HIP Development Area*). To maintain adequate lands for target industry in close proximity to and high visibility from major interchanges, the HIP-TI area shall be comprised of:

- 1 Target businesses and industries as defined in *Exhibit FLU: Target Industry Uses*;
- 2 Manufacturing, distribution, industrial, and rail dependent uses located in the Rand Yard Area. Permitted uses in the Rand Yard Area may be, but are not required to be, target industries;
- 3 High density residential uses;
- 4 Commercial uses located adjacent to the Seminole Towne Center Mall, at major roadway intersections, which are defined as, collector and arterial intersections or as an accessory use located within a principal office structure;





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- 5 Infill commercial uses along major collector and arterial roads when commercial uses are the predominant existing use along the roadway in both directions from the project site, and therefore the proposed commercial development represents infill development; and
 - 6 Low to medium density residential uses and lower intensity office uses may only be located adjacent to existing subdivisions as a buffer from future target industry development. As a condition of this use, low to medium density development shall provide adequate areas on the development site to buffer the residential uses from future target industry development.
- B Compatibility Standards
- Existing residential communities should be protected from the encroachment of target industry uses through the use of design standards to the maximum extent possible.
- C Development Phasing
- Ultimate development for the North I-4 Corridor Target Industry HIP-TI area is predicated on the facility improvements described in *Exhibit FLU: HIP North I-4 Development Area*.

Policy FLU 5.10

Interstate 4 High Tech Corridor

The County shall encourage the growth of high tech industries in the HIP-Target Industry designation in keeping with efforts of economic development agencies such as Enterprise Florida and the Florida High Tech Corridor Council, which have designated the segment of Interstate 4 from Tampa to Volusia County as the "I-4 High Tech Corridor"

Policy FLU 5.11

Higher Intensity Planned Development (HIP) – Core and Transitional Areas Permitted Uses and Locational Standards

All other HIP Areas described in *Exhibit FLU: HIP Areas* shall encourage a variety of mixed uses provided that high intensity development shall have adequate buffers and shall transition building heights and incompatible uses from residential areas. Uses and locational standards for all other HIP Areas shall be those as described in *Exhibit FLU: HIP Permitted Use Guidelines*.

Policy FLU 5.12

Public Infrastructure in Higher Intensity Planned Development (HIP) Areas

The County shall place a high priority on directing public infrastructure improvements to HIP districts to encourage cluster development and discourage urban sprawl.

Policy FLU 5.13

Higher Intensity Planned Development (HIP) Design Standards

The County shall apply the following design standards to all HIP development proposals:

A Open Space and Buffers

The County shall evaluate each development proposal to determine the amount of open space required:

- 1 Within HIP-TI development and HIP-Core areas, open space shall consist of landscaped pedestrian connections between buildings, parking and adjacent development and landscaped plazas/parking structures incorporating trees and seating areas, and may include fountains and public art; and



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- 2 Open space in HIP-Transition areas and in areas adjacent to existing neighborhoods shall be designed to provide recreation areas for residents and adequate buffers between the HIP area and adjacent neighborhoods.

B Special Services

High intensity development may require special services such as aerial fire equipment, transit facilities and effluent re-use to meet public safety needs and to offset facility capacity impacts.

C Transportation and Parking

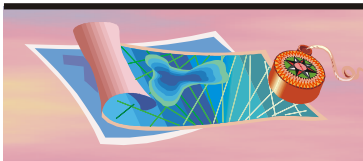
High intensity uses represent major traffic generators (e.g., higher density residential development and hotels) and attractors (e.g., industrial, office and commercial employment and shopping centers). In addition to development phasing concurrent with major public roadway improvements, the following standards shall continue to be in effect in the Land Development Code and used during the review and approval of development to maintain roadway capacity and minimize traffic congestion for area residents and through traffic:

- 1 Internal access coordinated between and among individual parcels;
- 2 Limited access points through cross access easements and joint use driveways;
- 3 Dedication of necessary rights-of-way, when justified upon applying the "rational nexus" and "rough proportionality" tests, and substantial private investment for interchange ramps, intersection improvements, signalization, deficit correction, and feeder road improvements;
- 4 The development and implementation of fixed rail people mover, shuttle services or other transit systems and pedestrian and bicycle facilities as a means to reduce internal roadway travel demands; and
- 5 Parking lots and structures to provide for shared parking structures, location of parking to provide safe pedestrian access to buildings and for convenient park-and-ride lots.

D Transfer of Open Space

The County shall, on a case-by-case basis, allow the transfer of open space from intensely developed HIP areas to locations within the HIP Area to increase buffers from residential neighborhoods and consider the off-site transfer of open space to assist in the assemblage of Countywide conservation areas and as a means to encourage clustering of land uses.





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E Urban Design

The County shall consider the design aspects of development proposals for landscaping, hardscape, signage, lighting, and other design features to enhance the appearance of developments and roadways during the review and approval of development proposals.

Policy FLU 5.14 Code Updates for Target Industry Zoning Classifications

The County shall amend the Land Development Code by July 2001 to include zoning classifications and standards to implement the Target Industry Zoning District.

Policy FLU 5.15 Regulation of Existing Uses

The only permitted zoning classifications allowed under the HIP future land use designation are Planned Unit Development, Planned Commercial Development, Target Industry, and Public Lands and Institutions. The HIP-Airport Area also allows the Mixed Residential Office, Mixed Residential Office Commercial and Mixed Office Residential Commercial Industrial zoning classifications. Parcels of land currently used for agricultural purposes, developed parcels or parcels which had site plan approval prior to December 8, 1987, shall be deemed to be compatible with and further the goals, policies, provisions, densities, intensities, and land uses provided for in this Plan.

For parcels of land which were developed or had site plan approval prior to December 8, 1987, under a zoning classification other than Planned Unit Development, Planned Commercial Development, or Target Industry, additions to existing structures shall be permitted without undergoing a rezoning to Planned Development, Planned Commercial Development or Public Lands and Institutions or Target Industry. However, to adequately address impacts of development, the following procedures shall be used:

- A Development applications shall be forwarded to the appropriate staff for review and to propose conditions for infrastructure improvements (e.g., road, drainage, water and sewer plans) to adequately serve the project, and conditions for Comprehensive Plan compliance; and
- B Conditions may be imposed as part of the permit approval. Applicable Land Development Code appeal procedures are available.

Policy FLU 5.16 Mixed Use Developments

The Mixed Development future land use designation provides for a mix of uses within a development site or within a multiple parcel area to encourage flexible and creative design, protect established residential neighborhoods from adverse impacts of nonresidential development and reduce the cost of public infrastructure.

- A designation are:
 - 1 Mixed use developments (includes both a residential and nonresidential component);
 - 2 Mixed use developments are encouraged although single use developments shall Allowable Uses: Allowable uses within the Mixed Development (MXD) land use be allowed;



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- 3 Residential uses, including single family and multi-family units;
 - 4 Nonresidential uses, including commercial, office, hotel, service, and very light industrial; and
 - 5 Attendant on-site facilities such as utilities and recreation areas.
- B Allowable Zonings: Zonings permitted in the Mixed Development designation are:
- 1 Planned Unit Development (PUD);
 - 2 Planned Commercial Development (PCD);
 - 3 Public Lands and Institutions (PLI);
 - 4 Mixed Residential Office (MRO);
 - 5 Mixed Residential Office Commercial (MROC);
 - 6 Mixed Residential Office Commercial Industrial (MROCI); and
 - 7 Any zoning classification(s) assigned to a subject parcel or area prior to the time the Mixed Development designation is assigned.

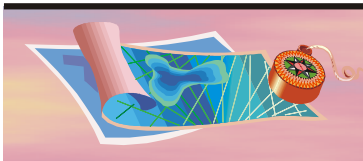
The MRO, MROC and MROCI zoning classifications shall consist of primary and secondary uses. A secondary use may not exceed 20 percent (%) of the total developable land area of a development project.

The Land Development Code shall be amended by July 2001 to incorporate the MRO, MROC and MROCI zoning classifications.

- C Densities and Intensities: A transition of residential densities up to a maximum of 20 dwelling units per net buildable acre are allowed. The maximum Floor Area Ratios are as follows:
- 1 Office 1.0
 - 2 Commercial .35
 - 3 Very Light Industrial .35

Nonresidential uses shall transition away from established residential neighborhoods according to the requirements of the assigned zoning classification to prevent adverse impacts to adjacent residential neighborhoods.





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- D Concept Plan: A mixed use concept plan must be submitted as part of any application to rezone to the MRO, MROC or MROCI zoning classification. The concept plan shall illustrate the location of the proposed uses and indicate densities and intensities and facility improvements. Review and approval of such plans shall be undertaken during the rezoning public hearing process with appropriate notice to affected property owners. The purpose of the Mixed Use Concept Plan is to determine whether property subject to the rezoning classification can meet the performance standards set forth in the proposed zoning classification. It does not set the proposed uses or design standards applicable to the property. The sole intent of the Mixed Use Concept Plan is to provide a tool for the Board of County Commissioners to determine whether the standards of the proposed mixed use zoning classification can be applied to the property and whether the standards set forth in the zoning classification provide adequate compatibility to properly address issues created by adjacent development. *Exhibit FLU: Appropriate Transitional Land Uses* will be utilized in evaluating compatibility of proposed uses.
- E Established Residential Uses: Special attention shall be given to established residential uses adjacent to or near any MXD parcel or area to provide for a reasonable transition of uses and reasonable buffers. A transitional area of compatible residential uses or substantial buffers and setbacks must be provided between the established residential uses and any new nonresidential uses.
- F Mixed Development: MXD projects shall ensure creative design, efficient use of facilities and services and protection of established residential neighborhoods by:
 - 1 Providing safe and plentiful vehicle, bicycles and pedestrian ways between and among the several uses and activities in the Mixed Development area;
 - 2 Designing traffic circulation that discourages cut-through traffic into established residential neighborhoods;
 - 3 Providing for the planting of trees along the road rights-of-way;
 - 4 Incorporating open space to promote compatibility and pedestrian connections between uses;
 - 5 Sharing of parking, stormwater facilities and signage, etc., to reduce costs, reduce the provision of excess facilities and improve visual appearance; and
 - 6 Giving special consideration to building setbacks and building heights, and the location, type and size of buffering and landscaping.

Policy FLU 5.17

Location of Adult Entertainment Establishments and Sexually Oriented Businesses

The County shall provide adequate locations for adult entertainment establishments (adequate alternative avenues of expression or communication) that are protected under First Amendment guarantees (as expressed by authoritative rulings of courts) within the Industrial future land use designation and each site shall comply, at a minimum, with the following criteria as of the date of the M-2 zoning classification being assigned to the property:

- A Be separated for a distance of no less than 1,000 feet from residential land use and zoning districts, churches, convents, monasteries, synagogues or similar places of worship; public, private or parochial schools which term shall include, but not be limited to, day care centers, pre-schools, schools having any grades kindergarten through twelfth grade, and institutions of higher learning, libraries, parks, playgrounds or other recreational facilities, whether commercial or nonprofit.



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- B Be separated for a distance of no less than 1,000 feet from alcoholic beverage establishments provided, however, that this separation requirement shall not apply to adult entertainment establishments that are also alcoholic beverage establishments.
- C Cannot be seen by the traveling public from a major arterial or collector roadway.
- D Does not have frontage along a major economic corridor such as would create a visual blight that would detract from the economic viability of any entrance corridor or would adversely impact children.
- E The County may enter joint planning agreements with a municipality or municipalities which provides for the multi-jurisdictional siting of adult uses in certain areas of the County whether incorporated or unincorporated.
- F The County may enter development agreements with existing legally permitted adult entertainment establishments or enact land development regulations that do not conform to these locational criteria upon a finding that the overall goals and objectives of this plan are furthered, that the County will avoid property rights disputes, that the deviation from locational criteria set forth herein is balanced and offset by other public benefits such as aesthetic improvements and other public benefits, and protect children from any and all adverse impacts from advertising of the site.

Policy FLU 5.18 Protection of Residential Neighborhoods, Viable Economic Corridors and Natural Resources

In addition to implementing the location policies and standards set forth in Policy FLU 5.17, the County shall ensure that properties assigned the zoning classification within which adult entertainment establishments and sexually oriented businesses are permitted uses (M-2) are located to maintain the internal consistency and integrity of the Comprehensive Plan. The Comprehensive Plan and *Exhibit FLU: Future Land Use Map* shall explicitly protect:

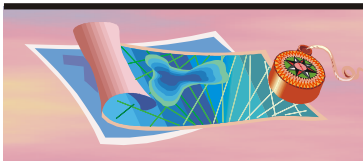
- A Residential uses and neighborhoods;
- B The County's Natural Lands Program;
- C The County's Trails and Parks Programs;
- D Community Development Block Grant Target Areas;
- E Entranceways or gateways into the County and roadway corridors, which serve as residential or commercial hubs and, specifically, the Orlando Sanford Airport gateways, and the U.S. 17-92 Corridor Redevelopment Area to the extent practicable;
- F The East Rural Area of Seminole County; and
- G The provision of quality communities and jobs to the residents of the County.

Policy FLU 5.19 Administrative Approval of Waivers to Lot Size and Width

By December, 2002, the County shall adopt amendments to the Land Development Code that permit the Planning and Development Director to approve administrative waivers to lot size and width in the RC-1, A-1, A-3, A-5, and A-10 zoning districts. Waivers shall not constitute more than three percent (3%) of the lot size and width required by the applicable zoning district. Administrative waivers shall not apply to properties within the Wekiva River Protection Area.

(Added: Amendment 02S.TXT4; Ordinance 2002-37, 9/10/2002)





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OBJECTIVE FLU 6 PUBLIC FACILITIES AND SERVICES

The County shall require that all development be consistent with the approved Capital Improvements Element or facility and service plans in order to discourage urban sprawl, meet adopted level of service standards and thereby minimize attendant public costs through the implementation of the following policies:

Policy FLU 6.1 Development Orders, Permits and Agreements

The County shall ensure that all development orders, permits and agreements are consistent with the adopted level of service standards and provisions of the Capital Improvements Element and the appropriate facility element as well as all other provisions of this Plan.

Policy FLU 6.2 Concurrency Requirements

The County shall ensure that all development orders, permits and agreements are subject to the adopted Concurrency Management System standards and provisions to ensure that facilities and services needed to serve the development are available at the adopted level of service consistent with the Implementation Element of this Plan.

Policy FLU 6.3 Infrastructure and Phasing Requirements

The County shall require that all development provide services and facilities or phase the development as a condition of approval if development needs precede adopted service and facility plans and Capital Improvements Program and adopted levels of service can be maintained.

Policy FLU 6.4 Priority for Water and Sewer Service

The County shall evaluate the impact on delivering adequate service to residents within the established service area prior to the expansion of a potable water or sewer service area outside the adopted service area boundaries. The County will not expand a service area if the adopted level of service cannot be maintained.

Policy FLU 6.5 Private Investment Above Land Development Code Requirements

The County shall require private investment in infrastructure improvements above and beyond Land Development Code requirements (e.g., feeder roads, aerial fire apparatus, right-of-way, signalization, access improvements, transit facilities, stormwater, etc.) where improvements are needed to accommodate the development and to minimize attendant public costs associated with growth.

Policy FLU 6.6 Concurrency Management

The above policies shall be implemented consistent with the policies of the Implementation Element.



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OBJECTIVE FLU 7 INTERGOVERNMENTAL COORDINATION

The County shall continue to coordinate with the cities and other agencies to facilitate consistent facility and land use plans, provide cost-effective services, maintain compatible land uses, and ensure coordination of resource planning and management plans. The County shall coordinate with responsible local, regional and State authorities and private utility companies, as appropriate, in the establishment of level of service standards for public facilities. Upon adoption of the County and adjacent governments' comprehensive plans, the County shall initiate further coordination efforts, if necessary, to ensure consistency with adopted level of service standards

Policy FLU 7.1 **Joint Planning Agreements (JPAs) with the City of Winter Springs**

The County shall pursue the adoption of a joint planning agreement with the City of Winter Springs to address, at a minimum, future annexations, provision of services and facilities and land use compatibility in the East Rural Area of Seminole County. The JPA shall also include agreement on future densities and intensities of properties that may be annexed and a procedure for resolution of any future conflicts and/or disputes. It shall also include criteria for when and how the urban boundary can be amended and standards for cut through traffic.

Policy FLU 7.2 **Joint Planning Agreements**

The County shall pursue Joint Planning Agreements with each of the cities in Seminole County to address, at a minimum, future annexations, provision of services and facilities and land use compatibility.

Policy FLU 7.3 **Future Service Areas**

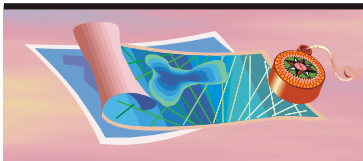
The County shall provide the most cost-effective services to future development by establishing future service area boundaries and through the use of interlocal agreements for water, sewer, drainage, fire protection, and other public facilities.

Policy FLU 7.4 **School Sites**

The County shall continue coordination and interaction with the School District with regard to locating future school sites, in the acquisition of sites during the development approval process and as to all related matters. The County shall encourage the location of public schools proximate to urban residential areas concurrent with development and the provision of concurrency public facilities, and concurrency public facilities are budgeted for in the appropriate Capital Improvements Plan. At a minimum, public school sites shall be located based on the following criteria:

- A Public school sites shall be located within the County's Urban Growth Boundary or be compatible with compact urban growth patterns; provided, however, that elementary schools, by nature of their service characteristics, are compatible in rural areas but only when located proximate to existing established residential communities;
- B Public school sites shall be served by adequate concurrency public facilities;





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- C Public school sites shall be compatible with environmental protection, based on the soils, topography, and other natural resources on site; and
- D An assessment of critical transportation issues, including provision of adequate roadway capacity, transit, and bikeways, shall be made for proposed school sites prior to any development to ensure the safe and efficient transport of students.

Policy FLU 7.5

Resource Management Plans

The County shall continue to coordinate with the Department of Environmental Protection, the St. Johns River Water Management District and the East Central Florida Regional Planning Council in the development and implementation of resource management plans through the following:

- A Continued participation on the Wekiva River and Econlockhatchee River Working Groups;
- B Providing staff and financial assistance for developing an Econlockhatchee River Management Plan;
- C Forwarding development proposals to State agencies for review and comment on projects located adjacent to State owned lands prior to final action;
- D Implementing the Spring Hammock Management Plan by providing active and passive recreational and educational uses in the Spring Hammock Preserve Area;
- E Continuing to review the East Central Florida Regional Planning Council work programs and providing assistance in the development of regional resource plans;
- F Continuing to coordinate with the St. Johns River Water Management District in identifying high priority acquisition areas and providing staff and financial resources; and
- G Participating in and supporting the processes associated with designation of the Wekiva River as a Wild and Scenic River.

Policy FLU 7.6

Development Review

The County shall evaluate annually the effectiveness and update, as necessary, the Intergovernmental Planning Coordination Agreement of 1997 with the cities and School Board relating to notification of land use actions when such actions may affect adjacent jurisdictions.

Policy FLU 7.7

Private Utility Coordination

The County shall require applicants to submit site plans and plats to the electrical utility power companies at the same time plans are submitted to the County for review to assist in the planning and programming of utility service.

Policy FLU 7.8

Planning Technical Advisory Committee

The County shall continue to support the Planning Technical Advisory Committee as an advisory committee to enhance intergovernmental coordination of comprehensive plan programs and help ensure consistency between these programs and issues of multi-jurisdictional concern.



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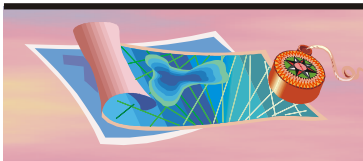


Policy FLU 7.9

Coordination of Levels of Service

The County will, to the best of its ability, ensure that its levels of service for public facilities are compatible with adopted levels of service of neighboring jurisdictions in and adjacent to Seminole County and appropriate state and regional authorities through active intergovernmental coordination.





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OBJECTIVE FLU 8 UTILITIES

The County shall ensure the availability of suitable land for utility facilities to support new development.

Policy FLU 8.1 County Utilities

Seminole County utilities (i.e., water, sewer and solid waste) needed to support growth in the unincorporated area should, when possible, be protected from encroachment of incompatible uses through one or more of the following actions:

- A County purchase of adjacent property for buffer purposes;
- B Adequate buffers on development plans; or
- C Amendment of adjacent land uses to a compatible use.

Policy FLU 8.2 Private Utilities

Private electric public utilities needed to support growth may be permitted in all land use designations subject to the following:

- A All electrical service to subdivisions shall be installed underground;
- B All feeder service shall be installed underground where the County has designated this requirement in the Land Development Code. The County shall evaluate and revise, if necessary, the County's right-of-way utilization permit form and Land Development Code provisions relating to utility permitting activities and consider the viability and possibility of receiving compensation for the use of County right-of-way by utility companies; and
- C All new power plants and transmission lines shall be subject to applicable State and Federal siting regulations and shall be consistent with the goals, objectives and policies of this Plan:
 - 1 The County shall encourage electrical transmission lines and related facility sitings to be located outside sensitive lands areas and areas of special concern, such as, by way of example and not limitation, the Spring Hammock Preserve, areas being considered for purchase as a result of the Natural Lands Referendum, and the Econlockhatchee and Wekiva River Protection Areas, as defined by County ordinance and State statutes respectively.
 - 2 The County shall encourage service providers to use existing corridors for expansions whenever possible and otherwise consistent with the provisions of this Plan.
 - 3 The County shall encourage repowering (increasing voltage) of existing transmission lines whenever possible to reduce the need for securing additional right-of-way corridors and the resulting impacts to the public relating thereto.
- D All substations adjacent to single family neighborhoods or visible from a public roadway shall be reviewed by the County and required to provide landscaping and buffering to minimize visual and noise impacts.



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OBJECTIVE FLU 9 SPECIFIC AREA PLANS

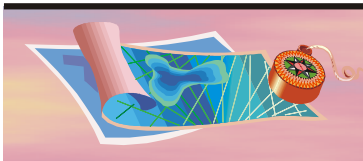
The County shall develop, when necessary, specific area plans, such as the 1999 Chuluota Small Area Study and Wekiva Special Area Study, to provide direction for Plan and Land Development Code updates and in the review and approval of development proposals.

Policy FLU 9.1 Orlando Sanford International Airport

The County shall ensure airport compatible land uses adjacent the Orlando Sanford International Airport (OSIA) as follows:

- A Allowing the conversion of existing neighborhoods to airport compatible uses and minimize nonresidential impacts during the conversion process;
- B Amending the 1991 Joint Planning Agreement, or its successor agreement, between the County and City of Sanford to ensure appropriate land use designations adjacent to the Airport and the availability of urban services to support higher intensity uses;
- C Prohibit new residential land use designations and zoning classifications within the 60 DNL (Day-Night Noise Level) noise contour, consistent with the OSIA Noise Compatibility Program approved by the Federal Aviation Administration;
- D Amend the Land Development Code to include the following land use measures contained in the OSIA Noise Compatibility Program for the purpose of reducing existing incompatible land uses, preventing the introduction of additional incompatible land uses, and protecting long-term noise compatibility with aircraft activity at the OSIA:
 - 1 Prohibit new residential land uses within the 60 DNL noise contour, except as provided for in the Higher Intensity Planned Development-Airport Future Land Use designation;
 - 2 Prohibit residential land uses and residential zonings, east or south of the OSIA's new runway system to the Conservation area adjacent to Lake Jesup. If new residential land uses or residential zonings must be permitted, then no mobile homes or home ownership shall be permitted within these developments; and
 - 3 Prohibit new public educational facilities in areas east and south of the OSIA's new runway system to the Conservation area adjacent to Lake Jesup.
- E Require aviation easements for new residential construction/reconstruction or redevelopment east and south of the OSIA to advise property owners of noise exposure and overflight activity;
- F Consider adoption of an overlay zoning if restrictions on residential uses and aviation easements cannot be achieved. Any overlay zone would be limited to those lands south of SR 46 and east of the currently zoned Industrial area located south of Runway 18-36 (east of Brisson Avenue south) to the Lake Jesup Conservation area;
- G Provide notice to the Sanford Airport Authority (SAA) of proposed County planning and zoning modifications, site plans, subdivision plans, meetings, hearings, changes to land development regulations, etc., that relate to unincorporated properties adjacent to the OSIA airport;





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- H Advise property owners/developers/purchasers of property, by means of OSIA property acquisition map(s)/photo(s), that residential development, public educational facilities and/or other uses may be incompatible with OSIA expansion;
- I Direct inquiries from property owners, the development community and general public to the SAA regarding future airport acquisitions;
- J Consider adoption of the Federal Aviation Administration FAR Part 150 Compatible Land Use Guidelines, as a guide for reviewing land use development activities adjacent to the OSIA; and
- K Regulate development/redevelopment within residential future land use designations and zoning classifications by means of the Federal Aviation Administration FAR Part 150 Compatible Land Use Guidelines.

(Added: Amendment 03F.TXT04.1; Ordinance 2003-63, 12/09/2003)

Policy FLU 9.2

Neighborhood Redevelopment Plans

The County shall prepare neighborhood redevelopment plans and update existing plans by 2005 for each community development target area. These plans shall provide specific land use, zoning, infrastructure, housing, community service, and financing options to stabilize and revitalize target areas.

Policy FLU 9.3

Myrtle Street Study Area Urban Conservation Village Development Concept

The County shall provide for creative design concepts focused on preservation of natural open spaces, sensitive lands and area character in the Myrtle Street Special Study area to:

- A Maximize preservation of conservation areas and unique features of the site;
- B Encourage creative design by clustering homes into "villages" surrounded by natural open spaces;
- C Incorporate trail and pedestrian opportunities;
- D Promote enhanced street systems resulting in reduced infrastructure and impervious surfaces;
- E Provide for storm water conveyance and retention that exceeds on-site requirements;
- F Allow for the ability to add density in Sub Area - 1 as depicted in Exhibit FLU: Myrtle Street Urban Conservation Village Area, up to an additional 1.0 dwelling unit per buildable acre, not to exceed a total of 2.0 dwelling units per buildable acre. To qualify for the additional density, at least 50% of the site must be preserved as common open space exclusive of wetlands, floodplains, and other elements protected from development. Further the applicant must connect to central water and sewer, provide an enhanced stormwater volume reduction and water quality treatment system by limiting post development stormwater discharge volumes to be no greater than pre development stormwater discharge volumes and provide water quality treatment at a level 50% greater than the current County and SJRWMD requirement, and shall develop and implement a restoration and management plan for the preserved open space; and
- G Applied to tracts of land with the Suburban Estates land use designation.

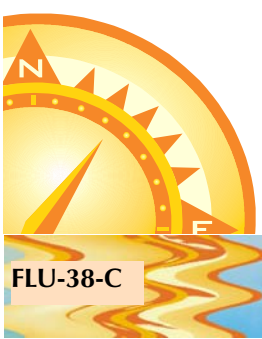
(Revised: Amendment 04S.TXT05.1; Ordinance 2004-25, 06/08/2004)

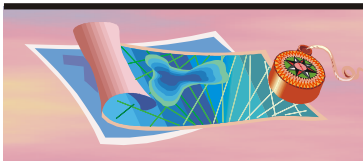
(Added: Amendment 03F.TXT03.2; Ordinance 2003-63, 12/09/2003)





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OBJECTIVE FLU 10 AFFORDABLE HOUSING

The County shall continue to implement and enforce innovative land development techniques and programs to promote safe and decent affordable housing for existing and future residents to support growing affordable housing needs and ensure the continued viability of low income housing by encouraging deconcentration of low income neighborhoods.

Policy FLU 10.1 Affordable Housing Density Bonus

The County shall continue to enforce Land Development Code provisions relating to the Alternative Density Option to encourage development of affordable housing opportunities that includes provisions for:

- A Permitting development up to seven (7) dwelling units per net buildable acre under both conventional and planned unit development zoning classifications;
- B Providing density bonus on a sliding scale based on the percent of low and very low income units provided on the development site;
- C Permitting reduced lot sizes and open space requirements, duplex, zero-lot line, triplex structures, and cluster developments;
- D Providing standards to ensure the integration of conventional and lower income units to prevent the undue concentration of lower income units within the development site;
- E Requiring a streamlined binding site plan process for both conventional zoning sites and planned unit developments to address issues of compatibility with surrounding neighborhoods;
- F Requiring a binding affordability agreement to ensure units are priced for low and very low income owners and renters; and
- G Requiring conditions under which day care and group homes should be permitted when designed to serve the needs of the development site.

Policy FLU 10.2 Affordable Housing Trust Fund and Linkage Program

The County shall continue to maintain its federal/state-funded Affordable Housing Trust Fund to purchase and "write down" the cost of land, impact fees, supporting infrastructure, and other housing delivery costs as a means of encouraging nonprofit developers to build and otherwise provide housing for very low and low income households.

Policy FLU 10.3 Manufactured Housing and Mobile Homes

The County shall provide opportunities for manufactured housing and mobile homes through the following actions:

- A Continuing to allow manufactured housing and mobile homes as permitted uses in the RM-1 and RM-2 zoning classifications and as conditional uses in the A-1 zoning classification;



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- B Continuing to allow minimum parcel size for manufactured community developments to promote affordable housing; and
- C Continue to enforce Land Development Code provisions for locating manufactured housing and mobile homes, including standards for access, compatibility with surrounding land uses, construction standards, impact on infrastructure, and appropriate length of use.

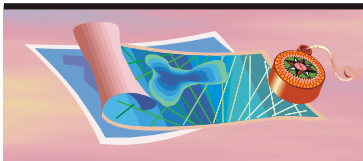
Policy FLU 10.4 Travel Trailer Parks and Campsites

The County shall continue to allow existing sites identified as of September 11, 1991, to continue to be permitted uses under the provisions of the RM-3 zoning classification within the Suburban Estates land use designation. The RM-3 zoning classification shall continue to exist notwithstanding its incompatibility with any land use designation created in this Plan. However, if such sites are undeveloped or the uses are abandoned (including as a result of acts of God or similar occurrences or events) for a period of one hundred and eighty (180) days then such sites shall be assigned a new land use designation and rezoned to be consistent with that land use designation.

Policy FLU 10.5 Special Land Use Considerations

The County shall continue to coordinate with the Seminole County Disability Advisory Council to recommend land use and Land Development Code amendments to help meet the special needs of physically challenged residents in the County.





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OBJECTIVE FLU 11 PRESERVE RURAL LIFESTYLES IN EAST SEMINOLE COUNTY

The County shall continue to implement and enforce policies and programs designed to preserve and reinforce the positive qualities of the rural lifestyle presently enjoyed in East Seminole County, referred to herein on occasion as the "Rural Area," (as defined in *Exhibit FLU: Special Area Boundaries* and thereby ensure the rural lifestyle is available to future residents.

Policy FLU 11.1 Recognition of East Rural Area

The County shall continue to enforce Land Development Code provisions and land use strategies that recognize East Seminole County as an area with specific rural character rather than an area anticipated to be urbanized. It shall be the policy of the County that rural areas require approaches to land use intensities and densities, rural roadway corridor protection, the provision of services and facilities, environmental protection and Land Development Code enforcement consistent with the rural character of such areas.

Policy FLU 11.2 Agricultural Primacy

The County shall encourage continuation of agricultural operations in East Seminole County. Agricultural uses on lands that have an agricultural exemption from the Seminole County Property Appraiser will be considered to have "primacy" in the area. Primacy means that conflicts between such agricultural lands and other non-agricultural uses, all other factors being equal, will be resolved in favor of the agricultural interests.

Policy FLU 11.3 Land Development Code Provisions to Accommodate Rural Uses

The County shall continue to enforce Land Development Code provisions regarding the "Rural" series of land use designations with the institutional, public and other support uses offered as conditional uses to the appropriate rural zoning classification.

Policy FLU 11.4 Rural Cluster Development

The County shall continue to enforce Land Development Code provisions relating to rural clustering designed to:

- A Preserve open space along roadway corridors;
- B Preserve open space in rural residential areas;
- C Preserve natural amenity areas;
- D Enhance the rural character of the area; and
- E Ensure that development along roadway corridors improves or protects the visual character of the corridor by encouraging the clustering of dwelling units, as long as lots are no smaller than one (1) acre, with the perpetual reservation of the undeveloped buildable land as open space.

The rural cluster regulations are intended to affect the location of the number of dwelling units authorized by the future land use designation and not serve as a vehicle for increasing the lot yield above the number of units authorized by the designated rural land use designation.

Policy FLU 11.5 Roadway Corridor Overlay District for Major Roadways in East Seminole County

The County shall continue to enforce Land Development Code provisions relating to the East Seminole County Scenic Corridor Overlay District Ordinance for major roads in East Seminole County in order to regulate land development along major roadways to improve or protect the rural character of the area. The overlay corridor classification shall extend



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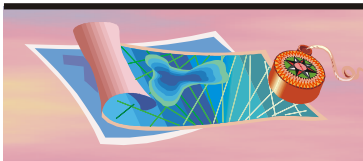


200 feet on each side of the road right-of-way which will generally correspond to the building, parking, and clearing setbacks unless specifically determined that a particular structure or activity that is located upon property assigned the classification uniquely reinforces the rural character of the area. The overlay district shall regulate land development along the major roadway system in East Seminole County by, at a minimum, establishing standards for:

- A Land use types and frequencies;
- B Preservation of existing canopy trees;
- C Planting of new canopy trees;
- D Landscaping requirements;
- E Clearing setbacks and restrictions;
- F Building character, setbacks and locations;
- G Location of parking;
- H Location of equipment storage;
- I Walls, fences, entrance features and similar structures;
- J Location and design of retention ponds;
- K Access management;
- L Number of travel lanes;
- M Number and location of traffic signals;
- N Absence or presence of overhead powerlines or their presence on only one side of the street with lateral crossings underground;
- O Location and design of signage;
- P Location and design of street lights; and
- Q Easements, deed restrictions and other instruments required to perpetually preserve the undeveloped portion of the roadway corridor.

For the purposes of this policy the term "major roadway system" means County Road 419, State Road 46, County Road 426, and Snowhill Road, to the extent that they are located in East Seminole County.





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Policy FLU 11.6

Landscaping and Maintenance Standards for Rural Roadways

By July 2002, the County will prepare corridor evaluations and establish landscaping/maintenance standards for roadways in rural and transitioning areas (SR 434 and Florida Avenue). These standards shall include:

- A Access management;
- B Trees and landscaping;
- C Accommodation of bike/pedestrian movement;
- D Speed limits, signage, markings and other operational devices;
- E Drainage;
- F Maintenance; and
- G Utilities.

Policy FLU 11.7

Prohibit Future Connection of Florida Avenue with Stone Street

To preserve the Rural Area of East Seminole County and maintain the rural character of entrance roadways into the Rural Area, any future connection of Florida Avenue with Stone Street shall be prohibited.

Policy FLU 11.8

Roadway Corridor Overlay District for Minor Roadways in East Seminole County

The County shall continue to enforce Land Development Code provisions relating to the East Seminole County Scenic Corridor Overlay District Ordinance for minor roads in East Seminole County in order to regulate land development along minor roads to improve or protect the rural character of the area. The overlay corridor district will extend to a point between 50-100 feet on each side of the road right-of-way which will generally correspond to the building, parking and clearing setbacks unless specifically determined that a particular structure or activity that is located upon property assigned the classification uniquely re-enforces the rural character of the area. The overlay classification will regulate development along the minor roadway system in East Seminole County by, at a minimum, establishing the standards for:

- A Land use types and frequencies;
- B Preservation of existing canopy trees;
- C Planting of new canopy trees;
- D Landscaping requirements;
- E Clearing setbacks and restrictions;
- F Building character, setbacks and locations;
- G Location of parking;
- H Location of equipment storage;





- I Walls, fences, entrance features and similar structures;
- J Location and design of retention ponds;
- K Access management;
- L Number of travel lanes;
- M Number and location of traffic signals;
- N Absence or presence of overhead powerlines or their presence on only one side of the street with lateral crossings underground;
- O Location and design of signage;
- P Location and design of street lights; and
- Q Easements, deed restrictions and other instruments required to perpetually preserve the undeveloped portion of the roadway corridor.

For the purposes of this policy the term "minor roadway system" means Florida Avenue, Lockwood Road, Lake Mills Road/Brumley Road that "loops" Lake Mills, Chuluota Bypass, Lake Geneva Road, 1st Street, Lake Harney Road, Old Mims Road/Jungle Road, south of State Road 46, Osceola Road, and Mullet Lake Park Road.

Policy FLU 11.9 Rural Roadway System Level of Service Standards

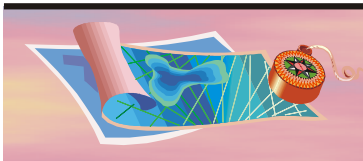
The County has adopted rural roadway level of service standards. The major and minor roadway system in the Rural Area currently consists of two (2) lane facilities. County Road 419 west of the Chuluota Bypass is the only segment programmed for a four (4) lane improvement. The other roads are not expected to require, nor are they planned to receive, capacity improvements over the 20 year planning period. The County shall discourage additional roadway capacity expansions and proceed to regulate these facilities consistent with the East Seminole County Scenic Corridor Overlay District requirements.

Policy FLU 11.10 Methods of Providing Potable Water Outside of the Adopted Urban Service Area (as depicted in *Exhibit FLU: Special Area Boundaries*)

Consistent with the provision of services and facilities within the Rural Area, the County shall:

- A Continue to rely primarily upon individual wells as the method of providing potable water to the residents and other occupants outside the urban service area;
- B Encourage private central systems that exist as of the adopting date of this Plan to continue to provide an adequate level of service to users in their respective service areas, although the County shall discourage the expansion of service areas; and





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- C Require that new development outside adopted central service areas shall not be designed nor constructed with central water and/or sewer systems. Public and private central systems may be permitted in the future if it is clearly and convincingly demonstrated by the proponents of the system expansion that a health problem exists in a built but unserved area for which there is no other feasible solution. In such cases, the service area expansion plans will be updated concurrent with an areawide administrative land use update.

Policy FLU 11.11 Methods of Providing Sanitary Sewer Outside of the Adopted Urban Service Area (as depicted in *Exhibit FLU: Special Area Boundaries*)

Consistent with the provision of services and facilities within the Rural Area, the County shall:

- A Continue to rely primarily upon individual septic tank systems as the method of disposal of wastewater outside the urban services area;
- B Encourage private central systems that exist as of the effective date of this Plan to continue to provide an adequate level of service to users in their respective service areas, although the County shall discourage the expansion of service areas;
- C Require that new development outside adopted central service areas shall not be designed nor constructed with central water and/or sewer systems. Public and private central systems may be permitted in the future if it is clearly and convincingly demonstrated by the proponents of the system expansion that a health problem exists in a built but unserved area for which there is no other feasible solution. In such cases, the service area expansion plans will be updated concurrent with an areawide administrative land use update.

Policy FLU 11.12 Methods of Managing Stormwater

Consistent with the provision of services and facilities within the Rural Area, the County shall:

- A Regulate stormwater management consistent with Countywide regulations with the objective of maximizing aquifer recharge, minimizing flooding and protecting wetland systems; and
- B Continue to use Municipal Service Benefit Units to fund drainage improvements when appropriate.

Policy FLU 11.13 Methods of Collecting and Disposing of Solid Wastes

Consistent with the provision of services and facilities within the Rural Area, the County shall continue to use the solid and hazardous waste collection and disposal systems provided throughout the County to serve the Rural Area.

Policy FLU 11.14 Protection of Natural Resources

The County shall:

- A Protect wetland and flood prone areas in the Rural Area consistent with the provisions of the Future Land Use and Conservation Elements of this Plan and through the potential purchase of properties with funds deriving from the Natural Lands Program authorized by voter referendum in 1990.
- B Periodically re-evaluate the effectiveness of the County Arbor Ordinance, referenced by Policy FLU 1.6.



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- C Protect groundwater systems in the Rural Area as depicted in *Exhibit FLU: Special Area Boundaries*, including, but not limited to, the “Geneva Lens” by:
 - 1 Continuing to permit only large lot residential development in the Rural Area to minimize water consumption and maximize aquifer recharge due to small impervious surface areas;
 - 2 Relying on a system of small individual residential wells for the provision of potable water that disperse the potentially adverse effects of groundwater drawdown associated with excessive pumping of the aquifer;
 - 3 Relying on properly installed and periodically inspected septic tanks on large lots that return water to the aquifer to be the primary system of wastewater disposal; and
 - 4 Relying on stormwater management systems designed as required by the Rural Subdivision standards enacted in accordance with the provisions of this Plan to maximize recharge of stormwater into the aquifer.
- D Protect the Econlockhatchee River in East Seminole County by:
 - 1 Regulating development adjacent to the River in accordance with the existing Wetlands Overlay Zoning Classification (see Policy FLU 1.3);
 - 2 Regulating development adjacent to the Econlockhatchee River in accordance with the Econlockhatchee River Protection Overlay Standards Classification;
 - 3 Purchasing properties, when appropriate, with funds from the Natural Lands Program and other Federal, State, and regional programs; and
 - 4 Enforcing provisions in the Land Development Code regarding additional bridge crossings of the Econlockhatchee River.
- E Protect the St. Johns River by:
 - 1 Continuing to enforce the existing Wetlands Overlay Zoning Classification (see Policy FLU 1.3); and
 - 2 Purchasing properties, when appropriate, with funds from the Natural Lands program and other Federal, State and regional programs.

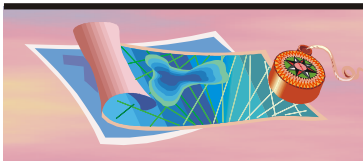
Policy FLU 11.15 Code Enforcement and Implementation

A General

The County shall:

- 1 Continue to enforce Rural Subdivision Standards, as necessary, designed to meet the unique needs of the Rural Area;
- 2 Continue to provide inspection and code enforcement services in the East Rural Area; and





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- 3 Continue to pursue a Joint Planning Agreement with the City of Winter Springs for the purpose of achieving Objective FLU 11.

B Black Hammock Plat

The County shall provide that lots originally recorded or platted as five (5) acres and/or 10 acres in size in the old Black Hammock Plat that have been reduced in size by the amount of land dedicated to public road rights-of-way, shall be considered as five (5) acre and/or 10 acre lots for purposes of land use consistency and dwelling unit yield determination. For example, a lot that was originally platted as a 10 acre lot that now contains only 9.17 acres because, and solely because, land from the original lot was dedicated to a public road right-of-way, will be considered a 10-acre lot; five (5) acre lot, and multiples of five (5) acre lots, similarly reduced, will be treated likewise.

C Existing Conditions

It is the intent of the County to guide the future development and use of the Rural Area as depicted in *Exhibit FLU: Special Area Boundaries*. For the purposes of the lands within the Rural Area (including Suburban Estates, Rural-3, Rural-5 and Rural-10 land use designations) structures existing as of the adoption date of the 1991 Comprehensive Plan shall be permitted to be rebuilt in the event of a natural disaster or act of God or be otherwise improved as long as the gross density of residential property or intensity of nonresidential property is not increased and/or the land use remains consistent with those regulations in effect as of the adoption date of the 1991 Comprehensive Plan.

Lots and parcels of record as of the date of adoption of the 1991 Comprehensive Plan, with the exception of those with a Suburban Estates future land use designation assigned to the property, shall be allowed to be built upon even if they do not conform to the currently adopted building site area regulations, as long as all other land development regulations are met and the lot was legally created prior to 1991.

Lots and parcels of record assigned the Suburban Estates future land use designation and which have a residential zoning classification within the Suburban Estates land use designation, shall be permitted to be developed provided that all applicable zoning regulations and land development regulations are met and the lot was legally created prior to 1991.

Parcels of record shall include all parcels of land recorded and all lots which are part of a subdivision plat, 5 Acre Resolution or Waiver to Subdivision Regulations which have received final approval or execution prior to the adoption of the 1991 Comprehensive Plan.

Parcels of record, as described herein and determined to be in fact and completely Conservation, shall be allowed to build a maximum of one single family residence per such parcel of record as subject to any and all other development regulations, requirements and restrictions. (See *Future Land Use Element - Definitions of Future Land Use Designations - Conservation regarding allowed uses and special provisions of development*).





This provision is based on the following findings:

- 1 These lots and parcels are a generally accepted development pattern by residents of the East Area of Seminole County;
- 2 The grandfathering of these certain lots and parcels will not adversely affect the overall intent and objectives of the Rural Area Plan;
- 3 Development of lots deriving from these lots and parcels will be subject to all Land Development Code provisions and therefore will further implement the provisions of the Rural Area Plan; and
- 4 There are expressed expectations and intent by these existing property owners to use their property in a certain manner as evidenced through their application for and action by the County to record a parcel, approve and maintain as valid a final Development Order or execute a 5-Acre Resolution.

D Family Farms

The County shall facilitate the continuation of the family farm by permitting family subdivisions. It is the intent of the Rural-10 and Rural-5 land use designations to permit the development of tracts of land for the use of family members for their primary residences. For the purpose of the Rural-10 and Rural-5 designations, property developed and/or subdivided for the use of immediate family members for their primary residence shall not be limited in density to one (1) dwelling unit per 10 acres, but may be developed for up to three family residences on a minimum of 10 acres notwithstanding the density pursuant to the clustering provisions established in this Plan. Immediate family is defined as persons related by blood, marriage, or adoption, such as parents, spouses, siblings and children. Those provisions shall not be construed to permit land to be subdivided in a lot size smaller than one (1) acre.

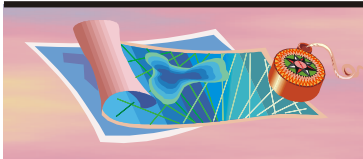
Policy FLU 11.16 Facilities Improvements Consistent with the Rural Character

Improvements to public facilities shall be accomplished whenever possible in a manner so as to preserve or enhance the rural character of East Seminole County. This criteria shall apply to level of service standards, location, design standards, materials, and any other items impacting the final result.

Policy FLU 11.17 Chuluota Nonresidential Design Standards

- A The County shall adopt design standards for nonresidential development in the Chuluota Design Area, as shown in *Exhibit FLU: Special Area Boundaries*, for the purpose of maintaining the rural character of the Chuluota area. Nonresidential development shall mean office uses, commercial uses, and any other use that is nonresidential in character as that term may be defined in the implementing ordinance.





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- B The adopted nonresidential design standards shall apply to all properties in the Chuluota Design Area which have at the time of the adoption of this amendment, or which are subsequently amended to have, a land use designation allowing nonresidential development. The standards may be applied to individual properties within the Chuluota Design Area by ordinance, development order or any other lawful means.



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OBJECTIVE FLU 12 PROTECTION OF PRIVATE PROPERTY RIGHTS

The County shall not intentionally enact or impose any unreasonable land development regulation or apply any land development regulation in an unreasonable manner such that the taking of private property rights would result.

Policy FLU 12.1 Private Property Rights Act

The County shall fully implement the provisions of the Bert J. Harris, Jr., Private Property Rights Protection Act (Section 1, Chapter 95-181, Laws of Florida). Each staff recommendation relative to any land use decision shall consider the provisions of that Act and other general principles of law relating to the appropriate regulation of land without said regulation resulting in the taking of private property rights.

Policy FLU 12.2 Land Use and Environmental Dispute Resolution Act

The County shall fully implement the provisions of the Florida Land Use and Environmental Dispute Resolution Act (Section 2, Chapter 95-181, Laws of Florida).

Policy FLU 12.3 Evaluation of New Land Development Regulations

All land development regulations shall be evaluated prior to their enactment to determine the extent and scope of their impact upon private property rights.

Policy FLU 12.4 Relationship of Land Use to Zoning Classifications

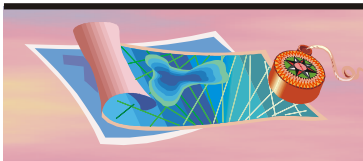
The Comprehensive Plan sets forth the long range potential uses of property in the context of a lawful planning horizon and provides for a wide array of potential zoning classifications within each land use designation. A property owner is not entitled to all zoning classifications or the most potentially dense or intense zoning classification within a land use designation. Numerous planning, timing, compatibility, public facility and other generally acceptable planning issues affect the appropriateness of assigning a particular zoning classification or approving a particular land use with regard to a particular parcel of property.

Policy FLU 12.5 Evaluation Criteria of Property Rights Assertions

The following definitions shall be used to evaluate legitimate private property rights assertions:

- A The reasonable use of property is a use which does not adversely affect the public health, safety, morals, or welfare and is compatible with abutting or proximate properties and is otherwise a use that is consistent with generally accepted land use planning principles.
- B The fact that a zoning classification is within the range of zoning classifications allowed within a land use designation shall not mean nor be construed that a particular zoning classification or the uses within a zoning classification are a reasonable foreseeable use of the property.





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- C Property owners do not have reasonable investment backed expectations when a use is speculative, incompatible with abutting or proximate uses, is inconsistent with the provisions of this Plan, or is inconsistent with generally acceptable principles of land use planning.
- D An unfair burden on property owners will occur when property is too stringently regulated in view of the level of regulation necessary to protect the public health, safety, morals, or welfare, in view of consistency with this Plan, in view of compatibility with abutting or proximate land uses, and in view of generally acceptable planning principles.

Policy FLU 12.6

Procedures for Land Use Decisions

The County shall continuously review its procedures relative to making land use decisions to ensure that these proceedings adequately address the increased complexity and legal requirements involved in making land use decisions while continuing to ensure a streamlined and efficient review process with adequate public participation. These evaluations will include, but not be limited to, a review of techniques such as a bifurcated hearing process and/or the use of hearing officers to prepare findings of fact and conclusions of law.

Policy FLU 12.7

Additional Compatibility Standards

The County shall rely upon the Lot Size Compatibility Ordinance as one means of evaluating the appropriateness of development on abutting or proximate properties. The effectiveness of this analysis will be evaluated every five (5) years to determine how well the provision of the ordinance address compatibility issues and concerns and will be amended as necessary.



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OBJECTIVE FLU 13 DISPUTE RESOLUTION

The County shall attempt to resolve all disputes to the maximum extent practicable, without resort by the County or property owners to the courts.

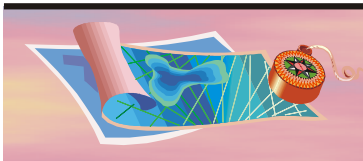
Policy FLU 13.1 Administrative Remedies

The County shall utilize mediators, special masters and other sources of alternative dispute resolution in all appropriate circumstances including, but not limited to, the procedures set forth in all sections of Chapter 95-181, Laws of Florida, and the provision of administrative remedies to resolve disputes relative to alleged takings and the development of land.

Policy FLU 13.2 Administrative Procedures to Assert Vested Rights

The County shall continue to enforce provisions of the Land Development Code relative to the determinations of vested rights under the Plan to include the ability of property owners to assert vested rights generally through a County administrative process.





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OBJECTIVE FLU 14 PRESERVATION OF THE RURAL CHARACTER AND NATURAL RESOURCES OF THE WEKIVA RIVER PROTECTION AREA

The County shall continue to enforce and, if necessary, strengthen existing Plan objectives, goals and policies and land development regulations to preserve and reinforce the goals of the Wekiva River Protection Act (Part II, Chapter 369, Florida Statutes). These objectives, goals and policies and land development regulations shall ensure the maintenance of the rural density and character in the aggregate, protect natural resources and ensure the long term viability of the Wekiva River Protection Area, herein referred to as the "Protection Area," (as defined in *Exhibit FLU: Special Area Boundaries* for existing and future residents.

Policy FLU 14.1 Recognition of the Wekiva River Protection Area

In 1988, the Florida Legislature established the Wekiva River Protection Area for the purposes of protecting the natural resources and rural character of the Protection Area as defined in the Wekiva River Protection Act (Part II, Chapter 369, Florida Statutes).

The Wekiva River Protection Act requires that rural character be maintained in the aggregate and that the viability, conservation and preservation of natural resources be considered for the Protection Area as a whole. As such, policies regarding land use and resource protection for any particular area can be evaluated for consistency with the Wekiva River Protection Act, only in conjunction with and balanced by policies regarding land use and resource protection for other areas within the Wekiva River Protection Area of Seminole County. The set of policies established within this Plan have been developed in due consideration of this requirement. Specifically, policies which provide for a higher density subarea (i.e. the East Lake Sylvan Transitional Area) may be considered appropriate only in the context of policies that restrict the subdivision of land elsewhere in the Wekiva River Protection Area.

The Protection Area by its very nature calls for innovative approaches to protecting the environmental resources and regulating land use densities/intensities. Accordingly, it shall be the policy of the County to continue to review existing Plan policies and land development regulations applicable to the Protection Area in order to ensure the long-term sustainability of this unique landscape and continue to further the goals set forth in the Protection Act. Notwithstanding these reviews, in order to ensure consistency with the Wekiva River Protection Act, including the mandate to maintain rural character in the aggregate, and provided that the East Lake Sylvan Transitional Area has been designated as appropriate for densities in excess of those allowed elsewhere in the Protection Area, no Plan objective, goal or policy or land development regulation shall be enacted that will result in an increase in the currently adopted net density of any residential parcel or subdivision outside of the East Lake Sylvan Transitional Area and within the Protection Area within Seminole County.



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Included among efforts to permanently protect the natural resources of the Wekiva River Protection Area shall be the pursuit of land purchases and the lawful dedication of conservation easements and development rights for preservation and coordination with the many agencies, environmental groups and interested citizens.

Policy FLU 14.2 Recognition of the East Lake Sylvan Transitional Area

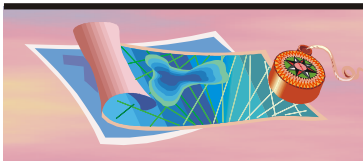
The "East Lake Sylvan Transitional Area", as depicted in *Exhibit FLU: Special Area Boundaries*, is hereby established as the only area of the Wekiva River Protection Area wherein it is appropriate to consider granting parcels a land use designation permitting residential density in excess of the permitted density as of December 15, 1999, up to a maximum of two and one-half (2.5) dwelling units per net buildable acre.

After December 15, 1999, no future application for a Plan amendment or administrative Plan amendment proposing a residential density in excess of one (1) dwelling unit per net buildable acre will be considered for any parcel located in the East Lake Sylvan Transitional Area until after the East Central Florida Regional Planning Council has completed the series of studies set forth in the existing Scope of Services with its planning consultant pertaining to the Wekiva River and its environs, generally, and the wildlife corridors and wildlife habitat of the Wekiva River Protection Area, specifically, and the County has reviewed and evaluated that study and other relevant studies pertaining to the Protection Area and has developed and incorporated into this Plan and the County's land development regulations, as appropriate, criteria for considering such proposed Plan amendments and allowing development in excess of one (1) dwelling unit per net buildable acre to a maximum of 2.5 dwelling units per net buildable acre only where the applicant demonstrates that such development has less impacts on natural resources than low density residential development at one (1) dwelling unit per net buildable acre.

Policy FLU 14.3 Development Form of Land Area within the WRPA and Outside of the East Lake Sylvan Transitional Area.

The final development form of the land area within the Wekiva River Protection Area in Seminole County outside of the East Lake Sylvan Transitional Area is, and shall continue to be, a general pattern of one (1) dwelling unit or less per net buildable acre. For those properties located within the Wekiva River Protection Area, but outside of the East Lake Sylvan Transitional Area, the assigned future land use designations are presumed to be the final land use designation for said properties. The land use designations assigned to said properties on December 15, 1999, shall not be amended, except to reassign a land use designation to Suburban Estates or Recreation (for the purpose of protecting natural resources). Further, the County shall not approve a land use designation amendment within the Wekiva River Protection Area relating to property outside of the East Lake Sylvan





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Transitional Area that could result in an increase in the net density of the subject property allowable as of December 15, 1999. It is the express intent of this policy to ensure that, regardless of any future change in the definition of the Suburban Estates land use designation or associated zoning classifications, the County shall not approve any development of property assigned the Suburban Estates land use as of December 15, 1999, if the approval could result in a density upon the subject property in excess of one (1) dwelling unit per net buildable acre. It is, therefore, the policy of the County to maintain this final form of development to ensure that, in the context of other land use provisions for the Wekiva River Protection Area, residential development maintain rural density and character in the aggregate.

Consistent with the terms of the Wekiva River Protection Act, land use designation amendments from non-residential land use designations (e.g., Office, Commercial) to the Suburban Estates land use designation and the Recreation land use designation shall not be discouraged. The extent of property assigned a non-residential land use designation and thereby authorized to develop consistent with that land use designation in the Wekiva River Protection Area shall be limited only to those properties assigned the non-residential land use designation as of December 15, 1999.

Policy FLU 14.4

Platting and Replatting of Seminole Estates Development

For those properties within the Wekiva River Protection Area and within the Seminole Estates Development (see Properties Subject to Lot Size Restrictions as depicted on *Exhibit FLU: Special Area Boundaries*), the County shall continue to enforce the Wekiva River Protection – Seminole Estates Overlay Zoning Classification of the Land Development Code applicable to the subject properties that shall:

- A Discourage existing platted properties from increasing their density or intensity of development greater than the existing lot size;
- B Prohibit the issuance of development orders and development permits in this area if the proposed development order or development permit would increase the density or intensity of development upon such parcels;
- C Establish a presumption that an application for an intensification of development density or intensity within said area is inconsistent with the Plan's objectives, goals and policies relative to the Wekiva River Protection Act and is inconsistent with the Wekiva River Protection Act's mandate to maintain the Wekiva River Protection Area's rural character in the aggregate; and
- D Require that the burden of proof rests upon the applicant for a development order or development permit to overcome said presumptions and to meet all other requirements such as the protection of natural resources, the protection of water resources, and the prevention of urban sprawl.

This policy and the prescribed overlay zoning classification, however, shall not operate to divest property owners of lots of record existing prior to July 28, 1970 of any rights to a lot split under the existing provisions of the Land Development Code of Seminole County or of any other vested private property rights.



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Policy FLU 14.5 **Preservation of Environmentally Sensitive Lands/Use of Lands for Passive Recreational Purposes.**

The County shall maintain consistent and meaningful coordination with governmental agencies of every level of government, environmental groups and interested citizens, to seek out environmentally sensitive lands within the Wekiva River Protection Area for preservation through land acquisition or other innovative strategies which are designed to reduce or eliminate development intensities or densities within the Wekiva River Protection Area.

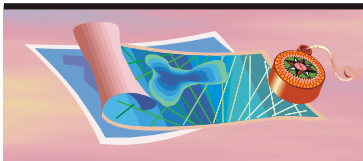
Consistent with this policy, by December 31, 2000, the County shall conduct a study to determine what portion of the Yankee Lake Wastewater Treatment Facility property is necessary to accommodate present capacity and projected waste water treatment needs. Upon completion of said study, that portion of the Yankee Lake property determined to be surplus to this function shall be reassigned the Recreation land use designation and, consistent with applicable bond covenants, incorporated into the County's Greenways, Trails and Natural Lands Program. In addition, if at any time thereafter, it is determined by the County that a portion of the Yankee Lake property is not required as a public utility, then that portion shall be reassigned the Recreation land use designation and also incorporated into the County's Greenways, Trails and Natural Lands Program. It is the intent of this policy to ensure that public lands valuable to the protection of natural resources within the Wekiva River Protection Area be retained for preservation in perpetuity.

Policy FLU 14.6 **Roadway Corridor Overlays for Markham Road, Longwood-Markham Road and Lake Markham Road**

By December 31, 2000, the County shall enact land development regulations establishing Markham Road, Longwood-Markham Road and Lake Markham Road as scenic corridor roadways to protect the existing visual features, maintain visual quality, provide a sense of place, protect the rural character of the Wekiva River Protection Area, and protect natural resources including the viability of wildlife corridors. Consistent with said goals, these scenic corridor roadways shall not be expanded beyond their current two-lane configuration; provided, however, that turn lanes and other roadway safety design features may be constructed. The minimum standards for such roadways, which shall be implemented by land development regulations, shall establish on these roadways a building setback forty feet (40') in depth from the right-of-way edge wherein:

- A Roads shall be maintained with a maximum of two (2) through lanes;
- B No existing canopy trees shall be removed unless the removal is necessary to provide access, the tree is diseased or removal is required to address public safety emergencies;
- C No clearing of native vegetation shall be permitted except in conjunction with a permit issued to address public safety emergencies;





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- D Residential development shall preserve and/or create a vegetative buffer forty feet (40') in depth through a combination of canopy trees, understory native vegetation and berms or fences/walls;
- E If utilized, fences shall be of natural materials including, but not limited to, wood, stone, or brick and shall be required to incorporate canopy trees and native vegetation; provided, however, that alternative fencing shall be permissible if it materially contributes to the rural ambiance of the roadway or if necessary for the protection of wildlife; and
- F As an alternative to the above standards, residential development may provide for perimeter lots of one (1) acre in size or greater in lieu of, or in combination with, vegetation to ensure consistency and compatibility with adjacent developments and maintenance of rural character.

The County shall ensure that trail design within the Wekiva River Protection Area protects the rural character of the Protection Area and protects natural resources including the viability of wildlife corridors.

Policy FLU 14.7

State Road 46 Roadway Corridor Overlay/State Road 46 Environmental Considerations.

- A By December 31, 2000, the County shall enact land development regulations establishing an overlay zoning classification for that portion of State Road 46 within the Wekiva River Protection Area in Seminole County to maintain visual quality, provide a sense of place, protect the viability of wildlife corridors and improve/protect the rural character of the Protection Area. The development standards set forth in the overlay zoning classification shall establish, at a minimum, standards for:
 - 1 Preservation, removal/replanting of canopy trees;
 - 2 Landscaping and buffer requirements;
 - 3 Clearing of native vegetation;
 - 4 Signage and lighting;
 - 5 Building setbacks and height restrictions;
 - 6 Walls, fences, entrance features and similar structures;
 - 7 Access management;
 - 8 Location of parking;
 - 9 Location of equipment storage; and
 - 10 Location and design of retention ponds.
- B The County shall support structural modifications to State Road 46 that provide permeability and allow for wildlife movement on appropriate road segments adjacent to Lower Wekiva River State Preserve.



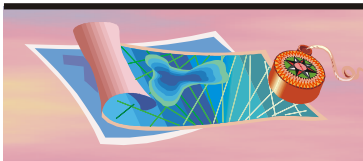
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Policy FLU 14.8 Compliance Agreements Between Seminole County and the Florida Department of Community Affairs

- A The Compliance Agreement, dated November 23, 1999, relating to Plan Amendment 98S.FLU1 (Astor Farms) and the Compliance Agreement, dated December 15, 1999, relating to Plan Amendment 98S.FLU2 (CFG/Las Bocas) shall be considered as support documents to this Plan. The County shall adopt land development regulations to implement, as necessary, the amendments to this Plan described in the Compliance Agreement Relating to Plan Amendment 99S.FLU2.
- B The concept of rural character is essentially established by means of the following planning policies which were developed from the agreements referenced above.
- 1 Establishing an overlay zoning classification applicable to the Seminole Estates subdivision as set forth in Policy FLU 14.4.
 - 2 Limiting the density within the designated East Lake Transitional Area to a maximum density of two and one half (2.5) dwelling units per net buildable acre over the subject property as set forth in Policy FLU 14.2.
 - 3 Maintaining the assigned future land use designation for any property located within the Wekiva River Protection Area and outside of the East Lake Sylvan Transitional Area, and which is assigned the Suburban Estates future land use designation, except for the reassignment of land to the Recreation future land use designation, as set forth in Policies FLU 14.1, 14.3, and 14.5.
 - 4 Limiting development of property assigned the Suburban Estates land use designation to a maximum density of one (1) dwelling unit per net buildable acre, and encouraging clustering within the Suburban Estates land use designation where appropriate through the use of PUD zoning to protect natural resources, as set forth in Policies FLU 14.1, 14.3, 14.5, and 14.9 and in the definition of "rural character".
 - 5 Prohibiting further commercial development on properties not assigned the Commercial land use designation on the *Exhibit FLU: Future Land Use Map* adopted as of December 15, 1999, as set forth in the definition of "rural character" and Policy FLU 14.3.
 - 6 Pursuing the acquisition of property within the Wekiva River Protection Area and the reassignment of land to the Recreation land use designation for the purpose of protecting natural resources, as set forth in Policies FLU 14.1 and 14.5.
 - 7 Retaining the definitions of the terms "net density" and "net buildable acreage" within the Wekiva River Protection Area as established by the Seminole County Comprehensive Plan as of December 15, 1999.





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Policy FLU 14.9 **Wekiva River Protection Area Environmental Design Standards.**

- A In order to further the protection of natural resources as required by the Wekiva River Protection Act, the County shall, by December 31, 2000, enact land development regulations as necessary to implement the following policies that shall apply to properties located within the Wekiva River Protection Area and outside of the East Lake Sylvan Transitional Area:
- 1 Development design shall demonstrate that at least fifty percent (50 %) of the trees located within the developable areas of a site, including areas subject to residential platting, are preserved on site. It is the intent of this policy to guide the design and location of development to provide protection of on site habitat, wildlife and wildlife corridors. When fifty percent (50 %) of the trees cannot be reasonably preserved, a tree replacement ratio shall be implemented. This ratio shall require an increasing number of replacement trees based upon the size of a tree's caliper. Replacement trees are required to be native species and planted on site in common areas and as street trees. Construction methods that reduce the necessity for removing trees shall be encouraged.
 - 2 An upland buffer averaging fifty feet (50') but no less than twenty-five feet (25') in width shall be maintained surrounding areas assigned the Conservation land use designation or the FP-1 or W-1 zoning classification or properties which have been designated as conservation areas or conservation easements. Development activity, including the placing or depositing of fill, within wetlands and the one hundred (100) year floodplain (as adopted by FEMA) shall be prohibited.
 - 3 Preservation of property within the Wekiva River Protection Area consisting of wetlands, rare upland habitat, greenways, listed species and their habitat, and wildlife corridors shall be encouraged through the clustering of dwelling units with the goal of permanently preserving these unique open spaces. The County shall consider, if offered, accepting conservation easements over preserved property for the purpose of maintaining ecologically significant wetlands, habitat, greenways, corridors and listed species.
 - 4 As a condition for development approval, applicants shall be required to complete a survey of plants and wildlife including those species designated as endangered, threatened, or species of special concern pursuant to Rules 39-27.003, 39-27.004 and 39-27.00, Florida Administrative Code, utilizing the most current wildlife methodology guidelines published by the Florida Fish and Wildlife Conservation Commission and current information from the Florida Natural Areas Inventory. Protection of listed species shall be accomplished either through onsite preservation or through relocation within the Wekiva River Protection Area through completion of a plan acceptable to, and permitted by, the Florida Fish and Wildlife Conservation Commission. Incidental taking of listed species shall not be accepted unless the Florida Fish and Wildlife Conservation Commission determines that a particular group of animals on the site cannot be relocated or benefited by on-site preservation due to disease.



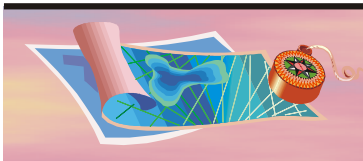
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- B The County shall apply the policies set forth in subsections (a)(1) through (a)(4) to properties seeking to develop within the Wekiva River Protection Area prior to the enactment of the land development regulations implementing said policies.
- C Upon completion of the East Central Florida Regional Planning Council's study identifying significant and viable habitat and wildlife corridors within the Wekiva River Protection Area, the County shall consider enacting land development regulations to protect such habitat and wildlife corridors.
- D By December 31, 2000, the County shall study and evaluate the potential enactment of the following land development regulations with regard to furthering the protection of natural resources within the Wekiva River Protection Area:
 - 1 Trees and other native vegetation shall be maintained on at least 50 percent (50 %) of any residential parcel or subdivision, unless it can be demonstrated that such vegetation is diseased or presents a safety hazard. Properties with less than fifty percent (50 %) native vegetation on site shall be required to maintain native vegetation to the greatest extent possible. (For example, removal of trees and native vegetation may be permitted to the extent necessary to allow for the construction of a single family dwelling on a parcel of land.)
 - 2 On property having the Suburban Estates land use designation, wetlands, rare upland habitat, greenways, and wildlife corridors preserved by clustering or the creation of open space through the use of PUD zoning shall be permanently protected by dedication to the St. Johns Water Management District or through the establishment of conservation easements. If necessary for the protection of natural resources, requiring that a proposed development having the Suburban Estates land use designation implement clustering through PUD zoning provided, however, that the net density of the proposed development does not exceed one (1) unit per net buildable acre.
 - 3 As a condition for development approval, applicants shall be required to complete a survey of plants and wildlife including those species designated as endangered, threatened, or species of special concern pursuant to Rules 39-27.003, 39-27.004 and 39-27.00, Florida Administrative Code, utilizing the most current wildlife methodology guidelines published by the Florida Fish and Wildlife Conservation Commission and current information from the Florida Natural Areas Inventory. If an endangered, threatened, or species of special concern is determined to exist on site, then development shall be accomplished in a manner so as to avoid the habitat of the species and to provide appropriate habitat buffers as determined by the Florida Fish and Wildlife Conservation Commission and the Florida Natural Areas Inventory. Development shall proceed only after the boundaries of protected habitat areas sufficient to sustain viable populations of said species have been defined.





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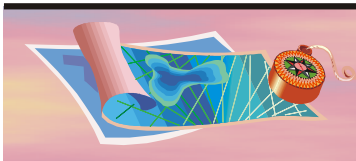
Policy FLU 14.10 Wekiva River Protection Area Incorporated Policies.

- A The following policies from other elements are hereby incorporated into this Element by this reference thereto as if fully set forth herein verbatim:
- 1 Conservation Element - Policy CON 3.8 PUD/Cluster Developments
 - 2 Conservation Element - Policy CON 3.9 Conservation Easement /Dedication
- B The following policy from other Objectives of this Element are hereby incorporated into this Objective by this reference thereto as if fully set forth herein verbatim:
- Policy FLU 1.3 Wetlands Protection



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FUTURE LAND USE ELEMENT PLAN AMENDMENT STANDARDS OF REVIEW

The Seminole County Comprehensive Plan is designed to preserve and enhance the public health, safety, and welfare through the management of growth, the provision of adequate public services and the protection of natural resources. These purposes are accomplished by the legislative establishment of goals, objectives, and policies that are designed to guide the future growth and development of lands within the unincorporated portions of Seminole County.

All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the County and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the *Exhibit FLU: Future Land Use Map* by changing the land use designation assigned to a parcel of property shall also be reviewed to determine and assess any Countywide impacts or any significant areawide impacts of the proposed amendment including, but not limited to, the affect of the land use change on either the internal consistency or fiscal structure of the Plan.

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the four (4) major categories of Plan policies as follows:

- A Programs: Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment will include a description and evaluation of any Plan programs (such as the affect on the timing/financing of these programs) that will be affected by the amendment if approved.
- B Regulations: The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan.
- C Development Policies: Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the use, intensity, location, and timing of the proposed amendment.
- D Coordination: Each application for a land use designation amendment will be evaluated to assess how and to what extent any additional intergovernmental coordination activities should be addressed.

To the extent that an application for a Plan amendment asserts, and County staff agrees, based upon the analysis of the proposal considering the matters set forth herein, that the proposed Plan amendment for a small area/single parcel has localized impacts which would only require an individual site compatibility analysis, the amendment application may be evaluated consistent with the requirements for a quasi-judicial review. This review would be site specific and shall include an evaluation of the following criteria:

- A Whether the character of the surrounding area has changed enough to warrant a different land use designation being assigned to the property.;
- B Whether public facilities and services will be available concurrent with the impacts of development at adopted levels of service.



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- C Whether the site is suitable for the proposed use and will be able to comply with flood prone regulations, wetland regulations and all other adopted development regulations.
- D Whether the proposal adheres to other special provisions of law (e.g., the Wekiva River Protection Act).
- E Whether the proposed use is compatible with surrounding development in terms of community impacts and adopted design standards of the Land Development Code.
- F Whether the proposed use furthers the public interest by providing:
 - 1 Sites for public facilities or facility improvements in excess of requirements likely to arise from development of the site;
 - 2 Dedications or contributions in excess of Land Development Code requirements;
 - 3 Affordable housing;
 - 4 Economic development;
 - 5 Reduction in transportation impacts on areawide roads;
 - 6 Mass transit; or
 - 7 Whether the proposed land use designation is consistent with any other applicable Plan policies, the Strategic Regional Policy Plan and the State Comprehensive Plan.

STANDARDS OF REVIEW

Land Use Densities/Intensities and Allowable Zoning Classifications

All land use designations, zoning classifications and resulting development shall be consistent with the standards set forth in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications*, except as specifically set forth in this Plan.

Optional Land Use Designations

The Board of County Commissioners may determine that a land use designation other than the designation requested by the applicant is appropriate. Examples of optional land use designations to the designation applied for are set forth in *Exhibit FLU: Optional Land Use Designations*.

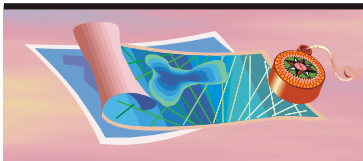
Services and Facilities/Concurrency

Minimum facilities needed to support a land use designation amendment shall be those defined in *Exhibit FLU: Services and Facilities By Classification* and shall be subject to the Concurrency Management Standards and provisions contained in the Implementation Element of this Plan.

State/Federal Agency Review

Proposed amendments shall be forwarded to appropriate State agencies (and Federal agencies when appropriate) for review and comment on projects located adjacent to State or Federally owned lands, within any area subject to special provisions of law or upon request of the State or Federal agency.





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Special Studies

The following special studies shall be provided by the applicant as part of the application package to provide adequate time for review by staff and appropriate agencies:

- A Any application for a Plan amendment within an area affected by a special law, such as the Wekiva River Protection Act, must contain a statement of consistency with the provisions of law rendered by the appropriate agency or, if the appropriate agency will not or can not issue such a statement, the application shall provide sufficient competent evidence to demonstrate consistency with the special provisions of law.
- B Proposed amendments to the Planned Development or Higher Intensity Planned Development future land use designation must be accompanied with a complete rezoning application (including associated master/site plan). The rezoning application shall be evaluated during the transmittal and adoption hearings relating to the Plan amendment application. For rezoning applications made by property owners, the public hearing for the rezoning may be held concurrently with the adoption of the Plan amendment. In so much as State law requires two (2) public hearings for administratively initiated rezonings, the adoption hearing for the Plan amendment application may serve as the first public hearing on the rezoning application. If State law were to be amended, public hearings may be held in accordance with State law.
- C Traffic studies may be required to identify the ability of the roadway network to accommodate the land use with the existing or programmed network, near-site improvements, project phasing, etc. Applications which forego this requirement will be reviewed solely on staff's traffic assessment unless the need for additional traffic studies are identified for the first time at public hearings in which case said studies shall be provided by the applicant with adequate review time allotted for County Staff and the public prior to final action.
- D Wetlands mitigation plans where disruption above Land Development Code requirements is proposed to accommodate the proposed use.

Amendments to Existing Planned Development Sites

The following standards apply when determining whether a Plan amendment is required for new development proposals on previously approved Planned Development sites:

- A A Plan amendment is required if the proposal shows uses or land areas not previously approved. The only exception to this criteria is public and quasi-public uses (e.g., libraries, schools, recreation, roads) which provide an areawide benefit to the community.
- B A Plan amendment is required if the proposal shows a change in intensity or density of a previously approved use which results in an increase of percent 10 percent (%) or more in the number of average daily trips as defined by Institute of Transportation Engineers trip generation standards.

Standards for Amending the Urban/Rural Boundary

Amendments to the County's urban/rural boundary, as depicted on *Exhibit FLU: Special Area Boundaries*, may be considered only if all of the following standards are affirmatively met.

- A Demonstration of Need:
 - 1 Are additional urban lands needed to accommodate population, housing or employment projected for the horizon year of this Plan?; or
 - 2 Are additional lands required to support affordable housing or redevelopment goals of the County?; or



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3 Are additional lands required to support economic development goals of the County?

B Locational Analysis of Amendments:

- 1 Availability of facilities and services, and the orderly, efficient and cost effective provision of service; and
- 2 Fiscal capacity to provide adopted levels of service; and
- 3 Protection of environmental and natural resources
 - a Analysis that the amendment would not negatively impact the interconnected system of wetlands/uplands that exist in the Rural area and provide a high quality mosaic of regional significance. This analysis must describe how the amendment protects the wetlands/uplands systems, including:
 - Retaining the connectivity of wetlands;
 - Retaining/Improving the ecological quality of wetlands; and
 - Retaining the functional and structure values of the types of wetlands in the Rural Area
 - b If amendment to the urban rural boundary is approved, developments shall avoid impact to wetlands to the maximum extent possible by utilization of clustering and other special techniques.
- 4 Contiguity to existing boundary and urban development patterns so as to discourage urban sprawl; and
- 5 Adequate transitions to maintain compatibility with adjacent, existing communities.

C Mandatory Consistency with the Goals, Objectives and Policies of the Plan:

Any proposed amendment to the urban/rural boundary must undergo an assessment of consistency with applicable goals, objectives and policies of this Plan.

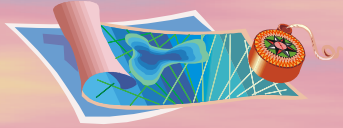
The above standards shall be evaluated by means of the preparation of needs analysis statements, economic impact statements, environmental impact statements, and land use compatibility analyses. If an amendment to the urban/rural boundary is adopted, the above referenced documentation shall be submitted as support documents relating to rural/urban area amendments.

Standards for Plan Amendments within the East Lake Sylvan Transitional Area

In order to be eligible for residential density increase within the East Lake Sylvan Transitional Area, as depicted in *Exhibit FLU: Special Area Boundaries*, an applicant for a Plan amendment proposing a residential density greater than one (1) unit per net buildable acre must comply with each of the following standards:

- A The maximum allowable residential density upon parcels shall not exceed 2.5 dwelling units per net buildable acre.





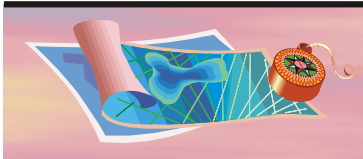
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- B Plan amendments shall be to the Planned Development future land use designation with an associated PUD (Planned Unit Development) zoning classification.
- C Properties seeking the Planned Development future land use designation must contain a gross acreage of not less than thirty (30) acres in size.
- D Prior to approval, the applicant shall be required to submit documentation demonstrating that natural resources are protected, provided a maximum density not to exceed two and one-half (2.5) dwelling units per net buildable acre.
- E All conditions necessary for compliance with these standards shall be placed in the subdivision's covenants and restrictions, which covenants and restrictions shall be recorded in the official land records of Seminole County and which will provide for enforcement of the restrictions by the mandatory homeowners association established to govern the subject property.



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FUTURE LAND USE ELEMENT DEFINITIONS OF FUTURE LAND USE DESIGNATIONS

The definitions and uses provided for each of the following future land use designations are descriptive definitions only. A comprehensive listing of permitted and special exception uses are provided in the Land Development Code of Seminole County which uses are hereby incorporated herein by this reference thereto as if fully set forth herein verbatim.

The special provisions provided for in each future land use designation represent conditions to be complied with in approving land use designation amendments, rezonings, development orders, permits, and agreements.

CONSERVATION

This land use consists of wetland areas (as delineated on the St Johns River Water Management District Wetlands Map) and 100 year floodplain areas (as delineated on the United States Geological Survey or Flood Insurance Rate Maps). In addition to implementing public policies which protect the public health, safety and welfare and conserving and protecting natural resources, these areas are assigned the Conservation future land use designation to implement the County's non-structural approach to water management and uses which involve a minimum land alteration are permitted in order to maintain the natural flood storage and nutrient assimilation capability of wetland and flood prone areas as well as to preserve the status quo of significant environmental importance and associated wildlife habitat. (See also Policy FLU 11.15 Code Enforcement and Implementation).

Uses:

- A Publicly and privately owned open space, recreation and water management areas;
- B Public and private natural areas, game preserves and wildlife management areas which maintain the status quo;
- C Livestock grazing and short term crop production, which uses must be consistent with performance standards of the Land Development Code, which, at a minimum, include the requirement that any and all mining, agricultural and silvicultural activities must be accomplished in accordance with adopted Best Management Practices including, but not limited to, the publication entitled "Silvaculture Best Management Practices Manual", "Management Guidelines for Forested Wetlands in Florida" both published by the Florida Department of Agriculture and Consumer Services Division of Forestry, Chapter 373, Florida Statutes, and Chapter 403, Florida Statutes, as well as other appropriate State and Federal law. All such agricultural and mining silvicultural activities may occur and be accomplished only in such a manner to minimize, to the maximum extent possible, adverse impacts to natural resources, while authorizing property owners the reasonable and beneficial use of property; and



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D Forested wetlands including, but not limited to, cypress, hardwood swamp and bottom land hardwoods, shall be subject to management requirements which shall include, but not be limited to, the maintenance of wetland community integrity and wildlife, vegetation and hydrological characteristics associated therewith, and the use of select cuts on small clearcuts which may only be performed in a manner and utilizing techniques which do not alter vital wetland community characteristics. Silvicultural activities shall only be permitted during such seasons and weather conditions which will ensure the least possible adverse impacts to natural resources. Prior to any encroachment being authorized, the wetlands shall be evaluated and a program or actions to mitigate those impacts shall be formulated. The purpose of the Conservation land use designation is to balance the public's right to protect natural resources with the rights of property owners to a reasonable and beneficial use of their property. The use of property assigned the Conservation land use designation must be consistent with the public interest. The Conservation land use designation is consistent with and furthers the provisions of Article II, Section 7 of the Constitution of the State of Florida and the provisions of State law including, but not limited to, the State Comprehensive Plan, codified at Chapter 187, Florida Statutes.

Levels of Services:

These areas are not intended for urban intensity development and therefore do not require urban services and facilities.

Special Provisions:

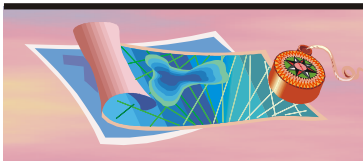
- A In addition to being subject to all other applicable law, uses in these areas are subject to compliance with the provisions of the FP-1 (Flood-Prone Area Zone Classification) and the W-1 (Wetlands Overlay Zoning Classification) contained in the Land Development Code of Seminole County and the Planning Standards for Natural Resources.
- B These areas were delineated using Countywide mapping techniques, thus, inaccuracies in wetland and floodplain boundaries may occur. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
- C When adjustments are made (demonstrating that certain properties are neither a wetland nor a flood prone area) the future land use designation of that property shall not be the Conservation future land use designation, but shall be the underlying future land use designation as shown in the Future Land Map. These adjustments shall include areas where mitigation or other regulatory devices that offset impacts allow encroachment into a wetland system or the 100-year floodplain.

(Revised: Amendment 04S.TXT04.3; Ordinance 2004-25, 06/08/2004)

RURAL LAND USE DESIGNATION SERIES

The County has established three (3) similar, yet very distinct, future land use designations assigned to the Rural Area of Seminole County as depicted in Future Land Use Series: Special Area Boundaries. This series of land use designations is hereby designated the "Rural Land Use Designation Series" and is made up of the "Rural-3", "Rural-5" and "Rural-10" future land use designations.





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These three (3) land use designations are intended to work in harmony to maintain the rural character, lifestyle and agricultural potential of certain areas of Seminole County. The creation of these land use descriptions also benefits the public by providing for an area in Seminole County in which a reduced level of investment for public facilities is required and, accordingly, less public demands and expectations relating to such facilities. Additionally, the creation of these land use designations will assist the County in implementing its overall Plan strategies to maintain the rural character and lifestyle of certain areas in the County and promote the protection of agricultural uses and the environment. The land use designations derive from and are primarily based upon the "1991 East Seminole County Rural Area Plan" and "1999 Seminole County Chuluota Small Area Study".

Rural-3

The Rural-3 Future Land Use Designation allows rural residential development at densities equal to or less than one (1) dwelling unit per three (3) net buildable acres, agricultural and attendant uses. This land use is established to allow residential development on large lots and accommodate the continuation of agricultural pursuits to:

- A Maintain the rural character of the area by developing at a very low intensity, by encouraging large areas to be left in a natural or open state, by reducing road congestion and the need for commercial services, urban public services and other uses beyond the needs of a rural community;
- B Permit horses and other livestock on large residential lots;
- C Minimize conflicts with agricultural operations (e.g., traffic congestion, noise, odor and visual conflicts); and
- D Minimize planned and programmed expenditures for public facilities (e.g., roadway improvements, schools, fire and law enforcement protection, etc.).

Uses:

The Rural-3 Future Land Use Designation permits the following uses:

- A Rural residential development at a density equal to or less than one (1) dwelling unit per three (3) net buildable acres;
- B Publicly and privately owned parks and recreation facilities;
- C Churches, country clubs (over 10 acres in size) and home occupations;
- D Agricultural operations and attendant structures, greenhouses, nurseries and silviculture;
- E Public elementary schools; and
- F Special exceptions such as adult congregate living facilities, group homes, mobile homes and accessory uses, borrow pits, cemeteries, kennels, sewage and water treatment plants, landfills, and other public structures.

Service and Facilities:

This land use requires an adequate, rural level of service for public safety and other services (see *Exhibit FLU: Services and Facilities By Classification*).

Special Provisions:

Travel trailer parks and campsites are permitted for short periods of time, and must be located in less densely populated areas having natural or man-made recreation facilities in the vicinity.



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Rural-5

The Rural-5 Future Land Use Designation allows rural residential development at densities equal to or less than one (1) dwelling unit per five (5) net buildable acres, agricultural and attendant uses. This land use is established to allow residential development on large lots and accommodate the continuation of agricultural pursuits to:

- A Maintain the rural character of the area by developing at a very low intensity, by encouraging large areas to be left in a natural or open state, by reducing road congestion and the need for commercial services, urban public services and other uses beyond the needs of rural community;
- B Permit horses and other livestock on large residential lots;
- C Minimize conflicts with agricultural operations (e.g., traffic congestion, noise, odor and visual conflicts); and
- D Minimize planned and programmed expenditures for public facilities (e.g., roadway improvements, schools, fire and law enforcement protection, etc.).

Uses:

The Rural-5 Future Land Use Designation permits the following uses:

- A Rural residential development at a density equal to or less than one (1) dwelling unit per five (5) net buildable acres;
- B Publicly and privately owned parks and recreation facilities;
- C Churches, country clubs (over 10 acres in size) and home occupations;
- D Agricultural operations and attendant structures, greenhouses, nurseries and silviculture;
- E Public elementary schools; and
- F Special exceptions such as adult congregate living facilities, group homes, mobile homes and accessory uses, borrow pits, cemeteries, kennels, sewage and water treatment plants, landfills, and other public structures.

Services and Facilities:

This land use requires an adequate, rural level of service for public safety and other services (see *Exhibit FLU: Services and Facilities By Classification*).

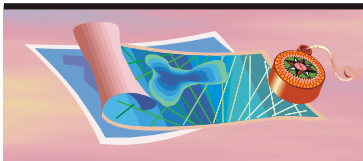
Special Provisions:

- A Travel trailer parks and campsites are permitted for short periods of time, located in less densely populated areas having natural or man-made recreation facilities in the vicinity.
- B Family subdivisions are allowed in this land use designation consistent with County policy.

Rural-10

The Rural-10 Future Land Use Designation allows agricultural and attendant uses and rural residential development at densities equal to or less than one (1) dwelling unit per 10 net buildable acres, or one (1) dwelling unit per (5) net buildable acres, when units are sited specifically on one (1) acre lots. This land use is established to accommodate the continuation of agricultural pursuits and allow residential development on large lots to:





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- A Maintain the rural character of the area by developing at a very low intensity, by encouraging large areas to be left in a natural or open state, by reducing road congestion and the need for commercial services, urban public services and other uses beyond the needs of a rural community;
- B Permit horses and other livestock on large residential lots;
- C Minimize conflicts with agricultural operations (e.g., traffic congestion, noise, odor and visual conflicts); and
- D Minimize planned and programmed expenditures for public facilities (e.g., roadway improvements, schools, fire and law enforcement protection, etc.).

Uses:

The Rural-10 Future Land Use category permits the following uses:

- A Agricultural operations and attendant structures, greenhouses, nurseries and silviculture;
- B Rural residential development at a density equal to or less than one (1) dwelling unit per 10 net buildable acres or one dwelling unit per (5) buildable acres when units are sited specifically on one acre lots;
- C Publicly and privately owned parks and recreation facilities;
- D Churches, country clubs (over 10 acres in size) and home occupations;
- E Public elementary schools; and
- F special exceptions such as adult congregate living facilities, group homes, mobile homes and accessory uses, borrow pits, cemeteries, kennels, sewage and water treatment plants, landfills, other and public structures.

Services and Facilities:

This land use requires an adequate, rural level of service for public safety and other services.

Special Provisions:

- A Travel trailer parks and campsites are permitted for short periods of time, located in areas of less densely populated areas having natural or man-made recreation facilities in the vicinity.
- B Family subdivisions are permitted in this land use category consistent with County policy.

SUBURBAN ESTATES

This land use consists primarily of residential development on a minimum of one (1) acre. Lots sizes of less than one (1) acre may be permitted with accompanying PUD zoning; provided, however, that density shall be computed on the basis of one (1) dwelling unit per net buildable acre; provided, further, however, that clustering shall not cause incompatibility with adjacent parcels and shall be directed internal to the parcel. Further, however, uses such as golf courses will not be computed as open space for the purpose of meeting the requirements of the Land Development Code. This land use is established to allow the development of large lot single family estates as a desired final land use; act as a transitional use between urban development and general rural uses; and to allow existing agricultural operations to continue until developed for other uses.



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Uses:

- A Single family residences on a minimum of one (1) acre;
- B General rural uses;
- C Churches, country clubs (over ten (10) acres in size) and home occupations;
- D Public elementary schools, public middle schools and public high schools; and
- E Special exception uses such as adult congregate living facilities, group homes, mobile homes and accessory uses, borrow pits, cemeteries, kennels, sewage and water treatment plants, landfills, and other public utility structures.

Services and Facilities:

This land use requires an adequate level of service for public safety and may permit reduced standards for other services (see *Exhibit FLU: Services and Facilities By Classification*).

Special Provisions:

None.

LOW DENSITY RESIDENTIAL

This land use is designated for standard detached single family residences at a maximum density of four (4) dwelling units per net buildable acre. This land use requires a full range of basic services and facilities and may serve as an effective transitional use between more intense urban uses and Suburban Estates.

Uses:

- A Single family detached residences up to four (4) dwelling units per net buildable acre;
- B Public elementary schools, public middle schools and public high schools; and
- C Special exception uses such as group homes, churches, day care, guest cottages, home occupation, public utilities, and publicly owned parks and recreational areas.

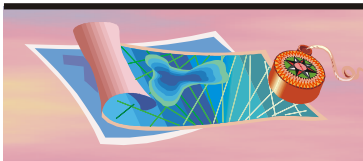
Services and Facilities:

This land use requires an urban level of service for most facilities consistent with *Exhibit FLU: Services and Facilities By Classification*.

Special Provisions:

- A Pedestrian, bicycle and vehicular linkages between abutting residential areas is encouraged in order to provide convenient access to recreation, schools, libraries, and shopping. Vehicular connections between subdivisions should be designed to serve local residents and discourage through traffic.
- B Clustering of residential units to preserve conservation areas above and beyond Land Development Code requirements and/or to provide sites for schools, recreation and other public facilities is permitted under the PUD zoning classification. To maintain compatibility with surrounding land uses, the density of clustered units is limited to a maximum of four (4) dwelling units per net buildable acre.





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- C Mobile homes and factory built modular units may be permitted where compatible with surrounding development (i.e., areas where these uses are established and areas serving as a transition between higher intensity urban uses and Low Density Residential uses).

MEDIUM DENSITY RESIDENTIAL

This land use provides for a range of residential uses at a maximum density of 10 dwelling units per net buildable acre and allows for the conversion of existing residential units to residential professional office uses in the Residential Professional (RP) zoning classification. This land use should be located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities. This land use can serve effectively as a transitional use between more intense urban development and Low Density Residential/Suburban Estates uses.

Uses:

- A Single family detached residences, patio homes, duplexes, multiple-family units, mobile home parks and factory built modular units at a maximum density of 10 dwelling units per net buildable acre;
- B Conversion of existing residential units to residential professional offices;
- C Public elementary schools, public middle schools and public high schools; and
- D Special exception uses such as group homes, churches, day care, guest cottages, home occupation, public utilities and publicly owned parks and recreational areas.

Services and Facilities:

This land use requires a full range of services and facilities (see *Exhibit FLU: Services and Facilities By Classification*).

Special Provisions:

- A Multi-family developments require the provision of on-site amenities including active recreation areas, open space and pedestrian walkways as a component of development design. On-site transit facilities (e.g. bus shelters and bays) may be required on a site specific basis.
- B Clustering of residential units to preserve conservation areas above and beyond current Land Development Code requirements and/or to provide sites for schools, recreation and other public facilities is permitted under the PUD zoning classification. To maintain compatibility with surrounding land uses, the density of clustered units is limited to a maximum density of 10 units per net buildable acre.

HIGH DENSITY RESIDENTIAL

This land uses provides for a range of residential development at intensities greater than 10 dwelling units per net buildable acre. High density residential development should be located adjacent to major collectors and arterial roadways to minimize traffic on local and minor collector roadways and to provide convenient access to transit facilities. This land use can act as an effective transitional use between nonresidential and Medium Density Residential uses.

Uses:

- A Condominiums, townhouses, apartment hotels, boarding and lodging houses, and motels;
- B Public elementary schools, public middle schools and public high schools; and
- C Special exception uses such as churches, utilities, group homes, hospitals, convalescent and nursing homes, and accessory office uses.



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Services and Facilities:

This land use requires a full range of urban services and facilities (see *Exhibit FLU: Services and Facilities By Classification*).

Special Provisions:

- A High density developments require maximum lot coverage, minimum open space, recreation, pedestrian walkways and transit facility requirements to enhance the living environment of residents and to provide convenient access to area schools, shopping and recreational facilities. On-site transit facilities (e.g. bus shelters and bays) may be required on a site specific basis.
- B Clustering of residential units to preserve conservation areas above and beyond current Land Development Code requirements and/or to provide sites for schools, recreation and other public facilities is permitted under the PUD zoning classification.
- C Increased building heights up to 60 feet may be allowed where compatible with adjacent uses to minimize urban sprawl.

Special Services:

Higher intensity development may require special services such as aerial fire equipment, transit facilities and effluent re-use to meet public safety needs and offset facility capacity impacts.

PLANNED DEVELOPMENT

This land use provides for a variety of land uses and intensities within a development site to preserve conservation areas above and beyond Land Development Code requirements, reduce public investment in provision of services, to encourage flexible and creative site design and provide sites for schools, recreation and other public facilities which provide an areawide benefit to the community.

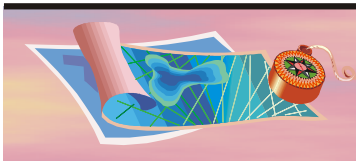
PUD (Planned Unit Development) and PCD (Planned Commercial Development) zonings within the Planned Development land use designation must be accompanied by a site/master plan as set forth in the Land Development Code. Such plans shall address, at a minimum, buffering, setbacks, lighting and building heights, to ensure compatibility with adjacent uses.

Additionally, architectural details may be considered by the Board of County Commissioners (Board) on a site specific basis when determining if a planned development is compatible with the character of the area. Such standards shall include, but not be limited to, building style, design and scale; exterior building materials; roof design and construction; building size and placement; site furnishings; fences and entrance features; and the size and location of service areas. If the proposed plan does not or cannot achieve the desired level of compatibility, as determined by the Board, the Board may deny the rezoning request.

Uses:

- A Mixed use developments (residential and nonresidential uses on the development site);
- B Residential developments with a range of unit types and densities;
- C Nonresidential developments (office, commercial, industrial, etc.);





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- D Public elementary schools, public middle schools and public high schools; and
- E Attendant on-site facilities such as utilities and recreation areas.

Zoning:

Zoning classifications allowed in this land use designation are presented in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications*.

Services and Facilities:

Service and facility requirements will vary according to development intensity. Services and facilities are to be at a minimum, consistent with the requirements of comparable individual (residential, office, commercial, industrial, etc.) land use designations for uses on the development site (see *Exhibit FLU: Services and Facilities By Classification*).

Special Provisions:

- A Future Land Use Designation Requires Rezoning: Plan amendments to Planned Development must be accompanied by a rezoning request and preliminary master plan/site plan as provided for in the Land Development Code.
- B Conservation/Open Space: Planned developments are required to provide protection of conservation areas and open space, and provide recreation and pedestrian circulation as a component of site design.
- C Minimum Open Space: A minimum of 25 percent (%) of the site must be designated as recreation and common open space areas.
- D Compatibility with Adjacent Uses: Due to the ability to cluster units and provide for a mixture of uses on-site, planned developments require special consideration of the location, type and size of buffer yards to maximize compatibility with adjacent land uses.
- E Nonresidential Use Locations: Commercial and other nonresidential uses within mixed use developments are encouraged to be placed in locations that will provide convenient vehicular, pedestrian and bicycle access for residents of the planned development community and will minimize the impact of commercial uses on adjacent and surrounding communities.
- F Nonresidential Uses in Excess of 10 Percent (%) Discouraged: Nonresidential uses in excess of 10 percent (%) of the site's net acreage are discouraged unless greater nonresidential uses are justified to serve the area. If nonresidential uses are determined to serve a larger area, these uses may be located on external tracts of the site along collector or arterial roadways.
- G Minimum Size: Mixed use planned developments are required to be a minimum of 10 acres in size in order to effectively design the site for residential and nonresidential uses.
- H Planned Developments in Sensitive Areas: Planned developments adjacent to the Wekiva and Econlockhatchee Rivers and adjacent wetlands, as well as within the Rural Area of Seminole County, shall be designed to maintain the rural density, intensity and character of these areas, and where permitted, concentrate allowable units on those portions of the development site which are farthest from the surface waters and wetlands, and restrict required open space areas to passive recreational uses.



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- I Development Phasing: Development of the phases of a mixed use development must be timed concurrent with facility capacity to ensure the provision of adequate public services according to adopted standards (see *Exhibit FLU: Services and Facilities By Classification*) and facility plans. Each phase must be self-sufficient on a cumulative basis in case subsequent phases are delayed or abandoned.
- J Access Within the Development: Planned developments shall be designed to have safe and plentiful ways for vehicles, bicycles and pedestrians to travel between and among the several uses and activities if developed as a mixed use development. Sidewalks, cross access easement, connected parking lots, and other similar means of providing full internal access are typical components.
- K Access to Adjacent Developments: If developed as a mixed use development, planned developments shall provide access for vehicles, bicycles and pedestrians from the mixed use development to adjacent activities for ease of travel and reduction of trips on main thoroughfares. Access to residential neighborhoods shall be designed to prevent cut-through traffic and intrusion of adverse impacts. Design concepts shall include a roadway design for mixed use areas that does not adversely impact established residential areas.
- L Shared Facilities: Planned developments are intended to offer advantages of integrated infrastructure (e.g., shared parking, stormwater facilities and signage, etc.) to reduce costs, reduce the provision of excess facilities and improve visual appearance.
- M Special Services: Higher intensity development may require special services such as aerial fire equipment, transit facilities and effluent re-use to meet public safety needs and to offset facility capacity impacts.

HIGHER INTENSITY PLANNED DEVELOPMENT (HIP)- CORE AND TRANSITIONAL AREAS

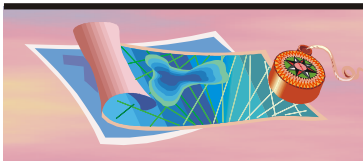
This land use is designated within the urban service area along major expressway, collector, and arterial roadway corridors, and interchange areas where location factors and higher land values tend to attract higher intensity development and services and facilities are programmed to accommodate a variety of residential and nonresidential uses. Medium to high density residential, office, commercial and industrial land uses are encouraged to:

- A Provide an economic benefit in terms of employment opportunities and increased tax base;
- B Locate higher intensity uses where roadway capacity can accommodate increased traffic due to short trip distances to major freeways and increased lane capacity at major intersections; and
- C Locate higher intensity uses along major roadways and intersections to reduce development pressures in other areas of the County, thereby minimizing road congestion and community compatibility impacts associated with sprawl development.

Uses:

- A Planned commercial developments, corporate business parks, office complexes, industrial parks and attendant retail, commercial, service, and hotel uses;
- B Public elementary schools, public middle schools and public high schools;
- C Planned medium density residential and high density residential developments; and
- D Planned mixed use developments.





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Zoning:

Zoning classifications allowed in this land use designation are presented in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications*.

Services and Facilities:

This land use requires a full range of urban services and facilities (see *Exhibit FLU: Services and Facilities By Classification*).

Special Provisions:

- A Development Intensity: To maximize the use of land designated for higher intensity uses and to prevent sprawl or scattered development of higher intensity uses into adjacent residential areas, minimum permissible building height and land use density requirements shall be enforced.
- B Compatibility: Special area development plans including standards and options for "stepping down" building heights and transitioning of land uses (e.g., gradual reduction of intensities and uses) are required to minimize visual and noise impacts on adjacent residential developments.
- C Agricultural Lands: Parcels of land currently used for agricultural purposes, developed parcels or parcels which had site plan approval prior to December 8, 1987, shall be deemed to be compatible with and further the goals, policies, provisions, densities, intensities, and land uses provided for in this Plan.
- D Requirements for Parcels Approved Before December 8, 1987: For parcels of land which were developed or had site plan approval prior to December 8, 1987, under zoning classifications other than the permitted zonings shown in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications*, additions to existing structures shall be permitted without undergoing a rezoning. However, to adequately address impacts of development, the following procedures will be used:
 - 1 Development applications shall be forwarded to the appropriate staff for review and to propose conditions for infrastructure improvements (e.g., road, drainage, water and sewer plans) to adequately serve the project and conditions for Comprehensive Plan compliance.
 - 2 Conditions may be imposed as part of the permit approval. Applicable Land Development Code appeal procedures are available.
- E Future Land Use Designation Requires Rezoning: Plan amendments to Higher Intensity Planned Development must be accompanied by a rezoning request and preliminary master plan/site plan as provided for in the Land Development Code.
- F Development Phasing: Development of the phases of a mixed use development must be timed concurrent with facility capacity to ensure the provision of adequate public services according to adopted standards (see *Exhibit FLU: Services and Facilities By Classification*) and facility plans. Each phase must be self-sufficient on a cumulative basis in case subsequent phases are delayed or abandoned.
- G Access Within the Development: High intensity planned developments shall be designed to have safe and plentiful ways for vehicles, bicycles and pedestrians to travel between and among the several uses and activities if developed as a mixed use development. Sidewalks, cross access easements, connected parking lots, and other similar means of providing full internal access are typical components.



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- H Access to Adjacent Developments: If developed as a mixed use development, high intensity planned developments shall provide access for vehicles, bicycles and pedestrians from the mixed use development to adjacent activities and uses for ease of travel and reduction of trips on main thoroughfares. Access to residential neighborhoods shall be designed to prevent cut-through traffic and intrusion of adverse impacts. Design concepts shall include a roadway design for mixed use areas that does not adversely impact established residential areas.
- I Shared Facilities: High intensity planned developments developed as mixed developments are intended to offer advantages of integrated infrastructure (e.g., shared parking, stormwater facilities and signage, etc.) to reduce costs, reduce the provision of excess facilities and improve visual appearance.
- J Special Services: Higher intensity development may require special services such as aerial fire equipment, transit facilities and effluent re-use to meet public safety needs and to offset facility capacity impacts.

HIGHER INTENSITY PLANNED DEVELOPMENT (HIP)- TARGET INDUSTRY

This land use is designated along the north I-4 Corridor where location factors and higher land values tend to attract higher intensity development and services and facilities are programmed to accommodate a range of residential and nonresidential uses. Target industries, high density residential, office, and industrial land uses are encouraged to:

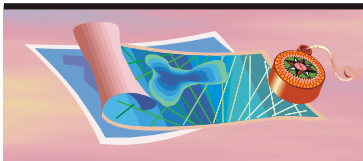
- A Provide an economic benefit in terms of employment opportunities and increased tax base;
- B Locate higher intensity uses where roadway capacity can accommodate increased traffic due to short trip distances to major freeways and increased land capacity at major intersections; and
- C Locate higher intensity uses along major roadways and intersections to reduce development pressures in other areas of the County, thereby minimizing the road congestion and community compatibility impacts associated with sprawl development.

Uses:

The North I-4 Corridor HIP Area is comprised of all HIP - Target Industry designated lands in the northwest area of the County (see *Exhibit FLU: HIP North I-4 Development Area*). To maintain adequate lands for target industry in close proximity to and high visibility from major interchanges, this HIP Area shall be comprised of:

- A Target businesses and industries as defined in *Exhibit FLU: Target Industry Uses*;
- B Manufacturing, distribution, industrial and rail dependent uses located in the Rand Yard Area. Permitted uses in the Rand Yard Area may be, but are not required to be, target industries;
- C High density residential uses; and
- D Commercial uses located adjacent to the Seminole Towne Center Mall, at major roadway intersections (i.e., collector and arterial intersections) and as an accessory use located within a principal office structure.
- E Infill commercial uses are permitted long major collector and arterial roads when commercial uses are the predominant existing use along the roadway in both directions from the project site, and therefore the proposed commercial development represents infill development.





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- F Low to medium density residential uses and lower intensity office uses may only be located adjacent to existing subdivisions as a buffer from future target industry development if such development provides adequate areas on the development site to buffer the residential uses from future target industry development; and
- G Public elementary schools, public middle schools and public high schools.
- H This land use provides for a variety of business and industry development having the following characteristics:
 - 1 Basic industry providing goods and services to markets outside the region;
 - 2 High growth potential industries such as information based businesses, headquarters and health care; and
 - 3 Business and industry providing high average annual wages, high property tax potential, high value added, and economic multiplier effects.

The ultimate specific business and industry types within these areas are subject to economic cycles and the timing of individual property owners(s) proposals and therefore should not be specifically designated on the *Exhibit FLU: Future Land Use Map*. Rather, these areas should remain flexible in terms of future uses while ensuring that the uses developed can meet particular standards for facility capacity and land use compatibility.

Zoning:

Zoning classifications allowed in this land use designation are presented in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications*.

Services and Facilities:

This land use requires a full range of urban services and facilities (see *Exhibit FLU: Services and Facilities By Classification*).

Special Provisions:

- A Development Intensities: The County shall apply the development intensities in *Exhibit FLU: Future Land Use Designations and Zoning Classifications* as a guide to HIP-Target Industry development. The criteria for establishing appropriate intensities includes compatibility with surrounding existing and planned uses, adequacy of existing and programmed public services and facilities, economic development objectives, and consistency with the Plan and site characteristics.
- B Compatibility: Special area development plans including, but not limited to, standards and options for "stepping down" building heights and transitioning land uses (e.g., gradual reduction of intensities and uses) are required to minimize visual and noise impacts on adjacent residential developments.
- C Agricultural Lands: Parcels of land currently used for agricultural purposes, developed parcels or parcels which had site plan approval prior to December 8, 1987, shall be deemed to be compatible with and further the goals, policies, provisions, densities, intensities, and land uses provided for in this Plan.
- D Requirements for Parcels Approved Before December 8, 1987: For parcels of land which were developed or had site plan approval prior to December 8, 1987, under zoning classifications other than the permitted zonings shown in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications*, additions to existing structures shall be permitted without undergoing a rezoning. However, to adequately address impacts of development, the following procedures will be used:



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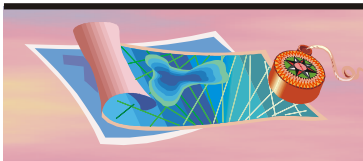
- 1 Development applications shall be forwarded to the appropriate staff for review and to propose conditions for infrastructure improvements (e.g., road, drainage, water and sewer plans) to adequately serve the project and conditions for Comprehensive Plan compliance.
 - 2 Conditions may be imposed as part of the permit approval. Applicable Land Development Code appeal procedures are available.
- E Future Land Use Designation Requires Rezoning: Plan amendments to Higher Intensity Planned Development must be accompanied by a rezoning request and preliminary master plan/site plan as provided for in the Land Development Code.
- F Development Phasing: Development of the phases of a mixed use development must be timed concurrent with facility capacity to ensure the provision of adequate public services according to adopted standards (see *Exhibit FLU: Services and Facilities By Classification*) and facility plans. Each phase must be self-sufficient on a cumulative basis in case subsequent phases are delayed or abandoned.
- G Access Within the Development: High intensity planned developments shall be designed to have safe and plentiful ways for vehicles, bicycles and pedestrians to travel between and among the several uses and activities if developed as a mixed use development. Sidewalks, cross access easements, connected parking lots, and other similar means of providing full internal access are typical components.
- H Access to Adjacent Developments: If developed as a mixed use development, high intensity planned developments shall provide access for vehicles, bicycles and pedestrians from the mixed use development to adjacent activities and uses for ease of travel and reduction of trips on main thoroughfares. Access to residential neighborhoods shall be designed to prevent cut-through traffic and intrusion of adverse impacts. Design concepts shall include a roadway design for mixed use areas that does not adversely impact established residential areas.
- I Shared Facilities: High intensity planned developments developed as mixed use developments are intended to offer advantages of integrated infrastructure (e.g., shared parking, stormwater facilities and signage, etc.) to reduce costs, reduce the provision of excess facilities and improve visual appearance.
- J Special Services: Higher intensity development may require special services such as aerial fire equipment, transit facilities and effluent re-use to meet public safety needs and to offset facility capacity impacts.

HIGHER INTENSITY PLANNED DEVELOPMENT (HIP)- AIRPORT

This land use is designated along major expressway, collector, and arterial roadway corridors, and interchange areas where location factors and higher land values tend to attract higher intensity development and services and facilities are programmed to accommodate a variety of residential and nonresidential uses. Medium to high density residential, office, commercial and industrial land uses are encouraged to:

- A Expand industrial land use and zoning in areas where airport noise impacts are expected to prohibit residential development;
- B Provide additional areas for mixed use development that would be compatible with airport operations;
- C Develop overall single family land use and zoning area boundaries for a community that will be heavily impacted by airport expansion; and





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D Eliminate random commercial development by confining to predetermined areas to preserve the existing residential areas by reducing encroachment of commercial activity and traffic in residential neighborhoods.

The ultimate land uses within these areas are subject to economic cycles and the timing of individual property owner(s) proposals and therefore should not be specifically designated on the *Exhibit FLU: Future Land Use Map*. Rather, these areas should remain flexible in terms of future land use while ensuring that the uses developed can meet particular standards for facility capacity and land use compatibility.

Uses:

- A Industrial parks, corporate business parks, office complexes, commercial developments and attendant retail, service, and hotel uses;
- B Medium to high density residential developments; and
- C Public elementary schools, public middle schools and public high schools.

The HIP-Airport Area will be developed to accommodate an areawide composite land use mix as described below:

| General Use | Minimum | Maximum |
|--|---------|---------|
| Medium – High Density Residential Uses | 30% | 50% |
| Industrial Uses | 7% | 15% |
| Commercial Uses | 63% | 75% |

This distribution range represents the mix of uses within the entirety of the HIP-Airport Area which would be accommodated over the planning horizon.

Zoning:

Zoning classifications allowed in this land use designation are presented in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications*.

Services and Facilities:

- A This land use requires a full range of urban services and facilities (see *Exhibit FLU: Services and Facilities By Classification*).
- B In addition to development phasing concurrent with major public roadway improvements, the following provisions are required to maintain roadway capacity and minimize traffic congestion for area residents and through travelers:
 - 1 Dedication of necessary right-of-way and substantial private investment for interchange ramps, intersection improvements, signalization deficit correction, and feeder road improvements.
 - 2 Use of pedestrian and mass transit facilities to reduce vehicle trips within interchange areas and trips along feeder roads.



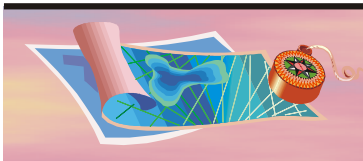
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Special Provisions:

- A Future Land Use Designation Requires Rezoning: Plan amendments to Higher Intensity Planned Development must be accompanied by a rezoning request and preliminary master plan/site plan as provided for in the Land Development Code.
- B Requirements for Parcels Approved Before December 8, 1987: For parcels of land which were developed or had site plan approval prior to December 8, 1987, under zoning classifications other than the permitted zonings shown in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications*, additions to existing structures shall be permitted without undergoing a rezoning. However, to adequately address impacts of development, the following procedures will be used:
 - 1 Development applications shall be forwarded to the appropriate staff for review and to propose conditions for infrastructure improvements (e.g., road, drainage, water and sewer plans) to adequately serve the project and conditions for Comprehensive Plan compliance.
 - 2 Conditions may be imposed as part of the permit approval. Applicable Land Development Code appeal procedures are available.
- C Development Phasing: Development of the phases of a mixed use development must be timed concurrent with facility capacity to ensure the provision of adequate public services according to adopted standards (see *Exhibit FLU: Services and Facilities By Classification*) and facility plans. Each phase must be self-sufficient on a cumulative basis in case subsequent phases are delayed or abandoned.
- D Access Within the Development: High intensity planned developments shall be designed to have safe and plentiful ways for vehicles, bicycles and pedestrians to travel between and among the several uses and activities if developed as a mixed use development. Sidewalks, cross access easements, connected parking lots, and other similar means of providing full internal access are typical components.
- E Access to Adjacent Developments: If developed as a mixed use development, high intensity planned developments shall provide access for vehicles, bicycles and pedestrians from the mixed use development to adjacent activities and uses for ease of travel and reduction of trips on main thoroughfares. Access to residential neighborhoods shall be designed to prevent cut-through traffic and intrusion of adverse impacts. Design concepts shall include a roadway design for mixed-use areas that does not adversely impact established residential areas.
- F Shared Facilities: High intensity planned developments developed as mixed use developments are intended to offer advantages of integrated infrastructure (e.g., shared parking, stormwater facilities and signage, etc.) to reduce costs, reduce the provision of excess facilities and improve visual appearance.
- G Special Services: Higher intensity development may require special services such as aerial fire equipment, transit facilities and effluent re-use to meet public safety needs and to offset facility capacity impacts.





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MIXED DEVELOPMENT (MXD)

This land use provides for a mix of uses within a development site or within a multiple parcel area to encourage flexible and creative design, to protect established residential neighborhoods from adverse impacts from nonresidential development and to reduce the cost of public infrastructure. The Mixed Development designation allows for a transition of uses from parcel to parcel to protect residential uses from adverse impacts of nonresidential uses.

Uses:

- A Mixed use developments (includes both a residential and nonresidential component);
- B Mixed use developments are encouraged although single use developments shall be allowed;
- C Residential uses, including single family and multi-family units;
- D Nonresidential uses, including commercial, office, hotel, service, and very light industrial; and
- E Attendant on-site facilities such as utilities and recreation areas.

The Mixed Development future land use designation will accommodate a land use mix consistent with the following table:

| General Use | Minimum | Maximum |
|---|---------|---------|
| Medium – High Density Residential Uses* | 30% | 50% |
| Industrial Uses | 7% | 15% |
| Commercial Uses | 63% | 75% |

*Maximum permitted residential density is 20 DU/Acre.

- F This distribution range represents the mix of uses within the entirety of the Mixed Development area which would be accommodated over the planning horizon. Mixed Development land use shall be assigned to properties in accord with, but not limited to, the following criteria:
 - 1 Properties currently surrounded by or planned for urban densities and intensities of land use;
 - 2 Standards, methodologies and techniques addressed in the Comprehensive Plan, such as level of service standards to ensure that internal consistency is maintained;
 - 3 Provision of facilities and services shall be required consistent with *Exhibit FLU: Services and Facilities By Classification*; and
 - 4 Mixed Development land use shall not be assigned to properties within the Wekiva River Protection Area or the East Rural Area of Seminole County.

Zoning:

Zoning classifications allowed in this land use designation are presented in *Exhibit FLU: Future Land Use Designations and Zoning Classifications*. Plan amendments to Mixed Development do not require a concurrent rezoning at the time the land use designation is assigned.



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Locational Criteria:

Uses must be located so as to be compatible with existing uses. A Mixed Use Concept Plan must be submitted and approved as part of any rezoning to MRO, MROC, or MORCI. *Exhibit FLU: Appropriate Transitional Uses* will be utilized in evaluating compatibility of proposed uses.

Services and Facilities:

This land use requires a full range of urban services and facilities (see *Exhibit FLU: Services and Facilities By Classification*). Services and facility requirements will vary according to development intensity. Services and facilities are to be at a minimum, consistent with the requirements of comparable individual (residential, office, commercial, industrial, etc.) land use designations for uses on the development site (see *Exhibit FLU: Services and Facilities By Classification*). Adequate services and facilities must be in place or programmed prior to the Board of County Commissioners approving any new zoning classification within this land use designation. Rezoning to allow nonresidential uses may be approved only if the applicant demonstrates that the project traffic will not damage local roads or adversely impact residential uses.

Design Standards:

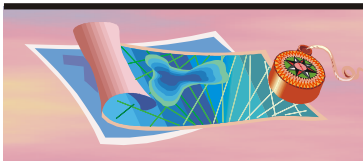
Design Standards provided in the Land Development Code shall apply (see *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications* for allowable residential densities and nonresidential intensities).

- A Open Space: Open space shall be provided consistent with zoning requirements and shall be designed in a manner to promote compatibility of uses by promoting pedestrian connections between compatible uses and assisting in buffering of incompatible uses.
- B Landscaping and Buffers: Flexibility in design of landscaping and buffers shall be allowed in mixed use developments to maximize compatibility between existing and proposed land uses based on the intensity of proposed uses.

Special Provisions:

- A Compatibility: Development within Mixed Development shall be designed in a manner to promote compatibility of uses. Special consideration shall be given to pedestrian connections, building setbacks and building heights, and the location, type and size of buffering and landscaping to prevent adverse impacts to adjacent established residential neighborhoods.
- B Development Phasing: Development of the phases of a mixed use development must be timed concurrent with facility capacity to ensure the provision of adequate public services according to adopted standards (see *Exhibit FLU: Services and Facilities By Classification*) and facility plans. Each phase must be self-sufficient on a cumulative basis in case subsequent phases are delayed or abandoned.
- C Access Within the Development: Mixed use developments shall be designed to have safe and plentiful ways for vehicles, bicycles and pedestrians to travel between and among the several uses and activities in the mixed use development. Sidewalks, cross access easements, connected parking lots, and other similar means of providing full internal access are typical components.





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- D Access to Adjacent Developments: Access for vehicles, bicycles and pedestrians from the mixed use development to adjacent activities and uses shall be provided for ease of travel and reduction of trips on main thoroughfares. Access to residential neighborhoods shall be designed to prevent cut-through traffic and intrusion of adverse impacts; however, plentiful access between developments is encouraged. Construction of and improvements to collector streets serving mixed use developments shall be designed to collect all traffic from the mixed use development and direct such traffic to existing major thoroughfares and not through adjacent single family neighborhoods. Major streets, including collector streets, shall not dead end at points adjacent to established single family neighborhoods. Design concepts shall include a roadway design for mixed use areas that does not adversely impact established residential areas.
- E Shared Facilities: Mixed use developments are intended to offer advantages of integrated infrastructure that provides increased efficiencies of construction and maintenance and better visual appearance. Shared parking, stormwater facilities and signs are encouraged to create a unity of development, to reduce costs, to reduce the provision of excess facilities and to improve visual appearance. Minimum standards must be met for each individual activity unless a demonstration can be made that shared facilities with reduced standards will still provide adequate service to the site. Offsetting advantages of visual appearance, reduced public maintenance or other factors will also be considered.
- F Mixed Use Developments on Streets and Highways:
- 1 Access: Access to streets and highways shall be provided in a manner consistent with the Land Development Code with the objective of creating a network of streets that facilitate mobility in and around the site.
 - 2 Street Trees: Mixed use developments shall provide street trees along all adjacent public streets planted in the right-of-way if approved by the County Engineer or on private lands immediately adjacent to the street right-of-way.
 - 3 Signage: Signage shall be regulated consistent with the requirements of the Land Development Code including mixed use zoning classifications where appropriate.

OFFICE

This land use consists of a variety of office uses and allows for the conversion of existing residential structures to low intensity (residential professional) office uses. This land use should be located along collector and arterial roadways to minimize traffic on local streets and to provide convenient access to transit facilities. This land use can serve as an effective transitional use between higher intensity nonresidential uses and High, Medium, and Low Density Residential uses.

OP (Office Professional), RP (Residential Professional) and PUD (Planned Unit Development) zonings within the Office land use designation must be accompanied by a site/master plan as set forth in the Land Development Code. Such plans shall address, at a minimum, buffering, setbacks, lighting and building heights, to ensure compatibility with adjacent uses.

Additionally, architectural details may be considered by the Board of County Commissioners (Board) on a site specific basis when determining if an office development is compatible with the character of the area. Such standards shall include, but not be limited to, building style, design and scale; exterior building materials; roof design and construction; building size and placement; site furnishings; fences and entrance features; and the size and location of service areas. If the proposed plan does not or cannot achieve the desired level of compatibility, as determined by the Board, the Board may deny the rezoning request.



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Uses:

- A Conversion of existing residential structures to low intensity professional office uses;
- B General office development;
- C Nursery schools, libraries, laboratories, and day care centers;
- D Public elementary schools, public middle schools and public high schools; and
- E Special exception uses such as hospitals, funeral homes, medical clinics, banks, and public utility and service structures.

Services and Facilities:

This land use requires a full range of urban services and facilities (see *Exhibit FLU: Services and Facilities By Classification*).

Special Provisions:

- A Low intensity lot coverage (building height restrictions) and landscaping are required to minimize traffic congestion and visual impacts when office uses are located adjacent to residential areas.
- B Joint access and cross access easements are encouraged to maintain roadway capacity.
- C Relaxed building heights may be permitted where compatible with surrounding uses.

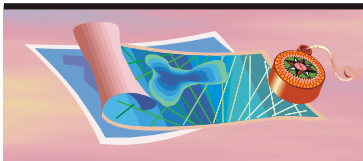
COMMERCIAL

This land use provides for a variety of commercial uses including neighborhood and community shopping centers, convenience stores, retail sales, highway oriented commercial, and other commercial services. This land use should be located at the intersections of major roadways and along major roadways as infill development where this use is established.

Uses:

- A Neighborhood convenience store;
- B Community, regional and subregional shopping centers;
- C Retail sales and commercial services;
- D Highway oriented businesses and outdoor advertising;
- E Amusement and commercial recreation within an enclosed building;
- F Day care nurseries;
- G Public elementary schools, public middle schools, and public high schools;
- H Hotels and motels; and
- I Special exceptions such as contractor, alcoholic beverage, drive-in restaurants, flea markets, mechanical garages, paint and body shops, service stations, lumberyards, public utilities, hospitals and nursing homes.





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Services and Facilities:

This land use requires a full range of urban services and facilities (see with *Exhibit FLU: Services and Facilities By Classification*).

Special Provisions:

- A To maintain roadway capacity and to facilitate the movement of through traffic on major roadways, development of commercial uses in a strip fashion is discouraged except in those infill areas where strip commercial development has already occurred.
- B Commercial developments adjacent to existing residential neighborhoods should be developed as Planned Commercial Developments with a flexible site design to provide adequate buffers, maintain existing tree cover and maximize visual compatibility with surrounding neighborhoods.
- C A landscaped buffer between all commercial areas and highway frontage should be provided in conjunction with adequate sign controls to enhance community aesthetics and maintain neighborhood compatibility.

INDUSTRIAL

This land use consists of a variety of heavy commercial and industrial land uses oriented toward wholesale distribution, storage, manufacturing, and other industrial uses. This land use should be located with direct access to rail systems, collector and arterial roadways, and as infill development where this use is established.

Uses:

- A Light manufacturing industry;
- B Distribution and terminals;
- C Automobile repair shops;
- D Warehousing;
- E Wholesale greenhouses;
- F Lumberyards and machinery sales;
- G Paint and body shops;
- H Trade shops and schools;
- I Medical clinics;
- J Publishing plants;
- K Public buildings;
- L Stockyards;
- M Public elementary schools, public middle schools and public high schools;
- N Special exceptions such as utilities, service stations, hospitals, nursing homes, heliports, and airports; and
- O Adult entertainment establishments and sexually oriented businesses.



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Services and Facilities:

This land use requires a full range of urban services and facilities (see *Exhibit FLU: Services and Facilities By Classification*).

Special Provisions:

Industrial uses in proximity to residential areas should be light industrial uses to protect residences from smoke, fumes, vibrations, odors, and noise.

PUBLIC, QUASI-PUBLIC

This land use consists of a variety of public and quasi-public uses, transportation, communication, and utilities. Public and quasi-public uses are designated on the *Exhibit FLU: Future Land Use Map* in areas where public and quasi-public uses are established and in areas reserved for future public use.

Uses:

- A Public and private recreation, education and library facilities;
- B Public elementary schools, public middle schools and public high schools;
- C Public safety facilities; and
- D Water, sewer, telephone, electric, gas, communication, and transportation facilities.

Services and Facilities:

Due to the variety of land uses in this designation, service and facility needs are determined through Land Development Code requirements.

Special Provisions:

As many of these uses are appropriately located in proximity to residential areas, these uses are permitted through a special exception to the existing zoning classification.

RECREATION

This land use consists of Countywide public or private recreational facilities, park lands and open space preservation areas. Recreational areas are designated to ensure their protection, proper development and future public uses.

Uses:

Public and private recreation and open space.

Services and Facilities:

Service and facility needs are determined through Land Development Code requirements.



Special Provisions:

As many of these uses are appropriately located in proximity to residential areas, these uses are permitted through a special exception to the existing zoning classification.

FUTURE LAND USE DESIGNATIONS AND ALLOWABLE ZONING CLASSIFICATIONS

For a specific listing of permitted, conditional and other uses authorized within a particular future land use designation, the permitted zoning districts referred to in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications* details the zoning classifications authorized in each land use designation. Those zoning classifications are established in the Land Development Code of Seminole County and descriptions of the particular zoning classifications are set forth in that Code.



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