FUTURE LAND USE ELEMENT INTRODUCTION

The Future Land Use chapter or "element" of a comprehensive plan is required by Section 163.3177, Florida Statutes to contain, at a minimum, the following:

A A future land use plan "designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land. The approximate acreage and the general range of density or intensity of use shall be provided for the gross land area included in each existing land use category. The element shall establish the long-term end toward which land use programs and activities are ultimately directed."

B Each future land use category must be defined in terms of uses included, and must include standards to be followed in the control and distribution of population densities and building and structure intensities. The proposed distribution, location, and extent of the various categories of land use shall be shown on a land use map or map series, which shall be the graphic depiction of the Goals, Objectives and Policies that explain how the land uses are managed. The policies also provide the basis for land development regulations, including the Land Development Code.

BASIS FOR UPDATES OF THE FUTURE LAND USE ELEMENT

Seminole County may periodically update or amend the Future Land Use Map, Future Land Use Element text (including the Goal, Objectives and Policies) or both. Among the justifications for updating or amending this part of the Comprehensive Plan are:

- **Amendments to respond to the findings of an Evaluation and Appraisal**
  - Chapter 163, Part II of Florida Statutes requires all local governments to evaluate their comprehensive plans every seven years.
  - Prior to enactment of Chapter 2011-139, Laws of Florida (House Bill 7207) to amend Chapter 163, Part II, Florida Statutes, the evaluation required extensive review of each plan element; reports on achievement and lack thereof; a report to meet requirements of the State Land Planning Agency; and identification of necessary Plan amendments.
  - After 2011, emphasis shifted to a review to ensure compliance with changes in State Law and local governments were encouraged to identify amendments to respond to changed local conditions.

- **Changes in State Law**
  - Local governments need not wait until their next scheduled Evaluation and Appraisal to amend comprehensive plans in response to changes in State Law.

- **Changes in Local Conditions**
  - Major new regional facilities (such as the SunRail commuter train); participation in regional planning efforts (such as the Central Florida Regional Growth Vision "How Shall We Grow?" may require Future Land Use element updates.
  - Expansion of existing regional or local facilities and employment centers (such as approvals for expansion of a runway at Orlando Sanford International Airport in 2012) may require Future Land Use element updates.

- Changes in the local or regional economic and market conditions; identification of declining or blighted areas and plans to revitalize them; or identification of historic, environmentally or archaeologically significant areas may require Future Land Use element updates.
- Small Area Plans written in response to locally identified needs; amendments to the Home Rule Charter; state or federal regulations, laws and special area designations; and neighborhood preservation efforts requested by associations located near changing areas may require Future Land Use element updates.

- **Requests and Applications from Private Property Owners**
  - Existing or allowable uses may no longer be feasible due to construction of public facilities, or changes in development patterns may require Future Land Use element updates.
  - Changes in market conditions that render a property unusable for the current designation Future Land Use element updates.

The Future Land Use Element must be coordinated with the comprehensive plans of cities within the County, with the comprehensive plans of adjacent counties, and the plans of the Seminole County School Board. The Element must also be consistent with the East Central Florida Strategic Regional Policy Plan, and Central Florida Regional Growth Vision.

The comprehensive plan of a community is intended to serve as a guide for capital improvements programming, and the basis for land development regulations. If the comprehensive plan is based on obsolete information or does not reflect current conditions, the plan cannot serve its intended functions.

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FUTURE LAND USE ELEMENT ISSUES AND CONCERNS

Issue FLU 1 **Neighborhood Protection**

One Major Issue analyzed during the Evaluation and Appraisal Report (EAR) process of 2006 involved ensuring the viability of existing neighborhoods, or "Neighborhood Protection." This Major Issue concerned both rural and urban neighborhoods in unincorporated Seminole County. In the Rural Areas, the concern focused upon preserving existing rural character and resistance to pressure to convert to suburban land use patterns. These concerns relate to the key issue of "Countryside" identified by the Central Florida Regional Growth Vision.

For urban neighborhoods, the focus concerned the need for compatibility standards to guarantee that redevelopment and infill development fit well with existing neighborhoods, while ensuring that needed revitalization occurs. This focus pertains to the key issue of ensuring viable "Centers" as identified by the Central Florida Regional Growth Vision.

A number of protection techniques for the Rural Area and rural neighborhoods were identified as part of the Rural Character Plan completed in 2006. Recommendations from that study were used to shape policies in the Future Land Use Element and County Plan text amendments in 2008.

The EAR 2006 findings identified the need for revisions to the County's Plan to provide guidance for ensuring that redevelopment and infill development can peacefully coexist with adjacent neighborhoods. County Plan amendments of 2008 addressed this issue.

Both sets of Neighborhood Protection-oriented text amendments provided a basis for revising the County's Land Development Code (LDC) in order to foster distinct, attractive and safe places to live, in keeping with the principles of the Central Florida Regional Growth Vision. Continuous monitoring is required to determine the success of these efforts and the need, if any, for additional County Plan amendments and revisions to the LDC.

Issue FLU 2 **Concurrency Management**

The Growth Management Act adopted by the Florida Legislature in 1985 included a requirement for "concurrency", contained in Section 163.3180, Florida Statutes. This requirement was intended to ensure availability of services to meet needs of new development at the time that the services were required. The Department of Community Affairs issued rules to guide local and county governments to comply with the statute. Rule 9J-5.006(3)(c)3, Florida Administrative Code, required that facilities and services at locally adopted level of service standards must be available concurrent with the impacts of development, or that development orders and development permits were conditioned on the availability of facilities and services.

Since 1985, the Legislature has amended Section 163.3180, Florida Statutes, to further define timing of service availability. Timing requirements include:

Sanitary Sewer, Solid Waste, Drainage, adequate (sufficient) Water Supplies and Potable Water Facilities:

A Services shall be in place and available to serve a new development no later than the issuance of a certificate of occupancy or its equivalent.

B In addition, prior to approval of a building permit or its functional equivalent, Seminole County is required to consult with the applicable water supplier to determine whether adequate water supplies, including private on-site wells, to serve the new development will be available no later than the anticipated date of issuance by the County of a certificate of occupancy or its functional equivalent.

C The County is also allowed to meet the concurrency requirement for sanitary sewer, including private wells, through the use of on-site sewage treatment and disposal systems approved by the Department of Health to serve a new use, where consistent with the County Plan.

Parks and Recreation Facilities to serve New Development:

Required to be in place or under construction no later than one year after issuance of a certificate of occupancy or its functional equivalent; however, acreage for such facilities are required to be dedicated or acquired by the County prior to issuance of the certificate of occupancy, or funds in the amount of the developer's fair share shall be committed no later than the County's approval to commence construction.

Transportation Facilities needed to serve New Developments:

Required to be in place or under actual construction within three years after the County approves a building permit or its functional equivalent that results in traffic generation where transportation concurrency (compliance with roadways levels of service) is required. For portions of the County that are contained within a Transportation Concurrency Exception Area, development approval is governed by compliance with an adopted Mobility Strategy that emphasizes multiple modes of transportation.

Public School Capacity:

Required to be in place or under actual construction within three years after the issuance of final subdivision or site plan approval, or the functional equivalent. School concurrency is satisfied if the developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by actual development of the property, consistent with provisions of the 2007 Interlocal Agreement for Public School Facility Planning and School Concurrency as amended in January 2008.

The Seminole County Comprehensive Plan (the "Plan") future land use designations were developed based on analyses that identified locations most beneficial to the community for those uses. Analysis considered preservation and conservation of environmental features, consistent with the principles of the Central Florida Regional Growth Vision; compatibility of land uses; public fund investment to create a future job base; reduction of greenhouse gases by shortening automobile trips; and service availability. In order to ensure development and redevelopment of the most beneficial land use pattern for

Seminole County, review of facility and service plans (both annual and long-range) must continue as an ongoing activity.

The County created its Concurrency Management System (CMS) to ensure that individual development and redevelopment efforts would be served. The County's CMS serves the long term interests of the citizens of Seminole County by monitoring capacity of important concurrency public facilities and services to maintain the high quality of life that the citizens of Seminole County now enjoy. The CMS thus preserves the existing "Centers" in Seminole County as vital places to live, work, shop and play, consistent with the Central Florida Regional Growth Vision.

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 proposed projects, developer commitments to improvements, and the County and School District capital budgets to ensure that the adopted levels of service standards are met. Impact fees collected for roads and schools have been part of the effort to ensure that capacity is available as needed, by requiring new development to pay for capacity needed to serve that development. The State Legislature may, in the future, require the use of mobility fees instead of impact fees for roads.

Issue FLU 3 **Mixed-Use Land Use and Protection of Higher Intensity Planned Development (HIP) Land Use, including Higher Intensity Planned Development - Target Industry (HIP-TI) Areas**

Another of the Major Issues addressed by the 2006 Evaluation and Appraisal Report (EAR) was "Protection of Higher Intensity Planned Development (HIP) lands." In particular, the EAR Issue directed the County to examine those HIP areas identified as uniquely appropriate for target industries generating higher income jobs. The evaluation was needed to ensure that the County could achieve goals for a stronger economic base and support the Central Florida Regional Growth Vision principle of encouraging a diverse, globally competitive economy.

The County's Mixed Development (MXD) and High Intensity Planned Development (HIP) future land use designations both allow mixtures of land uses, but differ in purpose and intent. The MXD land use designation originally included in the Vision 2020 Comprehensive Plan was a typical mixed-use land use designation. The designation allowed mixtures of residential and nonresidential uses on an individual parcel and within an individual structure, but did not emphasize higher paying employment.

In 1987, Comprehensive Plan amendments created the "Core" and "Transitional" HIP area locations and called for special area plans. The Higher Intensity Planned Development- Target Industry (HIP-TI) land use was created in 1990 to provide for employment centers and higher intensity mixed-uses in strategic locations. The emphasis of the HIP-TI was attracting nonresidential uses from a list of "target industries", with the intent of fostering higher paying employment. The purposes and intents of the land use designation also included both the provision of viable sites for higher paying jobs at locations with existing infrastructure, and the prevention of sprawl.

By 1995, an additional 2,086 acres of land along Interstate 4 from St. Johns River to Lake Mary Boulevard interchange were designated HIP-TI for the accommodation of higher salaried job generating uses. Four years later, 34 acres west of Interstate 4 and south of State Road 46 were designated HIP-TI. In contrast, the County had not designated any lands with the MXD land use designation prior to the EAR-based amendments of 2008.

The HIP-TI land use as originally written allowed ranges of densities and intensities and provided a list of permitted uses. The intent of the land use, based on the actions taken by the County and cities, was to provide a location on the HIP-TI lands in the North I-4 corridor (from County Road 46A to State Road 46) for the target businesses typically associated with creation of a wage base along with a mix of uses that will transition from existing residential subdivisions to target businesses within 0.5 miles of I-4. To encourage development of the target industries (shown in *Exhibit FLU: Target Industry Uses*), the County and adjacent cities invested $23 million in infrastructure improvements since 1995 and programmed an additional $262 million in future improvements.

According to the findings of the 2006 Evaluation and Appraisal Report (EAR), of HIP-TI lands that were built, committed or in the approval process by that time, 43% of the land area was lost to uses other than target industries. However, Seminole County continues to maintain as a goal the creation and fostering of a sound job base. As a result of the 2006 EAR findings, text changes were recommended to further clarify the desired land uses within the HIP areas, including HIP-TI. With fewer "greenfield" (undeveloped) acres remaining available in Seminole County, the EAR found it vital to undertake a more detailed analysis at the development review stage in order to ensure that important goals such as development of higher salaried jobs can still be attained. Property uses that increase the supply of jobs will help increase the contribution of nonresidential properties to the tax base, help diversity the local economy, and better capitalize on the substantial public investments made in the HIP-TI area.

The 2006 EAR also noted the critical need to identify areas where MXD land use is appropriate and supportive of other County goals, such as redevelopment of the US 17-92 corridor and "capture" of automobile trips within a development to improve traffic and reduce greenhouse gases. The use of the MXD land use designation in logical locations will help to reserve the HIP-TI lands for their original intent. The HIP land use designations and the MXD land use enable Seminole County to guide growth and redevelopment in patterns supporting the principles of the Central Florida Regional Growth Vision. Both land use designations also contribute to energy conservation and the reduction of greenhouse gases by creating compact land use patterns that discourage sprawl development and allow for both shorter automobile trips between home and work/shopping/recreation, and the use of alternative mobility options, such as public transit, bicycle and walking.

Issue FLU 4 ***Exhibit FLU: Future Land Use Map,*** **Based On Growth, Economic Development and Redevelopment Needs.**

Exhibit FLU: Future Land Use Map was originally based only on the amount of land use by type needed to accommodate the County's projected growth during the planning period.

Text describing the *Exhibit FLU: Future Land Use Map* adopted as part of the Vision 2020 Comprehensive Plan stated that the County would experience a shortage of vacant developable land for single and multi-family development between 2015 and 2020. However, the 2006 Evaluation and Appraisal Report (EAR) found that the focus for development for most of unincorporated Seminole County had shifted from "greenfield" development to infill and redevelopment, as noted above. The *Exhibit FLU: Future Land Use Map* adopted during the EAR-based amendment cycle of 2008 therefore reflects redevelopment and potential infill development opportunities in the unincorporated County as the major means of accommodating projected population and employment increases. Redevelopment typically proceeds at a slower rate than initial "greenfield" development, so the rate of overall development in Seminole County was anticipated by the 2006 EAR to slow to an average of 15% annually. As a result of the fact that redevelopment occurs at a slower rate, the previously anticipated shortage of vacant residential land before the end of the new planning horizon of 2025 was no longer valid.

The 2006 EAR did project population increases, but not of the magnitude experienced during the years of rapid development of large vacant properties. Absent large vacant land tracts, the absorption of new residents (even if at a lower rate) meant a greater emphasis on the use of formerly overlooked small or odd-sized "infill" tracts in urban areas, and the revitalization of declining neighborhoods and transportation corridors such as US 17-92.

The potential use of mixed developments emerged as a recommendation of both the 2006 EAR and the "*US 17-92 CRA Corridor Strategy*" accepted by the Board of County Commissioners in 2006. These strategies resulted in recommended changes to land use designations for parcels within that corridor, in order to provide for the absorption of projected population and employment increases.

In turn, the use of mixed developments called for updating the community design or community compatibility policies of the Comprehensive Plan and compatibility/performance standards in the Land Development Code (LDC). These standards were needed to ensure compatibility between existing features that the community desires to preserve, and the redevelopment or infill development.

Following completion of the County's 2006 EAR, the Florida Department of Transportation announced funding for a commuter rail system to serve Seminole, Orange, Osceola, and Volusia counties. The four stations proposed to serve Seminole County will be located within the cities of Sanford, Lake Mary, Longwood and Altamonte Springs. Most land surrounding the stations is incorporated, but portions of land abutting the Sanford and Altamonte Springs stations are unincorporated.

The Altamonte Springs land contains existing moderate income neighborhoods that want to retain their single family character. Future land owners may be interested in redevelopment supportive of rail commuters when the system is initiated; therefore, the description of the Mixed

Development (MXD) land use designation was written to include lands adjacent to commuter rail stations as appropriate locations.

In addition, the stations themselves and their parking areas will be the responsibility of Seminole County. These station sites may become long-term locations acceptable for public-private partnership facilities containing passenger amenities (such as news stands and beverage-to-go kiosks) intended as incentives to attract ridership. As such, the station locations may become future mixed-use development locations. Potential land use alternatives for sites in proximity to commuter rail locations were evaluated by the County as part of the EAR-based amendment analysis needed to update the Transportation Element.

A new 'target area' for potential higher wage jobs was identified by the Board of County Commissioners in 2007, and potential amendments to both text and the *Exhibit FLU: Future Land Use Map* to implement the new target area will be considered following the EAR-based amendment process. This new target area will be the "Seminole Way", an area that runs north from State Road 426 in the City of Oviedo to Interstate 4 in the City of Sanford, following the State Road 417 GreeneWay Corridor. The Seminole Way economic target area is highly correlated with SR 417 interchange areas and the attraction of high quality, high wage jobs to these areas. The intent of this target area is to connect to the similar "Innovation Way" in Orange County. In doing so, Seminole County will be fostering a regional corridor of higher paying employment, in support of the principles of the Central Florida Regional Growth Vision to encourage a diverse, globally competitive economy. A variation of the County's High Intensity Planned Development (HIP) land use is being considered as the model for potential land use changes that may be requested by interested property owners at interchanges serving this corridor. The Seminole Way corridor development will not encroach into environmentally sensitive areas, including the Black Hammock, or East Rural Area.

At the end of 2007 and beginning of 2008, the national economy experienced a recession. This economic downturn also affected Seminole County. A good indicator of the decline was the change in building permits issued for single family residences. The total of such permits issued in 2005, according to the US Census, was 3,810. In 2006, the total was 2,707. By 2007, the total was 1,826; in 2008, the total was 913, and in 2009, the total was 643. The Bureau of Economic and Business Research (BEBR) at the University of Florida issued population estimates for 2008 for counties in Florida that showed population losses in many instances. The BEBR projections for Seminole County show a slight population decline, followed by a slight gain in 2010, with a consistent growth through the end of the 2030 projection period. This slower growth is more consistent with the redevelopment scenario envisioned by Seminole County in 2008. The gain projected by BEBR is approximately 23%, which is slightly higher than the original growth pace that the County projected in 2008. However, given the anticipated growth stimulus of the four SunRail commuter rail stations, and incentives intended to encourage redevelopment of areas within the Energy Conservation Overlay (see *FLU Series – Energy Conservation Overlay*) that are consistent with the Central Florida Regional Growth Vision, and which were identified in response to the 2008 House Bill

697 energy conservation law, Seminole County may attract a greater share of the projected regional population growth by 2030.

Issue FLU 5 Urban Sprawl

Rule 9J-5.006, Florida Administrative Code,required local government plans to contain specific provisions to discourage urban sprawl. Urban sprawl is often one of the major threats to preservation of rural areas, undermines redevelopment efforts, wastes energy, and results in higher costs for urban services. Sprawl is defined by the Florida Department of Community Affairs (Department) as scattered, poorly planned development occurring at the edge of urban and rural areas which frequently invades land important for natural resource protection. Types of urban sprawl land use patterns include leapfrog development, strip development along a roadway and large expanses of low density, single use development. Urban sprawl, as defined by the Department, has not occurred in unincorporated Seminole County. Extensive revisions to the County's *Exhibit FLU: Future Land U*se *Map* in 1987 to redesignate vacant and infill areas for urban development intensities helped to prevent urban sprawl. In addition to that major update and long standing Environmentally Sensitive Lands policies and regulations, a 1991 study and Plan amendment that established the East Rural Area and an Urban/Rural Boundary also prevented urban sprawl while protecting natural resource and Rural Areas.

Additional steps such as creation of the Higher Intensity Planned Development (HIP) future land use series, identification of an energy conservation overlay in which more compact redevelopment patterns, with sound jobs to housing balance, will be incentivized, (see *FLU Series - Energy Conservation Overlay*) and purchase of Natural Lands have also addressed urban sprawl. The use of the HIP land use designation discourages sprawl by providing appropriate locations for desired "target" (higher wage) jobs at locations served by necessary transportation and utility infrastructure. Such industry might otherwise seek locations in remote rural areas. The use of an energy conservation overlay incentivizes a mixed development pattern consistent with the Central Florida Regional Growth Vision, where appropriate services can be provided, guided by performance criteria that will ensure compatibility with adjacent uses, enable reduction of vehicle miles traveled and result in reduction of greenhouse gases.

Both the HIP land use series and the Mixed Development (MXD) land use designation also discourage sprawl development and reduce greenhouse gases by allowing residential uses in proximity to major employment opportunities as well as recreation and shopping opportunities. The concentrated development pattern enabled by HIP and MXD land use designations is more easily served by public transit and can be built in a pedestrian-friendly manner, thus contributing to energy efficiency and reduced greenhouse gases.

The Seminole County Natural Lands purchase program also prevents sprawl by removing environmentally valuable lands, which are also attractive for development, from the inventory of developable lands.

Comprehensive and careful evaluation of proposed land use amendments, potential development proposals and proposed capital improvements in rural areas remains necessary to achieve the County's goals of preventing sprawl

and preserving rural and natural areas. This policy approach will also ensure support of the Central Florida Regional Growth Vision principles of preserving open space, recreational areas, farmland, water resources and regionally significant natural areas; providing a variety of transportation options and fostering distinct, attractive and safe places to live.

Issue FLU 6 **Infill Development, Redevelopment (including Energy Conservation Overlay areas), and Neighborhood Protection /Reversal of Decline and Blight**

One of the Major Issues addressed by the 2006 Evaluation and Appraisal Report (EAR) was "Infill Development and Redevelopment". The EAR found that future land use designations that allow flexibility by recognizing the complex nature of infill development and redevelopment; sound policies, and innovative programs are all required for infill and redevelopment activities to succeed. Successful infill development and redevelopment will enhance economic development, reverse decline and remove blight, while protecting adjacent uses through design standards. Successful infill development also helps to prevent urban sprawl and reduce greenhouse gases. The County's redevelopment strategy has two major focuses: (1) community development target areas; and (2) economic redevelopment areas.

Redevelopment and removal of blight is achieved by identifying appropriate future land use designations and overlay zones on the *Exhibit FLU: Future Land Use Map* and by adopting policies that encourage community development oriented-redevelopment of areas identified as "target areas". Target areas for community development are identified for purposes of preservation and revitalization of existing neighborhoods, consistent with Federal and State funding programs. (These "target areas" are not the same locations as the areas identified as appropriate for "target industries".)

These community development target areas are defined as geographic areas within which a minimum of 51% of the households earn incomes that do not exceed 80% of the prevailing area median income for the Metropolitan Statistical Area (MSA) containing Seminole County. To preserve these neighborhoods and encourage infill development of single family and duplex structures, the County designated the residential lands within these target areas as low to medium density. 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 on economic development. In 1997, the County and the cities of Casselberry, Lake Mary, Sanford, and Winter Springs established the US Highway 17-92 Community Redevelopment Area (CRA). The physical, economic and functional condition of the US 17-92 Corridor is of significant importance to the citizens of several communities. The US 17-92 Community Redevelopment Plan was adopted in 1997 to provide a set of strategies to improve the corridor and adjacent lands. The 2001 County Comprehensive Plan update (Vision 2020) provided additional policy direction regarding redevelopment, removal of blight and infill development opportunities.

Progress was furthered when the County accepted the CRA 2006 Corridor Strategy and Action Plan for revitalizing subdistricts of the Corridor. The

Action Plan focused on a "three lens" strategy, identifying existing features to Retain, parcels and sections of the Corridor to Reorganize (through parcel reconfiguration where possible and use of design standards), and Redevelopment of specific sites. The Action Plan also called for development that focuses on the lakes as an amenity and the provision of housing options through the designation of specified portions of the corridor as Mixed Use Development (MXD) land use. The land use change is anticipated to enable creative mixed-use development that will revitalize this corridor, but protection of adjacent land uses will also be ensured through amendments to the Plan and to the Land Development Code.

The 2006 Evaluation and Appraisal Report (EAR), under the Major Issue "Infill Development and Redevelopment" also called for designation of areas in need of economic redevelopment as mixed development sites. The 2008 EAR-based administratively-initiated Future Land Use Map amendments, designating portions of the US 17-92 corridor as "Mixed Development" Future Land Use, responded to both the CRA Action Plan and the findings of the 2006 EAR. Enabling infill development and redevelopment supports both the "Centers" and "Corridors" themes of the Central Florida Regional Growth Vision, as well as the principles of that Vision. The identification of the Energy Conservation Overlay supports both the Central Florida Regional Growth Vision and the 2008 House Bill 697 Goals of energy conservation and greenhouse gas reduction through incentivizing a more compact mixed development land use pattern that can reduce vehicle miles traveled.

The County continues to work with the cities of Casselberry, Oviedo, and Sanford in the redevelopment efforts of those cities within their jurisdictions.

Issue FLU 7 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. Examples of nonconformities include: a use which does not conform to the requirements of the future land use designation; a zoning that is more intense than the future land use designation; or a zoning that is less intense than the future land use designation, but does not result in compatibility conflicts with surrounding land uses.

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. The 2006 Evaluation and Appraisal Report found that the use of Geographic Information System mapping identified more nonconformities and that this process needed to continue, with emphasis on creative resolutions.

Issue FLU 8 Special Area Plans, Transportation-Land Use Coordination, and Evaluation and Appraisal Report Amendments

Since the Plan was updated in 1991, several areas of the County were identified for more in-depth growth management analysis and community consensus building to ensure consistency with the goals and objectives of the Future Land Use Element and the Transportation Element. To address these

concerns, several special area studies have been completed. Included among these were 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), "Wekiva Special Area Study" (1999), "Myrtle Street Special Area Study (2003), a HIP-TI Study (2006). These studies resulted in future land use amendments and/or policy amendments to the Plan to manage growth and development more effectively.

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(EAR), found sufficient by the Florida Department of Community Affairs. During 2007, as noted above, a second Special Area Plan was initiated for the lands surrounding the Orlando-Sanford International Airport. Text amendments for this area were included in the 2008 EAR-based amendments. The amendments are intended to assure a land use pattern supportive of the operation of the airport, which is both an important economic asset to the County, and a major transportation facility. These text amendments improve coordination of land use and transportation planning. Compatibility of land use with airport use is a requirement of Chapter 163, Florida Statutes.

Following the completion of the 2006 EAR, State and Federal officials announced the availability of funds for a commuter rail connecting Seminole, Orange, Osceola and Volusia counties. Based on the need to improve coordination of this transportation effort with land use planning, Seminole County requested and received additional time to complete its EAR-based amendments. Analyses of potential land use changes for sites located near the commuter rail stations were undertaken as part of the update of the Transportation Element and EAR-based amendment process. Meetings with the cities in which the stations will be located are part of a continuing planning process to create policies acceptable to each jurisdiction that can foster a long-range land use pattern supportive of commuter rail.

As a part of the County's Mobility Strategy development in response to the 2009 Senate Bill 360, which designated the nonrural portion of unincorporated Seminole County and most of the cities as "Dense Urban Land Areas" and "Transportation Concurrency Exception Areas", staff technical meetings were held to coordinate mobility strategies. Representatives of LYNX, the City of Maitland and Orange County staff also attended. Discussions involved anticipated land development around the SunRail stations and at other core concentration areas, as well as methods to support alternate modes of transportation. Seminole County will continue to evaluate the long term feasibility of partnering with private interests to construct other rail stations with passenger amenities, such as news stands, beverage-to-go kiosks and the like. The County will also monitor the need for special area studies to examine the need for land use amendments supportive of commuter rail.

Issue FLU 9 Amendments to the *Exhibit FLU: Future Land Use Map*

Amendments to the *Exhibit FLU: Future Land Use Map* will continue to be proposed as the County becomes more urbanized, redevelopment efforts proceed, land prices rise, market demands change, property owners desire a return on holdings or investments, and existing uses are no longer appropriate due to road expansion or other public or private actions. Efforts by the County to encourage redevelopment, preserve neighborhoods or natural areas and achieve goals such as supporting obtainability of housing may also necessitate amendments initiated by the County.

Plan amendments are evaluated based upon requirements of State law, planning, timing, compatibility, community concern, energy efficiency and public facility considerations detailed or inferred in the policies of the Plan such as water supply availability, and the need to maintain consistency with the Strategic Regional Policy Plan, Central Florida Regional Growth Vision, and the State Comprehensive Plan. Privately submitted amendments that do not support and further the overall goals of the Seminole County Comprehensive Plan, Strategic Regional Policy Plan, and the Central Florida Regional Growth Vision shall not be approved, absent documentation, data and analysis from an applicant that the proposed amendments further the purposes of the County Plan, Regional Plan, and Regional Growth Vision.

Amendments shall be reviewed to determine any Countywide or significant area-wide impacts and effects of land use changes to the internal consistency or fiscal structure of the Plan. Private applicants for amendment of the *Exhibit FLU: Future Land Use Map* shall provide appropriate analyses, including documentation of availability of service capacity, compatibility of the proposed amendment with the surrounding area and ability of the County to continue to provide services at adopted levels if a Plan amendment is adopted, in order to ensure compliance with the requirements of State Law.

Plan amendments may be initiated by property owners or by the County with the involvement of the private property owner. From time-to-time the text of the Plan is also amended to address emerging planning issues or legislation. All Plan amendments are processed and public hearings held in accordance with the requirements of State law.

Issue FLU 10 Trends in Comprehensive Planning

Since the 1991 County Comprehensive Plan Update, several themes emerged that have a direct relationship to comprehensive planning. The first - "sustainability" – emphasizes responsible use of resources to meet current needs without jeopardizing the ability to meet needs of future residents. The second theme, "smart growth" focuses on environmental protection, livable communities and efficient use of public funds. The third involves the use of "green" building and development techniques, featuring design and construction practices that promote economic and health benefits for individuals, their communities and the environment. The fourth theme examines the link between future land use patterns and energy consumption by emphasizing patterns that conserve energy by encouraging more compact development that is more easily served by multiple modes of transportation (including walking), thus reducing greenhouse gases from automobile traffic. These themes have in common the ideas of community, economic opportunities and protection of the environment.

In Seminole County sustainability and smart growth in land use are achieved through application of the following planning techniques, among others:

A Economic planning to create and foster target industry areas;

B Acquisition of sensitive natural lands;

C Creation of an Urban/Rural Boundary and Plan policies to protect the Rural Area;

D Restricting densities and intensities within the ecologically sensitive Wekiva River and Econlockhatchee River areas;

E Provision of service consistent with the Urban/Rural Boundary to encourage infill development and discourage sprawl; and

F Joint planning agreements.

These themes are clearly evident in the goal of the Future Land Use Element, and continued to be emphasized by the amendments adopted in 2008 to address findings of the 2006 Evaluation and Appraisal Report and 2010 energy conservation and Mobility Strategy amendments.

Issue FLU 11 Protection of Rural Areas

Protection of Rural Areas was not identified as a Major Issue in the 2006 Evaluation and Appraisal Report, but this was, in part, because of Seminole County's long-standing efforts to protect those areas. Such protection and preservation remains an important concern to residents of the County, and a significant component in the Seminole County Comprehensive Plan. Objectives are included in the Future Land Use Element and several other elements that address methods of protection for rural areas.

The "Wekiva River Protection Area" and "East Rural Area" are two separate and distinct rural areas within Seminole County. The Comprehensive Plan sets forth specific policy guidance for the long term maintenance of the rural character in each area.

Wekiva River Protection Area

In 1988, the Florida Legislature enacted the "Wekiva River Protection Act" to protect 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 to require the maintenance of the rural density and character, protect natural resources and ensure the long term viability of the Wekiva River Protection Area (see *Objective FLU 14 Revitalization of Major Corridors* and the *Exhibit FLU: Future Land Use Map* of this Plan).

In 1999, 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. These provisions also establish a maximum density of one dwelling unit per net buildable acre as the final development form for the Wekiva River Protection Area, to maintain rural density and character in the aggregate. A density of up to 2.5 dwelling units per net buildable acre is allowable in the area identified as the "East Lake Sylvan Transitional Area".

In 2004, The Florida Legislature enacted the "Wekiva Parkway and Protection Act" to implement the recommendations of the Wekiva River Basin Coordinating Committee and achieve the objective of improving and assuring protection of the surface water and groundwater resources within the Wekiva Study Area. To comply with this Act, the County's Comprehensive Plan was amended in 2005 and 2006 to adopt text amendments to the Drainage and Transportation elements of the Seminole County Comprehensive Plan. The amendments implemented the Facilities and Services requirement of the Wekiva Parkway and Protection Act.

In the future, the County may create additional provisions in the Seminole County Comprehensive Plan and Land Development Code for the purpose of implementing the Wekiva River Protection Area policies of State Law and this Plan.

East Rural 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 Preserve Rural Lifestyles in Seminole County* 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 character of the East 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 an Urban/Rural Boundary (see the *Exhibit FLU: Future Land Use Map* of this Plan).

In 2004, Seminole County voters approved a referendum that established a Rural Area and a Rural Boundary in the Home Rule Charter through a map and a legal description. The Charter Amendment also required the County to add the map and legal description to the Seminole County Comprehensive Plan, which are herein added to the FLU Exhibits as *"Rural Boundary Map"* and *"Rural Area Legal Description".* The Charter Amendment stated that, for the legally described Rural Area as shown in the *"Rural Boundary Map"*, the Future Land Use designations contained in the Seminole County Comprehensive Plan shall control the density and intensity of development. Additionally, the Board of County Commissioners must approve all changes to the Future Land Use designations regardless of whether any lands in the Rural Area are located within a municipality.

In 2006, the County accepted a Rural Character Plan developed to identify additional steps to create stronger guidance for transitioning between urban and rural areas in a manner that preserves the character of the Rural Area. Information from the Rural Character Plan has been used in formulating the 2008 Evaluation and Appraisal Report -based amendments to the County's Comprehensive Plan.

Agricultural Economics in Seminole County

Agriculture was one of the first businesses in Seminole County. The citrus boom of the mid to late 1800's brought many immigrants to the area enticed by Mr. Sanford's promise of land in exchange for labor. The great freeze of 1894 and 1895 destroyed the citrus groves and farmers searched for a product that could provide quicker incomes until the citrus crops could be re-cultivated. Vegetables, mainly celery, became the major agricultural product for Seminole County until the 1970's.

Today agriculture is responsible for approximately $42 million dollars in economic activities for Seminole County. The major commodities of the area are ornamental crops, citrus, livestock and vegetables. Ornamental crops have the largest share of the agriculture industry throughout the county. It includes tree farms, nurseries, indoor foliage and landscaping materials.

The economics of agriculture have played an important role in the formation of Seminole County. It is part of the history and culture of the region as well as an economic force. The 2007 Census of Agriculture of the US Department of Agriculture (USDA) reported that land in farms in Seminole County increased by 27% from 2002 – from 27,987 acres to a total of 35,542 acres. In addition, the USDA reported that the average size of farms in Seminole County also increased, from 74 acres per farm in 2002 to 90 acres per farm in 2007. Market value of production also increased over this time period by 8%. As of 2007, agriculture was second only to tourism as a force in Seminole County's economy. The County shall provide necessary economic support to maintain the existing agricultural activities, such as, ensuring that there is an adequate roadway system to support freight movements, and the promotion of Agritourism. The County's Agricultural Advisory Committee will provide annual input on Agritourism support.

Issue FLU 12 Translating the Central Florida Regional Growth Vision into Action through the Seminole County Comprehensive Plan

To create an overall direction for the Central Florida Region that includes Seminole County, an eighteen-month visioning process was conducted during 2006 and 2007. The procedure included residents, business owners and elected officials of the seven counties and examined the forces shaping the region. Among the significant issues was the projected increase of Central Florida's population to more than seven million residents by 2025. This increase constitutes more than double the population residing in the area during the visioning process.

The resulting Central Florida Regional Growth Vision grouped its recommendations into four key themes: Conservation, Countryside, Centers, and Corridors. In order to clarify the relationship between the Central Florida Regional Growth Vision and Seminole County's continuing planning program, the 2008 Evaluation and Appraisal Report text amendments reorganized the Future Land Use Element text to group objectives and policies according to those key themes. In addition, the County included a new Objective and policies directed to emphasize the coordination of the County's efforts with those of its regional partners, and integrated language from the six regional growth principles into relevant Goals, Objectives and Policies throughout the Comprehensive Plan.

resulted in six regional growth principals:

A Preserve open space, recreational areas, farmland, water resources and regionally significant natural areas.

B Provide a variety of transportation choices.

C Foster distinct, attractive and safe places to live.

D Encourage a diverse, globally competitive economy.

E Create a range of obtainable housing opportunities and choices.

F Build communities with educational, health care, and cultural amenities.

Most of the principals contained in the Central Florida Regional Growth Vision had already been in place within the Vision 2020 Seminole County Comprehensive Plan, or other County programs.

The purpose of Seminole County's Natural Lands Program, for example, is the preservation of significant natural areas and open space. Adoption of policies to protect the Wekiva Area is intended to protect regionally significant natural areas and water resources. Policies guiding land development in the East Rural Area are intended to protect the rural character of that part of the County. Preservation of natural lands and rural areas is a principle of the Central Florida Regional Growth Vision.

The County's ongoing financial commitment to public transit service provision by LYNX, and new financial commitment to commuter rail are intended to provide a variety of transportation choices. This is a principle of the Central Florida Regional Growth Regional Vision, as well as an important component of both Seminole County's Mobility Strategy and the County's energy conservation and greenhouse gas reduction efforts. Ongoing programs for financial assistance to those for whom housing cost is a burden are part of the County's efforts to create obtainable housing choices, another of the Vision's principles. The Seminole County Comprehensive Plan will continue to support and further the Central Florida Regional Growth Vision principles.

SEMINOLE COUNTY
FLORIDA'S NATURAL CHOICE

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FUTURE LAND USE ELEMENT
GOALS, OBJECTIVES AND POLICIES

GOAL

To implement the County's Future Land Use Plan within the context of the Central Florida Regional Growth Vision to achieve an appropriate balance between public and private interests in achieving the following Objectives and Policies.

The Objectives of the Future Land Use Element are grouped into the following major categories:

A Conservation

B Centers

C Countryside

D Corridors

E Property Rights

The Objectives are directed towards achieving:

A Protection and preservation of the environment, including water resources, air quality, regionally significant natural areas, open space and recreational areas;

B Creation and support of diverse, globally competitive economic conditions favorable to higher wage jobs;

C Provision of a range of obtainable housing opportunities and choices;

D Provision of adequate services and facilities, including a variety of transportation choices;

E Maintenance of established residential neighborhoods, revitalization of declining neighborhoods and creation of new energy-efficient communities with educational, health care and cultural amenities;

F Protection of rural and agricultural areas; and

G Protection of private property rights.

NOTE: A description of future land uses that enable the achievement of the above can be found in the Definitions of Future Land Use Designations and Overlays.

SEMINOLE COUNTY
FLORIDA'S NATURAL CHOICE

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CONSERVATION:
PRESERVING NATURAL LANDS, AIR, WATER, WILDLIFE HABITAT, AND HISTORIC RESOURCES IN SEMINOLE COUNTY AND THE REGION

OBJECTIVE FLU 1 NATURAL, HISTORIC AND ARCHAEOLOGICAL RESOURCES

Pursuant to Article II, Section 7 of the Constitution of the State of Florida and the Central Florida Regional Growth Vision, 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 The County Comprehensive Plan (the "Plan") policies.

Policy FLU 1.1 Environmentally Sensitive Lands

The County shall continue to regulate development and preserve environmentally sensitive areas by means of the Environmentally Sensitive Lands Overlay Area and associated provisions of the Land Development Code where soils, topography, wetlands, floodplains, land use, and other constraints exist. The Environmentally Sensitive Lands Overlay Area shall identify floodprone lands (as identified by the National Flood Insurance Program) and the location of major wetlands defined by the St. Johns River Water Management District.

Policy FLU 1.2 Floodplain Protection

The County shall continue to implement the Environmentally Sensitive Lands Overlay Area through the regulation that supports the National Flood Insurance Program by:

A Restricting uses that are dangerous to health, safety and property, and minimize public and private losses due to flood conditions;

B Prohibiting land filling and grade changes where such activity will cause erosion or inhibit flood waters;

C Requiring development to comply with the requirements and rules of the National Flood Insurance Program and Florida Department of Health; and

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

Policy FLU 1.3 Wetlands Protection

The County shall implement the Environmentally Sensitive Lands Overlay Area through the regulation of development consistent with *Policy CON 7.4 Wetland Regulation – Buffers, Performance Standards and Compatibility*, which includes the following:

A Requires a 15 foot minimum, 25 foot average wetland buffer in areas outside of the Wekiva River Protection Area and Econlockhatchee River Protection Area.

B Requires adherence to performance standards for uses such as boardwalks, docks and gazebos that may directly impact a locally significant wetland physically.

C Limits disruption of locally significant wetlands to projects that involve construction of, or improvement of, facilities that benefit the general public.;

D Requires dedication to the County of all post-development wetlands as conservation easements.

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 floodprone and wetland areas as a limitation to any future encroachment or development of these environmentally sensitive areas.

Policy FLU 1.5 Natural/Environmental Lands Acquisition and Management Program

The County shall continue to manage the more than 6,500 acres of Natural Lands acquired through the 1990 Natural Lands Bond Referendum and November 2000 Natural Lands – Completing the Connection Bond Referendum for the acquisition of significant natural habitats, open space areas and greenways. These environmental assets, which include seven Wilderness Areas and One Preserve, are open to the public for environmental education and passive recreation. The lands were designated as "Preservation/Managed Lands" on the Future Land Use Plan Map in 2008 in response to the 2006 Evaluation and Appraisal (EAR) Major Issue finding of a need to ensure that the County Comprehensive Plan is more accessible and understandable. The Seminole County Natural Lands Program is consistent with and supports the implementation of the ongoing "Green Print" process undertaken by the Congress of Regional Leaders, as a part of the Central Florida Regional Growth Vision.

Policy FLU 1.6 Green Print Coordination

The County shall continue to coordinate with the State of Florida, the St. Johns River Water Management District, the Nature Conservancy, the Trust for Public Lands, the Congress of Regional Leaders of myregion.org, and all other agencies involved in preservation of environmental assets to create a Countywide linked open space and Greenways/Trails/Blueways system that assists in permanent preservation of County and regional environmental assets. As a part of this effort, the County shall continue to support efforts by the State Legislature to maintain funding for the Florida Forever grant program that assists with local efforts to acquire environmentally significant features, and any successor program.

Policy FLU 1.7 Performance Standards for Management of Archaeological Resources Located on Proposed Development Sites

Many sites with a potential of archaeological finds are also located on or near wetlands and/or floodprone areas, or within the protection areas established for the Wekiva and Econlockhatchee River Basins. As a result, restrictions (such as setbacks from sensitive areas) governing the development of many sites with potential of archaeological finds are already in place.

Based on *Exhibit FLU: Areas of Archaeological Potential,* which was created with a Phase I survey and was created with the predictive model of probability areas found in the volume entitled "Cultural Resources Study of Seminole County, Florida: Archaeology Volume I", dated June 1994, the County's Land

Development Code (LDC) shall be revised by January 2010 to require the following:

A Applicants with properties that may be located within the area marked as archaeological potential and that are not also affected by regulations governing wetland areas, floodprone areas or the protection areas of the Wekiva and Econlockhatchee Rivers shall be notified that they must provide surveys conducted by certified archaeological consultants or other qualified surveyors that either verify the presence of archaeological resources or verify that such resources are not present.

B In areas where archaeological resources including human remains are identified through such surveys, applicants shall consult with State authorities.

C If no human remains are found, or if the archaeologist or qualified surveyor concludes that no removal of resources is necessary, the LDC shall require that the area containing archaeological resources shall be managed as an open space asset included and protected within site plans or subdivisions.

D Because many of the areas of archaeological potential are co-located with wetlands, floodprone lands, or within the Wekiva River and Econlockhatchee Rivers Protection Areas, conditions of approval for development where potential archaeological resources may be located, and where an applicant does not provide a detailed survey, shall include provisions that require protection of wet and floodprone areas in compliance with those regulations, and require development activities to cease and consultation with State authorities to take place if human remains are found on site, or County authorities if cultural resources are found on site.

Policy FLU 1.8 Performance Standards for State Designated Environmental Protection Areas

The County will continue to enact and enforce performance standards intended to preserve and enhance the natural features of the Wekiva River Protection Area, the Wekiva River Study Area, and the Econ Protection Area, as required by State Law, the Seminole County Comprehensive Plan, Land Development Code, and agreements with affected parties.

Policy FLU 1.9 Wekiva and Econlockhatchee River Protection

A The County shall continue to regulate development of land along the Wekiva River and the Econlockhatchee River, and their associated wetlands and tributaries, which are regionally significant natural areas in need of preservation, per the Central Florida Regional Growth Vision, 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 future 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 II, Chapter 369, Florida Statutes), and the provisions of this Plan adopted to conform to said Act. See *Objectives FLU 12 Preservation of the Rural Character and Natural Resources of the Wekiva River Protection Area and FLU 13 Protection of the Natural Resource of the Wekiva Study Area* for additional policies regarding the goals 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*.

B The County shall enforce all clearing and building setbacks or protection/buffer zones and areas along the Wekiva River, and Econlockhatchee River and such other water bodies as imposed by rules of the St. Johns River Water Management District, any State agency or as may be otherwise imposed by law, provided that a minimum 200 foot clearing and building setback shall be set along the Wekiva River, as measured from the ordinary high water elevation or the landward limit of established conservation areas, to serve as a scenic and environmental buffer to maintain the status quo of the natural environment and prevent public harms.

C As additional protection to groundwater and surface water, development activity within the Wekiva Protection Area, including the placing or depositing of fill within wetlands and the one hundred year floodplain as identified by Federal Emergency Management Agency, shall be prohibited, except in cases of overriding public interest.

Policy FLU 1.10 Econlockhatchee River Basin Protection

The County shall continue to regulate development consistent with the Econlockhatchee River Basin Study of 1990, which serves as the basis for Policy FLU 1.10 and the Seminole County Econlockhatchee River Protection Overlay within the County Land Development Code (LDC). The Performance Standards contained in Policy FLU 1.10 are intended to ensure the preservation of the Econlockhatchee River as a recognized outstanding natural resource and regionally significant natural area. Minimum ordinance provisions necessary to ensure protection of the Econlockhatchee River Basin shall include:

A The recognition of the "Econlockhatchee River Corridor Protection Zone" (Zone), which includes: the main channels of the Big Econlockhatchee River and its tributaries contained within the area shown as the "Econ Protection Area" as depicted on *Exhibit FLU: Resource Protection Areas* and depicted on "Exhibit A" within the Seminole County Econlockhatchee River Protection Overlay of the LDC; all property located within the first 1,100 feet landward as measured from the stream's edge of the main channels of the Big Econlockhatchee River and Little Econlockhatchee River within the aforementioned "Econ Protection Area"; all property

located within 550 feet landward as measured from the stream's edge of the tributaries of the Big Econlockhatchee River within the aforementioned "Econ Protection Area" 50 feet of uplands property that is landward of the landward edge of the wetlands abutting the main channels of the Big Econlockhatchee River and its tributaries within the afore mentioned "Econ Protection Area".

B The term "stream's edge" means the waterward extent of the forested wetlands abutting the Big Econlockhatchee River or its tributaries. In the absence of forested wetlands abutting the River or tributary, "stream's edge" means either the mean annual surface water elevation of the stream, or, in the absence of hydrologic data, the landward extent of wetland herbaceous vegetation growing in the River or its tributary.

C Development activities shall not be permitted within the 550-foot development restriction zone of stream's edge within the Zone except for the creation of wetlands and passive recreational uses, when an applicant can demonstrate that such passive recreational uses shall not adversely affect aquatic and wetland dependent wildlife; the habitat of an endangered species, a threatened species or a species of special concern; water quality, hydrology or quantity; groundwater tables or surface water levels;

D Forested habitat fragmentation within the Zone shall be limited, and there shall be no additional crossing by road, rail or utility corridors of lands located within the Zone unless the following three conditions are all met:

1 There is no feasible and prudent alternative to the proposed crossing as determined by the County;

2 All possible measures to minimize harm to the resources of the Econlockhatchee River Basin will be implemented; and

3 The crossing supports and activity that is clearly in the public interest as determined by the County.

E Only residential development will be permitted within the Zone except for the wetland creation or passive recreation referenced in point "C" above.

F Development within the Econlockhatchee River Basin as a whole shall ensure the protection of floodplain, wetlands and critical native upland habitat; encroachment (fill) proposed to be placed or deposited within the 100 year floodplain as identified by the Federal Emergency Management Administration must comply with all applicable Federal and County regulations;

G All proposed development within 2,000 feet of the stream's edge of the Big Econlockhatchee River and its tributaries shall submit, as part of the development application information, a statement from a qualified archaeological consultant describing the potential for archaeological resources to occur on the project site. If, in the opinion of the consultant, such resources are likely to occur, a professional archaeological survey shall be submitted as a part of the development application provided to the County. If significant resources are found to be present, the County

shall consult with the appropriate State authorities for guidance as to whether excavation is desired by such authorities, and shall otherwise direct that resources shall be preserved as a part of the open space preserved on the site;

H The Land Development Code shall ensure minimal removal of native habitats and preservation of rare upland habitats; and

I The Land Development Code shall provide for an appeals process and projects which are exempt from these performance standards by reason of prior approvals or other legal bases.

Policy FLU 1.11 Protection of Historic Resources

A The County shall continue to enforce Land Development Code (LDC) 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. LDC provisions shall be based on the guidelines and criteria listed in this policy. Mitigation, incentives, disincentives and long term protection guidelines for historically significant sites shall also be addressed. Applicants proposing to renovate or demolish existing structures shall be guided by these criteria.

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 from the "Criteria for Listing" of the National Register of Historical Places:

1 That the resource is listed on the National Register of Historic Places and/or the Florida Master Site File; or

2 That the resource be associated with events that have made a significant contribution to the broad patterns of history; or

3 That the resource be associated with the lives of persons significant in the past; or

4 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

5 That the resource has yielded, or may be likely to yield, information important in prehistory or history.

C 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 1.12 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 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 1.13 Wellfield Protection

The County shall continue to 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, incorporated within the County's Wellfield Protection Ordinance, Chapter 55 of the Land Development Code of Seminole County, address the following criteria: hazardous wastes; hazardous substances and reportable quantities; list of extremely hazardous substances and their threshold planning quantities; and toxic pollutants.

The source of the standards is the Code of Federal Regulations (CFR), Title 40, which is updated once annually as of July 1st. The specific parts include: Title 40, Code of Federal Regulations, Part 261, Identification and Listing of Hazardous Wastes; Title 40, CFR, Part 302.4, List of Hazardous Substances and Reportable Quantities; Title 40, CFR, Part 355, Appendices A and B, List of Extremely Hazardous Substances and Their Threshold Planning Quantities; Title 40, CFR, Part 401.15 Toxic Pollutants. The current text of each of these parts can be found in the Support Document to the Future Land Use Element and is updated each time the federal regulations are updated.

The setback distances from public drinking water wells established by the regulatory framework for particular substances, activities and facilities, which area needed to protect the quality and quantity of groundwater, constitute the County's wellfield protection zones or "areas". No applications for development orders or permits shall be approved in violation of the standards for these criteria. Protection and preservation of water resources is consistent with and implements the Central Florida Regional Growth Vision.

Policy FLU 1.14 Conservation of Water Resources

The County shall continue its ongoing efforts to conserve water by guiding land development patterns into forms that are water-conservative, and examining revisions to the Land Development Code that reduce the need for irrigation of landscaping in developed areas. As a part of this effort, the County shall evaluate changes to the landscaping requirements of the Land Development Code (LDC) to determine the feasibility of revising the current regulations. Current regulations encourage use of water conservative irrigation techniques; potential changes include the use of Florida-friendly landscaping materials for a minimum portion of the required open space for nonresidential development.

Policy FLU 1.15 Water Conservation Programs

The County shall also conserve water resources through continuation of the Seminole County Water Conservation Program, which includes, but is not limited to, the following projects:

A Residential Reclaimed Retrofit Program. As a part of the County's Consolidated Consumptive Use Permit, a five phase program has been initiated to install water reuse lines within the County's Northwest Service Area. Phase 1 was completed in February of 2008; it will ultimately serve 825 houses. Phase 2 will be bid for construction during summer of 2008. Upon completion of Phases 1 and 2 in the Northwest Service Area, approximately one million gallons of potable water a day (mgd) will be saved and irrigation systems in those areas will rely upon reuse water. Phases 3 and 4 will be designed during 2008 and built during 2009. Phase 5 will be designed in 2010. A total offset (savings) of groundwater due to this program is ultimately estimated as 2.62 mgd. Installation of reuse facilities is scheduled presently only for high use irrigation areas, but neighborhoods with access to reclaimed water mains can use the Municipal Service Benefit Unit program to acquire reclaimed water for irrigation.

B Demonstration Garden. Continue, if financially feasible, to operate a "demonstration garden" of Florida-friendly plants at the County's Environmental Studies Center, as well as preparing and implementing a new site at the Seminole County Extension Office at Five Points, on US 17-92, in partnership with the Seminole County Master Gardeners, in creating a Water Wise Learning Garden for citizens. The presence of this Garden shall also result in a savings of water by Seminole County.

C Public Education. Continue, if financially feasible, the public education efforts in water conservation through the provision of information via the County's website and presentations on water conservation issues throughout the community (schools, festivals, special events, civic groups and garden clubs). Expand the public education efforts through taping of programming to be aired on Seminole Government Television (SGTV) for a series about environmental issues (including water conservation) and a series of before and after of the Water Wise Learning Garden.

D Enforcement. Continued enforcement of Water Conservation Ordinance 2007-18 with a trained team of employees who patrol service areas of the County for violation of water limits. Identification of violators results either in outreach opportunities to educate, or imposition of fines when restrictions are continually disregarded.

E Rain Sensors. Continuation, if financially feasible, of the program for provision of rain sensors for single family homes; a study is underway during 2008 to evaluate whether rain sensors can also be provided to "commercial" water users (which includes multi-family residential uses).

Policy FLU 1.16 Encourage More Efficient Land Use Patterns

The County shall continue efforts to direct and guide urban uses to ensure the most efficient land use patterns by:

A Directing and incentivizing growth and redevelopment toward lands designated for Mixed Development (MXD) or Higher Intensity Planned

Development (HIP) through incentives such as those identified in *Policy FLU 5.15 Mixed-Use Developments*. These land use designations encourage mixed or multiple use development patterns that can be served by multiple modes of transportation and can be walkable, thus increasing mobility choices for employees, residents and customers and reducing air pollution generated by gridlocked roadways. In addition, The County shall encourage redevelopment within the identified Energy Conservation Overlay (see *FLU Series - Energy Conservation Overlay*), into a walkable compact land use pattern, easily served by multiple modes of transportation, through incentives identified in *Policy FLU 5.17 Energy Conservation Overlay*;

B Continuing to participate in planning efforts with LYNX, including the LYNX Five-Year Improvement Program, and funding of LYNX routes, to improve transit headway in areas where more concentrated and compact development will be located, focusing in particular upon the US 17-92 Community Redevelopment Area (CRA) Corridor, the four SunRail stations, and the major corridors within the Energy Conservation Overlay;

C Continuing to financially support the SunRail commuter rail system, which will provide an additional alternative travel mode to remove automobile trips from the Seminole County and regional roadway network and support the principles of the Central Florida Regional Growth Vision; and

D Adopt revisions to the Land Development Code as needed that provide density and intensity incentives to mixed development projects within the US 17-92 CRA corridor, and density and intensity bonuses to compact redevelopment and infill development projects within the Energy Conservation Overlay area, as specified in *Policy FLU 5.17 Energy Conservation Overlay*, that will include bonuses for the inclusion of pedestrian and transit supportive infrastructure. The US 17-92 corridor, SunRail station areas and corridors within the Energy Conservation Overlay area are intended by LYNX and Seminole County for public transit improvements. Incentives to encourage redevelopment within those areas, where transit is to be emphasized, will support the Seminole County multimodal mobility strategy.

Policy FLU 1.17 Cluster Development

The County shall provide for clustering of uses in order to achieve benefits that include, but are not limited to:

A Preservation of environmentally sensitive lands, Florida-friendly, water-conservative plant species, and groundwater aquifer recharge and water resource areas;

B Allowing for creative design;

C Provision for open space for aesthetic and buffering purposes;

D Promotion of land use patterns that facilitate multimodal means of transportation and the efficient use of infrastructure;

E Provision of sites for schools; and

F Promote the creation of a range of obtainable and affordable housing opportunities and choices.

Policy FLU 1.18 Arbor Regulations

A The County shall continue to generally require the preservation of trees on development sites and require the replacement of trees removed during development activities through provisions in the Land Development Code that implement this Policy, which, at a minimum:

1 Requires a permit for the removal, relocation or replacement of trees;

2 Requires the use of protective barriers to prevent the destruction/damage of trees during construction;

3 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

4 Provides for tree replacement standards, including minimum caliper and species type.

B The County shall implement standards for the preservation of large canopy trees, particularly along collector and arterial roads where they contribute to the livability of the built environment by one or more of the following:

1 Casting shade over roads, sidewalks and parking areas to improve conditions for pedestrians;

2 Providing visual screening of new development along major roadways; and

3 Reducing energy use by moderating temperatures in and around buildings.

CENTERS:
CONTINUING TO SUPPORT A VARIETY OF PLACES TO LIVE, WORK, AND PLAY

OBJECTIVE FLU 2 PROTECTION OF RESIDENTIAL NEIGHBORHOODS

The County shall ensure the long term viability of residential neighborhoods, and foster distinct, attractive and safe places to live, in support of the Central Florida Regional Growth Vision, by guiding future development, redevelopment and infill development to ensure compatibility with surrounding land uses.

Policy FLU 2.1 Development Standards

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

A Development within floodprone areas;

B Building setbacks, heights and buffers;

C Roadway buffers;

D Landscaping;

E Tree preservation;

F Signage;

G On-site vehicular, bicycle, and pedestrian circulation and vehicular and bicycle parking, and off-site access to public sidewalks and public transportation, where available;

H Drainage and stormwater management;

I Fences, walls and entrance features;

J Maintenance and use of common open space areas; and

K Performance guidelines, including those of the Crime Prevention Through Environmental Design guidelines.

Policy FLU 2.2 Regulation of Active Uses

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

Policy FLU 2.3 Transportation Network and Residential Compatibility

The County shall encourage the compatibility of the transportation network and existing and future residential neighborhoods adjacent to collector and arterial roadways by:

A Requiring additional setbacks and buffers for lower density residential development adjacent to future major collector and arterial roadways to minimize the impacts of future roadway improvements;

B Encouraging the use of context sensitive planning for future transportation improvements adjacent to existing residential neighborhoods;

C Requiring development plans, redevelopment projects and infill development located at major urban intersections to include pedestrian, bicycle and transit oriented features in order to facilitate access of pedestrians to any crosswalks near the major intersections, to enable bicyclists to use any bicycle features near the major intersections, and to enable transit riders to easily access transit stops near the major intersection if the arterial roadway is served by transit. Infill development and redevelopment projects that are located along major arterial roadways included within the Energy Conservation Overlay shall be planned as pedestrian-oriented, with either requirements to build to a sidewalk located on the corridor, or with minimal setbacks from that sidewalk to allow for outside uses for any first floor retail or restaurant uses. Such redevelopment and infill projects shall share vehicle access from the arterial, and shall not be designed to provide multiple individual vehicle accesses for each individual use; and

D Discouraging through traffic on local residential roadways.

Policy FLU 2.4 Neighborhood Commercial Uses

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

A Uses do not encourage urban sprawl, are intended to serve the local area only, and are supportive of and consistent with the character of the neighborhoods they are intended to serve;

B If such uses are located at the intersection of collector or arterial roadways, they will not set a precedent for future strip commercialization and shall provide pedestrian and bicycle access from the neighborhoods intended to be served;

C Development intensity is limited to uses designed to serve the needs of the immediate neighborhoods;

D One above store or office flat may be permitted per nonresidential use. Assisted living facilities may also be permitted;

E Development occurs in accordance with the Land Development Code performance framework, including:

1 Public notification and hearings pursuant to the requirements of State Law and the Implementation Element of the Seminole County Comprehensive Plan;

2 Intensity limitations based on traffic impact studies;

3 Emphasis on pedestrian access; on-site and necessary off-site sidewalks for convenient and safe pedestrian access; automobile parking shall be provided to accommodate employees and any delivery vehicle; accommodation of bicycle parking shall be provided;

4 Buildings constructed (or renovated in the case of reuse of a residential structure) with facades designed to resemble residential structures similar to those in the service area; and street address shall be displayed;

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 in Urban Areas Not Approved for Mixed Development

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, within urban areas where mixed development is not permitted. *Exhibit FLU: Compatible 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, as defined in the Land Development Regulations (LDC) of Seminole County, 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 LDC standards for buffers can be provided to effectively maintain the viability of adjacent residential uses.

NOTE: Conversion must meet commercial building standards.

Policy FLU 2.7 Location of Employment Uses, including Industrial Uses

The County shall ensure that future Plan amendments to land use designations intended to foster employment uses, including industrial uses, that are proposed adjacent to or in close proximity to areas intended for residential uses only shall be supportive of the character of the residential areas and shall be of sufficient size to allow such buffers as are necessary to protect residences from the adverse impacts of smoke, fumes, vibrations, light, glare, odors, and noise that may result from the employment uses.

Policy FLU 2.8 Location of Communication Towers

The County shall continue to enforce Land Development Code (LDC) regulations regarding the location/construction of communication towers to protect existing and future residential neighborhoods from potential adverse impacts resulting from these facilities. The County's LDC shall be periodically evaluated for the purpose of refining siting standards and location criteria.

Policy FLU 2.9 Determination of Compatibility in the Planned Development Zoning Classification

The County shall consider uses or structures proposed within the Planned Development (PD) zoning classification 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

performance 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 PD classification, as well as all other features of the PD plan and the plan as a whole.

Policy FLU 2.10 On-Site Mobility

The County shall continue to establish and enforce policies, standards and regulations that provide safe and convenient on-site mobility considering site access, vehicular and pedestrian circulation and parking for both motorized and non-motorized movement of vehicles and pedestrians. On-site mobility standards shall encourage a variety of transportation choices wherever possible.

Policy FLU 2.11 Use of Design Standards for Roadways Serving East Rural Area Neighborhoods

The County shall protect the character of the East Rural Area through the use of design standards that require public facilities serving the Rural Area, including roadways, shall be designed in a context sensitive manner to ensure protection of the character of the Rural Area.

A context sensitive facility considers abutting land uses as well as engineering requirements in determining roadway features such as lighting, sidewalks, bicycle lanes, and drainage.

Policy FLU 2.12 Use of Performance Standards for Roadways Serving Unincorporated Urban Areas ("Complete Streets")

The County shall follow these performance standards:

A Urban streets shall be designed holistically as "Complete Streets", considering the pavement, bikeways, crosswalks, sidewalks, curb cuts, curbs and gutters (or other stormwater management system), lighting, signalization (including possible transit and pedestrian priority signalization), signage, transit stops if any, street trees that provide shade and landscape or other public open space areas.

B On-street parking will be encouraged for local streets and specified areas.

C Streets shall be designed wherever possible to accommodate a mix of travel modes including vehicles, bicycles, public transit and pedestrians, in support of the Seminole County multimodal mobility strategy and the Central Florida Regional Growth Vision principle of providing a variety of transportation choices.

D Neighborhood streets shall be designed where safe and feasible to connect to adjacent activities, including public schools, parks, and neighborhood-serving businesses, with streets that do not encourage cut-through traffic.

Policy FLU 2.13 Performance Guidelines for Urban Neighborhoods

Preservation and enhancement of urban neighborhoods involves, in part, the application of performance guidelines. Seminole County shall include

standards in its Land Development Code (LDC) that will include, but not be limited to:

A Neighborhood Performance Guidelines Features

1 Lot and block designs that reinforce pedestrian use of the streets and a neighborly relationship of the homes.

2 Residential densities consistent with the future land use designation and zoning district.

3 Compatible, not necessarily identical, housing types.

4 Common, linked and usable open space for active and/or passive recreation, including interconnected walkways, bikeways, trails and greenways.

5 Preservation of on-site natural lands (wetland/upland habitat and environmental resources) in combination with stormwater management and common open spaces.

6 Neighborhood streets, designed in accordance with *Policy FLU 2.13 Performance Guidelines for Urban Neighborhoods*, should allow on-street parking where public safety can be assured, and where feasible. Sidewalks or pedestrian ways shall be provided where safety can be assured, and those that are provided shall accommodate wheelchairs, curbcuts at each intersection, and marked pedestrian crosswalks identified by signage requiring drivers to yield to pedestrians.

7 Neighborhood streets shall be designed to facilitate connections to adjacent neighborhoods and neighborhood-serving businesses, public schools and parks where public safety can be assured and in a manner that enables residents to reach these resources without the need to use major arterial roadways, and without encouraging through traffic.

8 Landscaped signage identifying neighborhood name at all major entrances shall be strongly encouraged as a means of ensuring identification by fire rescue personnel.

B Structure Performance Guidelines

1 Features that promote the pedestrian nature of the neighborhood and reduce the dominance of garages and parking lots, including, but not limited to: garage door location behind the front plane of the house; side entry garages; rear access to garages located on alleyways; shared driveways with separate garages; parking lots for multi-family developments occupying side yards and less of front street yard; pedestrian entryways separated from vehicular entrances to serve multi-family developments; inclusion of an open space feature reserved for residents in the street front yard of multifamily development; 'build to' lines for multifamily developments that enable ease of pedestrian access to any building containing a management office; inclusion of recharging station for electric and hybrid vehicles in multi-family developments; and inclusion of transit shelters in large scale multi-family developments located on transit corridors.

2 Exterior house features shall include numerical address, and should encourage a variety of architectural features, rather than a mandatory limited list of features.

C Community Compatibility Performance Guidelines

1 The County shall continue to implement and revise as necessary the Part 67, Chapter 30, Landscape, Screening and Buffering of the Land Development Code (LDC) adopted in 2012, which includes performance guidelines to ensure compatibility between existing and proposed development through the use of buffers and other methods. These guidelines shall be implemented through the development review process, including site plans and subdivisions.

2 The County's compatibility performance guidelines provide an opacity rating that must be achieved between adjoining land uses that differ in density, or where mixed uses or moderate to high intensity nonresidential use will adjoin low and moderate density residential uses, but provide a variety of site design options to achieve this requirement. The use of variable vegetated buffer width, fencing, decorative walls, and landscape planting density enables a developer to identify the compatibility options that best conform to the proposed development while ensuring a positive impact on surrounding land uses. Buffer standards also support the principles of Crime Prevention Through Environmental Design (CPTED) to allow unobstructed views of vulnerable doors and windows from the street and other properties, and avoid blind spots and hiding spaces.

Policy FLU 2.14 Crime Prevention Through Environmental Design

The County shall utilize the principles of Crime Prevention Through Environmental Design (CPTED) through the development review process, including site plans and subdivisions, as deemed necessary and appropriate.

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 Vacant Plats

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

A Requiring the combining of abutting lots where such lots have unity of ownership; and

B Allowing for replatting and vacating and abandonment procedures.

Policy FLU 3.3 Antiquated Developed Plats

The County shall address antiquated developed plats on a case-by-case basis, guided by Objective FLU 17 and its associated policies ("Protection of Private Property Rights"), as well as Policy FLU 4.3 (flexibility of setbacks and parking on infill lots, Policy 2.6, and the buffering and compatibility provisions of the Land Development Code.

OBJECTIVE FLU 4 REDEVELOPMENT AND RENEWAL OF BLIGHTED AND DECLINING AREAS, AND REDEVELOPMENT OF ENERGY CONSERVATION OVERLAY AREAS

The County shall continue to encourage the redevelopment and renewal of blighted and declining areas, in partnership with the cities participating in the US 17-92 Community Redevelopment Authority, and through County actions, to maintain and enhance neighborhood viability, discourage urban sprawl, prevent strip development and support the Central Florida Regional Growth Vision. The County shall also encourage redevelopment of areas identified as contained within the Energy Conservation Overlay (*FLU Series – Energy Conservation Overlay*) to achieve a more compact land use pattern.

Policy FLU 4.1 Redevelopment of Low Income Neighborhoods

The County shall continue to administer Community Development Block Grant (CDBG) funded programs for target areas (geographic areas within which a minimum of 51% of the households earn incomes that do not exceed 80% of the area median income). Programs shall be shaped by input received from residents of the target areas and will provide specific infrastructure, housing, community service, and financing options to stabilize and revitalize target areas.

Policy FLU 4.2 Infill/Redevelopment Strategies and Performance Framework for the US 17-92 CRA Area, Redevelopment Corridors and Urban Centers

Pursuant to *Objective IGC 8 Joint Planning for US 17-92 Community Redevelopment Area* and its policies, the County shall, in partnership with cities participating in the US 17-92 Community Redevelopment Agency (CRA), continue to refine the CRA strategy to encourage infill and development opportunities within the US 17-92 CRA area, implement the updated CRA Master Plan of 2012, and jointly encourage revised City and County Future Land Use Elements and Land Development Regulations as needed, to encourage beneficial infill development and redevelopment through measures which may include, but are not limited to, those measures listed in this Policy. In addition, The County shall continue to encourage a more compact and walkable land use pattern in its major transit redevelopment corridors and urban centers through the measures provided in this Policy:

A Continue to clarify definitions of types of sites that qualify as "infill development";

B Provision of Performance Frameworks within the Seminole County Comprehensive Plan (such as those contained within *Policy FLU 5.15 Mixed-Use Developments*) and update the Seminole County Land Development Code to implement those frameworks for infill development and redevelopment in a manner that will facilitate these developments, while maintaining compatibility with adjacent developments. Performance frameworks will continue to address, but not be limited to: building façade features for structures facing residential lands, pedestrian, bicycle and vehicular access, stormwater management, walkable land use patterns, flexible open space requirements and innovative buffering alternatives, setback standards, criteria for use when lot shape or size introduces limitations, and building heights. The County shall require a binding site plan to ensure compatibility;

C Continue ongoing joint planning processes with the cities that participate in the US 17-92 CRA to implement the updated CRA Master Plan (updated in 2012), in order to ensure a coordinated, regional approach to the land use pattern and services needed within the corridor. Consistent with the County's multimodal mobility strategy, the County shall continue to jointly plan alternative modes of transportation supportive of the desired walkable, compact land use pattern within redeveloping urban areas. The County and the participating cities shall continue to strive to achieve the unified, updated strategy for the CRA Corridor that addresses services necessary to support the desired redevelopment pattern and shall amend their respective comprehensive plans, including future Capital Improvement Element amendments as needed to address the updated strategy accepted in 2012;

D Implementation of the goals, objectives and policies of the Seminole County US 17-92 CRA 2006 Corridor Strategy, the updated CRA Master Plan of 2012, and the Central Florida Regional Vision by continued intergovernmental coordination to ensure that all involved local governments and service providers are aware of redevelopment proposals and contribute to the reviews of said proposals;

E Continued identification of facility needs and funding sources to support infill development and redevelopment, including the development of a program whereby the Community Redevelopment Authority will identify potable water and sanitary sewer providers for those portions of the CRA that do not currently have a provider, and to participate financially in ensuring that service can be provided in a manner that is financially feasible:

F Continued 'grassroots' planning efforts to involve adjacent neighborhoods and property owners in the process of developing performance frameworks to guide redevelopment and infill development; and

G Redevelopment of areas within the Energy Conservation Overlay (see *Exhibit FLU: Energy Conservation Overlay*) shall be incentivized in accordance with strategies and the performance framework contained in *Policy FLU 5.17 Energy Conservation Overlay* to encourage a phased revitalization into a more compact, walkable land use pattern that can be served by multiple modes of transportation.

Policy FLU 4.3 Setback and Parking Lot Flexibility for Infill Development, and Energy Conservation Overlay Redevelopment

In support of infill development and Energy Conservation Overlay redevelopment, the Land Development Code (LDC) will be amended in accordance with a schedule adopted by the Board of County Commissioners to provide flexibility in the placement of buildings and setbacks for the purposes of preserving and enhancing existing large canopy trees and natural vegetation, supporting the County's multi-modal mobility strategy by reducing required minimum parking in areas served by transit and commuter rail, and supporting the creation of a compact, walkable land use pattern by allowing reduced building setbacks and build-to lines for infill projects in areas served by transit. When applicable, the Code shall:

A Permit the use of existing native vegetation in required landscape buffers,

B Preserve desirable canopy trees and other existing native vegetation during and after site development, even when the result is reduction in the number of parking spaces,

C Permit reduction of minimum parking requirements along major transit corridors, and within ½ mile of SunRail stations, and

D Allow build-to lines, rather than minimum setbacks and front yards, for infill mixed use, multi-family, neighborhood commercial, retail commercial (CN, C-1 and C-2 uses) and office development projects located along major transit corridors and within ½ mile of SunRail stations.

In addition to this flexibility for infill development projects, the County shall create flexible land development code provisions for on-site parking lot landscaping and parking standards that encourage the preservation of existing large canopy trees, emphasize pedestrian safety and the use of Crime Prevention Through Environmental Design (CPTED) principles, allow reduced minimum parking standards where site plans include on-site transit shelters or conditions of approval include such features as van or car pools, or staggered peak work hours for multiple uses in order to facilitate shared employee parking, and improve access to any nearby off-site transit stops or SunRail commuter rail stations.

Policy FLU 4.4 Urban Open Space, On-Site Recreational Amenities, and Buffering Performance Frameworks for Infill/Redevelopment Areas

For proposed infill or redevelopment projects, the Land Development Code (LDC) shall be amended in accordance with a schedule adopted by the Board of County Commissioners to include urban open space performance frameworks that are appropriate for constrained site areas with urban intensities of development. The frameworks shall be based upon, consistent with, supportive of and shall implement the meaningful and predictable criteria contained in the definition of 'Urban Open Space' within the Introduction Element and in this Policy as follows:

URBAN OPEN SPACE

Defined in two ways:

A Functional open space areas located within urban developments that are connected and not isolated; that contain features to support pedestrian use of a development, (such as shade trees, shaded pedestrian and bicycle paths, clearly marked pedestrian ways that are grade-separated from roadways, sculpture gardens, plazas with seating and interactive fountains); and that serve to connect structures within a mixed use, multi-use or high intensity development to each other and to mobility features that may be exterior to a development, such as sidewalks, SunRail stations, trails and transit facilities. Urban open space also includes: natural preserve areas intended primarily to preserve environmental features that can be observed via elevated walkways but are not intended for recreational use; and open green areas containing

native vegetation and serving as part of on-site stormwater retention facilities.

B Open space areas that serve a portion of a mixed-use or high density/high intensity development, and are intended as amenities primarily for that portion of the development. Examples include features such as green roofs/rooftop gardens; rooftop swimming pools and spas; green areas within the interior of a building (such as a plant conservatory) and passive recreational areas, outdoor eating areas and outdoor exercise areas reserved for residents and/or employees of a particular building or portion of a development.

Minimum performance frameworks for on-site recreational amenities, consistent with the definition of 'Urban Open Space', shall permit amenities contained within structures (such as fitness clubs and interior plant conservatories), as well as rooftop swimming pools.

Where infill or redevelopment projects with significant size constraints (limiting the size of bufferyards) are proposed adjacent to existing residential neighborhoods, special buffering performance frameworks shall be implemented, including, but not limited to the list below, which shall be contained within the Land Development Code (LDC) to ensure compatibility with surrounding uses. These performance frameworks shall provide for increased landscaping and fence or wall requirements in exchange for smaller bufferyard widths. The additional features to be applied in such situations may include:

A Low intensity lighting, directed away from abutting residential properties

B Architectural features on facades facing existing residential properties resembling, or compatible with, residential uses

C Limited hours of operation

D Restrictions on doors or windows on building sides facing residential uses

E Ratio of building setback to height of not less than 1:1.

Redevelopment performance frameworks shall also address additional concerns as follows:

A Water Conservation - Where feasible, redevelopment projects shall incorporate measures to reduce potable water consumption, including but not limited to use of Florida native vegetation, reuse water, drip irrigation, etc.

B Crime Prevention Through Environmental Design (CPTED) - Through special design principles, development sites, including buildings, landscaping, and overall layout, shall be arranged to reduce opportunities for crime by creating public spaces observable by multiple 'sets of eyes', channeling activity to areas in public view, and fostering a sense of community.

C Multimodal Mobility **-** The design of redevelopment projects shall emphasize a land use pattern capable of being served by multiple modes of mobility, including walkability, in order to support the County's multimodal mobility strategy.

Policy FLU 4.5 Encourage Infill and Redevelopment of Existing Development Corridors and Centers and within the Energy Conservation Overlay

In addition to the Code amendments identified in *Policy FLU 4.3 Setback and Parking Lot Flexibility for Infill Development and Energy Conservation Overlay Redevelopment* and *Policy FLU 4.4 Urban Open Space, On-Site Recreational Amenities and Buffering Performance Frameworks for Infill/Redevelopment Areas*, the County shall encourage infill development by providing incentives to encourage compact redevelopment within existing transit/development/redevelopment corridors and urban centers, especially those within the Energy Conservation Overlay, considering amendments to the Future Land Use Map for Mixed Development land use where appropriate, and shall encourage infill and redevelopment in the US 17-92 Corridor through the use of Tax Increment Financing (TIF) funds and similar mechanisms to assist property owners with the costs of rehabilitating sites. The County shall also encourage phased redevelopment intended to achieve a compact land use pattern within the Energy Conservation Overlay in accordance with the performance framework of *Policy FLU 5.17 Energy Conservation Overlay*.

Policy FLU 4.6 Community Redevelopment Agency Support and Strategy Plan Implementation

The County shall continue to support the US 17-92 Community Redevelopment Agency (CRA) by implementing the US 17-92 CRA 2006 Corridor Strategy Action Plan and the 2012 Updated CRA Master Plan through the following actions: pursuing the redesignation of specified sites within the corridor to permit Mixed Development where desired by property owners and recommended by the Corridor Strategy Action Plan and Master Plan; adopting Land Development Code (LDC) design standards to guide innovative redevelopment projects with increased intensity in key areas in exchange for public amenities also beneficial to adjacent land uses; increasing the emphasis upon a variety of transportation choices within the corridor (in support of the County's multimodal mobility strategy and the Central Florida Regional Growth Vision); reorganizing and revitalizing existing development to encourage it to thrive; promoting the natural assets within the corridor (especially lakes); and supporting the efforts of partner cities to revitalize their portions of the US Highway 17-92 Corridor.

Policy FLU 4.7 Renewal and Rehabilitation of Older Neighborhoods

The County shall continue to offer the programs available through the Municipal Services Benefit Unit (MSBU) to older unincorporated neighborhoods developed prior to existing policies and regulations. The MSBU program administers special (non-ad valorem) assessments for local improvements requested by property owners within identified MSBU districts. Community improvements financed via the MSBU program include residential street lighting, aquatic weed control, lake restoration, road paving, drainage projects, and water/sewer line extension.

OBJECTIVE FLU 5 FUTURE LAND USE MAP FOUNDATION: GROWTH MANAGEMENT POLICIES FOR COMPATIBILITY, MIXED USE AND HIGH INTENSITY TARGET AREA DEVELOPMENT, PREVENTION OF URBAN SPRAWL, SUPPORT OF CENTRAL FLORIDA REGIONAL GROWTH VISION AND PERFORMANCE STANDARDS FOR REDEVELOPMENT WITHIN THE IDENTIFIED ENERGY CONSERVATION OVERLAY

The County shall continue to develop and enforce innovative planning techniques and land development regulations designed to support the Central Florida Regional Growth Vision by protecting residential neighborhoods as distinct, attractive and safe places to live; enhancing the economic viability of the community as a part of the diverse, globally competitive regional economy; promoting the efficient use of infrastructure and providing for a multimodal Mobility Strategy that includes a variety of transportation choices; and preserving natural resources, open space, recreational areas, agricultural/rural areas, water resources and regionally significant natural areas. 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 has adopted a Future Land Use Map Series, as depicted in the following exhibits: *Exhibit FLU: FLU Series - Areas of Archaeological Potential; Cones of Influence; County Potable Water Service Areas and Treatment Plants; Flood Plains, Future Land Use Map; Future Land Use Acreage; Preservation/Managed Land; General Soils; Geneva Freshwater Lens; Greenways, Blueways, and Major Trails; Recharge Areas; Wetlands and Resource Protection Areas.* All other Exhibits included in the Future Land Use Element (FLU) are adopted as a part of the FLU element.

Policy FLU 5.2 Mixed Commercial/Residential Use Development

A The County shall allow properties designated as Commercial on the County's *Exhibit FLU: Future Land Use Map* to be developed as mixed residential/commercial planned development, subject to compliance with performance frameworks in the Land Development Code (LDC). 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, to support the multimodal mobility strategy and to create a range of obtainable housing opportunities and choices consistent with the Central Florida Regional Growth Vision:

1 Attached multifamily units such as condominiums, apartments and townhouses of medium to high density; and

2 Above store apartments, live/work lofts or office flats.

B The County shall allow mixed-use developments to discourage urban sprawl by increasing usability of urban land through supporting the multimodal mobility strategy, which maintains short travel distances between commercial and residential uses, by enabling creation of a range of obtainable housing opportunities and choices, by allowing for infill development and by providing transitional uses between low density residential and nonresidential uses.

Policy FLU 5.3 Floor Area Ratios

The County shall continue to use floor area ratios, impervious surface 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 (FAR) are presented in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications.* FAR calculations are exclusive of structured parking.

Policy FLU 5.4 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 5.5 Higher Intensity Planned Development (HIP) Purpose

The Higher Intensity Planned Development (HIP) land use designation is designed as a multiple use category that combines an aggressive strategy to attract specific "target industry jobs," to support the Central Florida Growth Vision by encouraging development and redevelopment in centers and corridors where urban services are available or planned to be available and to protect rural and preservation areas by minimizing urban sprawl.

There are four types of HIP land use designations:

A HIP Transitional;

B HIP-Core;

C HIP- Target Industry; and

D HIP-Airport.

These land uses are specifically designed to:

A Maintain compatibility by providing a transition of land use types, densities, intensities, and heights to buffer existing neighborhoods from nonresidential areas;

B Discourage urban sprawl by clustering economic development activities along growth corridors;

C Promote the development of significant employers and target industries that will provide jobs in close proximity to the County's existing residential areas, support existing and future mass transit systems, including SunRail commuter rail, and make the most efficient use of the County's substantial investment in infrastructure and services;

D Promote significant employer and target business development in close proximity to the regional road network and SunRail commuter rail stations, providing high visibility and convenient access;

E Ensure sufficient availability of land to realize the economic development goals of the County set forth in this Plan;

F Provide for airport-supportive employment and higher intensity mixed-use development that is compatible with the operation and expansion of the Orlando Sanford International Airport; and

G Allow housing supportive of and ancillary to the target industries associated with each HIP type, providing residential development in close proximity to target industry employment centers, consistent with standards for each HIP type.

Policy FLU 5.6 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, target industry development and supportive residential uses. 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 5.7 Higher Intensity Planned Development-Airport (HIP-Airport) Permitted Uses and Locational Standards, 5.8 North I-4 Corridor Higher Intensity Planned Development-Target Industry (HIP-TI) Permitted Uses and Locational Standards, 5.11 Public Infrastructure in Higher Intensity Planned Development (HIP) Areas and 5.12 Higher Intensity Planned Development (HIP) Performance Guidelines*. 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 Performance Guidelines and Allowable Uses: The County shall apply Performance guidelines adopted into the Land Development Code to implement this Policy and its requirement that HIP development shall be undertaken consistent with guidelines that protect the character of surrounding neighborhoods while encouraging the development of employment-based uses. Such guidelines shall hereby address, but not be limited to, the following criteria in the Higher Intensity Planned Development future land use designation: building setbacks or build-to

lines, buffers, landscaping, building heights and step-backs, access, parking, lighting, signage, and hours of operation. Buffering standards shall be established based on the intensity of the proposed new or redevelopment use versus the intensity of the existing use to be protected.

Buffers to protect existing adjacent residential areas from parking lots, loading areas, refuse disposal facilities and similar uses shall be required to achieve greater degrees of protection of those existing residential uses, except for instances where a residential use was constructed on land with a HIP land use designation after the HIP designation had been applied. Buffers shall be specified in a range of opacities (the degree to which an adjoining activity can be seen), and a menu of options to achieve the degree of desired opacity shall be provided. 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 low density residential areas, reduce travel demands on the County road system, satisfy a need for living diversity and choice of work environments, and support the growth principles of the Central Florida Regional Growth Vision

Policy FLU 5.7 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 airport-supportive employment uses and mixed-use development that is compatible with the operation and expansion of the Orlando Sanford International Airport (see *Exhibit FLU: HIP Target Areas*). This land use is designated along major roadways in the vicinity of the Orlando Sanford International Airport where location factors and higher land values tend to attract higher intensity development and where services and facilities are programmed to accommodate this growth. To provide for a variety of residential and nonresidential uses, the HIP-Airport area shall be comprised of the uses specified in the Future Land Use Element "Definitions of Future Land Use Designations" Section for the Higher Intensity Planned Development-Airport land use designation.

B Residential Compatibility Guidelines

1 Performance guidelines shall be used to the maximum extent possible to ensure compatibility between existing communities and airport related uses.

2 Due to noise and aircraft overflights, residential uses are deemed incompatible with airport operations. The County recommends that the Sanford Airport Authority purchase lands where noise contours measure 65 and greater Day-Night Noise Level (DNL) consistent with *Policy TRA 2.2.13 Purchase of Noise Impacted Land*. In order to provide additional protection. Accordingly no new residential uses shall be authorized or approved within unincorporated areas covered

by a noise contour of 65 DNL and greater, according to the noise contour map shown as *Exhibit FLU: Orlando Sanford International Airport Avigation Easement Boundary and Noise Level Contours (DNL)*. In any new residential development within the Avigation Easement Boundary, recorded notice shall be required to inform potential purchasers of the impact of aircraft overflights. If a new residential use of any kind is requested and approved within the Avigation Easement Boundary, there shall be a rebuttable presumption that an Avigation Easement is required and that such an easement bears a rational nexus to the permitting of residential uses, and that such an easement is roughly proportionate to the impact of the development. Said easement is to be recorded in the public records of Seminole County at the expense of the applicant for the residential use.

3 Residential land uses and residential zonings shall be prohibited if within 300 feet of the centerline of the OSIA's new runway system east to the Conservation Area adjacent to Lake Jesup.

4 No provision within this Section shall apply to single family residential units in existence prior to the adoption of these amendments in 2008.

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 necessary drainage facility improvements prior to urban development within the HIP- Airport Area.

d In addition, the following provisions are required to support the County's multi-modal mobility strategy, maintain safety, ensure access, 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.

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

Policy FLU 5.8 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: Hip Target Areas*). 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 High density residential uses, subject to the following conditions:

a Residential uses in the HIP-TI shall be ancillary to target industry uses and must be functionally and physically integrated into project components;

b Residential uses that are "functionally integrated" into a project are residential uses that are supportive of the project. Residential uses that are "physically integrated" within a project need not be contained within the same structures as nonresidential uses (although this is strongly encouraged), but should be located either on the same site or sites adjacent or in close proximity to the nonresidential portions of a project, and are linked to the nonresidential portions by internal mobility options, such as local streets, internal trolleys or shuttle services, bicycle paths and pedestrian walkways. Physically integrated residential uses shall share common open space elements, such as public plazas, greenways, and pocket parks, and shall share parking facilities.

c Residential uses that are part of mixed-use projects located on HIP-TI lands shall represent less than 50% of the total square footage of any such project.

3 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 or a use supportive of the Target Industry and which is located either within a principal office structure or on-site within walking distance of the Target

Industry and occupying a lesser square footage than the Target Industry;

4 Infill commercial uses on parcels less than one acre 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

5 Medium density residential uses and lower intensity office uses may only be located adjacent to existing subdivisions as a buffer for the existing subdivisions from future target industry development. As a condition of this use, medium density development shall provide adequate areas on the development site to buffer the residential uses from future target industry development.

6 In addition, for those parcels located east of I-4 and north of State Road 46, and not included within a ½ mile radius of the SunRail station and not within the Energy Conservation Overlay District, the following additional uses are allowed:

a Manufacturing, distribution, industrial and rail dependent uses located in the Rand Yard area;

b Automobile repair shops;

c Automobile sales;

d Distribution and terminals;

e Durable goods and surgical supply manufacture;

f General office and compatible commercial uses, including retail sales operations;

g Light manufacturing and compatible industrial uses;

h Lumberyards and machinery sales;

i Medical clinics;

j Paint and body shops;

k Publishing plants;

l Showroom warehouses;

m Trade shops and trade schools, including health care related trade schools;

n Universities and colleges;

o Warehousing;

p Wholesale greenhouses; and

q Other similar uses.

Special exception uses such as utilities, service stations, nursing homes, heliports and helipads may also be allowed.

B Compatibility Guidelines

Target Industries shall use compatibility guidelines included in the Land Development Code (LDC) intended to protect existing adjacent residential communities, including but not limited to: landscaped buffer areas, placement of required open space, drainage and less intense uses nearest to residential uses, 'wedding cake' stepping back, or other creative design of structures nearest to residential uses to effect the purpose of ensuring compatibility, and noise and light limitations that mitigate impacts on residential uses to the 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 Target Areas.*

Policy FLU 5.9 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 5.10 Higher Intensity Planned Development (HIP) – Core and Transitional Areas Permitted Uses and Locational Standards

All other HIP Areas described in *Exhibit FLU: HIP Target 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 abutting 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 5.11 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 5.12 Higher Intensity Planned Development (HIP) Development Guidelines

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

A Open Space and Buffers

The County shall evaluate each development proposal to determine the open space required, in accordance with the Land Development Code:

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

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 reuse to meet public safety needs and to offset concurrency facility capacity impacts.

C Transportation and Parking

High intensity uses include both 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 supportive of the County's multi-modal mobility strategy and transportation safety improvements, the following guidelines shall continue to be in effect in the Land Development Code and used during the review and approval of development to maintain ensure safety and a viable multimodal system for area residents and through traffic:

1 Internal access coordinated between and among individual parcels and uses;

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 multimodal mobility and safety features, including deceleration lanes, intersection improvements (including turn lanes), signalization, sidewalks, crosswalks, transit shelters and bus bays (consistent with plans of LYNX), and frontage roads;

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 ensure safe multimodal mobility within a project; and

5 Parking lots, and parking structures that provide for shared parking, vanpool and carpool space (as well as leasable space for retail, office and restaurant uses within parking structures), location of parking to provide safe pedestrian access to buildings and for convenient park-and-ride lots. All parking shall incorporate design features based on the guidelines of Crime Prevention Through Environmental Design (CPTED) principles.

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 help assemble Countywide conservation areas and to encourage clustering of land uses.

E Urban Features

The County shall consider the adoption of performance guidelines for landscaping, hardscape, signage, lighting, and other urban features to enhance the appearance of developments from I-4 and other major through corridors during the review and approval of development proposals.

Policy FLU 5.13 Code Updates to Implement for Higher Intensity Planned Development - Target Industry (HIP-TI) Land Use Policy Directives

The County shall amend the Land Development Code to include zoning classifications and standards to implement the HIP-TI Future Land Use Designation.

Policy FLU 5.14 Regulation of Existing Uses

The only permitted zoning classifications allowed under the HIP future land use designation are Planned Development and Public Lands and Institutions. Parcels of land currently used for agricultural purposes, and 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. Properties zoned A-1 prior to December 8, 1987 located on land with HIP future land use designation may not be denied a single family residential building permit, provided that the property was consistent with the minimum lot size requirements of the A-1 zoning district, however; such properties shall not be subdivided/platted into single family lots. The County shall not approve new A-1 zoning within the HIP land use designation.

Applicants for permits for new single family uses located on HIP properties shall be advised by the County that permitted land uses abutting the proposed single family unit may create noise or other impacts, and that the owner of the home may need to provide buffering along property lines to mitigate such impacts from future nonresidential uses that are permitted within the HIP land use designation.

The County shall evaluate the need for additional methods of addressing this issue and potential changes to the Land Development Code if deemed necessary according by the Board of County Commissioners.

For parcels of land which were developed or had site plan approval prior to December 8, 1987, under a zoning district other than Planned Development existing structures shall be permitted to retain their existing zoning without undergoing a rezoning to Planned Development, Planned Commercial Development or Public Lands and Institutions or Target Industry and shall be regarded as compatible with and furthering the goals, policies, provisions, densities, intensities, and land uses provided for in this Plan.

Policy FLU 5.15 Mixed-Use Developments

In General

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 **Allowable Developments and Uses include**:

1 Mixed-use developments (includes both a residential and nonresidential component);

2 Multiple use developments (includes a mixture of nonresidential uses, such as retail commercial, office, service uses and/or light industrial).

3 Existing single use developments in place prior to the designation of the land as Mixed Development (MXD) remain legal conforming uses that can be restored, in accordance with the current zoning district standards applicable to the property.

4 New single use residential developments proposed for this land use designation shall be allowable uses if the site contains fewer than six acres.

5 Nonresidential uses, including commercial, office, hotel, service, and very light industrial; and

6 Attendant on-site facilities such as utilities, transit-supportive facilities such as bus shelters; recharge stations for hybrid or electric vehicles; public safety facilities such as police or fire stations, structured parking facilities integrated into or containing other uses, public schools, open space and recreation areas.

B **Allowable Zonings: Zonings permitted in the Mixed Development designation are**:

1 Public Lands and Institutions;

2 Planned Development; and

3 Any nonresidential zoning classification(s) assigned to a subject parcel or area prior to the time the Mixed Development Land Use Designation is assigned. Projects are permitted to develop or redevelop in accordance with the pre-existing zoning classifications.

C **Densities and Intensities in General**:

1 Residential densities up to a maximum of 30 dwelling units per net buildable acre are allowed, absent the inclusion of workforce housing units. A residential density of up to 40 units per net buildable acre will be permitted where a minimum of 20% of the project's units qualify as workforce housing.

2 The maximum floor area ratio (FAR) for nonresidential uses shall be .60 FAR, with a potential FAR bonus, as follows:

a A FAR bonus of .20 for projects that qualify as a workforce housing development.

b A FAR bonus of .20 for projects that meet the minimum green certification level for the following standards:

1) Leadership in Energy and Environmental Design (LEED) New Construction (NC) version 2.2 or Core and Shell version 2.0 and Commercial Interiors version 2.0.
2) Florida Green Building Coalition (FGBC) certification Green Standard version 5.0, Green Commercial Building Standard version 1.0 or Green Hi-Rise Residential Building version 1.0. The following procedure involving conferences with County staff must be satisfied to receive the FAR bonus for green certification:
   a) Pre-application conference.
   b) LEED/FGBC pre-construction submittal conference.
   c) LEED/FGBC construction submittal conference.
   d) LEED/FGBC mid-point construction conference.
   e) All materials shall be submitted to the County for review prior to submittal to the US Green Building Council (USGBC) or FGBC.

NOTE: In no case shall the FAR exceed 1.0 inclusive of each bonus.

3 Nonresidential uses and higher FARs shall transition away from established residential neighborhoods according to the requirements of the assigned zoning classification to prevent adverse impacts to adjacent residential neighborhoods. Mixed-use structures abutting existing neighborhoods or lands with residential future land use designations shall include design features on the facades of structures facing those residential lands that are compatible with and complementary to the residential areas, as specified in the Seminole County Comprehensive Plan performance standards and the Land Development Code.

4 Specific Mixed Development Proposals within Areas served by Multiple Potable Water and/or Sanitary Sewer Providers:

a. Where unincorporated lands within a corridor, or an unincorporated area with multiple parcels and multiple property owners has been designated as Mixed Development, multiple providers of potable water and sanitary sewer exist and the area is not subject to a Development of Regional Impact (DRI) approval, individual service areas shall be identified and the maximum allowable dwelling units and nonresidential square footage shall be recorded for each service area as a part of the Seminole County Comprehensive Plan Future Land Use Element text. The maximums shall be determined by and consistent with the adopted levels of service of the providers.
b. There are hereby established the following individual service areas within the US 17-92 Community Redevelopment Area, as illustrated on *Exhibit FLU: Seminole County US 17-92* Series – Community Redevelopment Area (*CRA) Mixed Development (MXD) Water/Sewer Service Areas.* The maximum dwelling unit count and nonresidential square footage counts for the

subareas within the Community Redevelopment Area (CRA) Mixed Development Corridor for the first five years of the planning horizon (projected to 2013), and for the planning horizon to 2025, are shown on *Exhibit FLU: Seminole County US 17-92 Series - CRA MXD Service Demand Analysis by Jurisdictional Service Area and Planning Period*. The maximums for the entire planning horizon are as follows:

1) City of Sanford Service Area: Maximum dwelling unit count: 336; maximum nonresidential square footage: 424,544;
2) Seminole County Northeast Service Area: Maximum dwelling unit count: 937; maximum nonresidential square footage: 1,182,442;
3) City of Longwood Service Area: Maximum dwelling unit count: 800; maximum nonresidential square footage: 1,009,792;
4) City of Casselberry Service Area: Maximum dwelling unit count: 792; maximum nonresidential square footage: 999,289;
5) Seminole County Southeast Service Area: Maximum dwelling unit count: 1,424; maximum nonresidential square footage: 1, 796,934
6) A small number of parcels have not yet had a provider of urban potable water and sanitary sewer service identified for them. Maximum dwelling unit count and maximum nonresidential square footage, until service provider is determined, is governed by the capabilities of existing services.

D **Development Plan:** A Mixed Use Development Plan must be submitted as part of any application to amend the Future Land Use to Mixed Development and rezone to the PD zoning district. The development plan shall illustrate the location of the proposed uses and indicate densities and intensities and facility improvements. The Concept Plan shall support and be consistent with the maximum densities and intensities of any individual service area contained within the Mixed Use area, where applicable. The purpose of the Mixed Use Development Plan is to determine whether property subject to the PD rezoning can meet the standards set forth in the proposed zoning district. The Mixed Use Development Plan sets forth the proposed uses and performance framework applicable to the property. At a minimum, the Mixed Use Development Plan shall emphasize compatibility with adjacent existing properties while demonstrating a compact, walkable development proposal. The sole intent of the Development Plan is to provide a tool for the Board of County Commissioners to determine whether the standards of the proposed Mixed Development Future Land Use designation can be applied to the property and whether the standards set forth in the Planned Development zoning district provide adequate compatibility to properly address issues created by adjacent development. *Exhibit FLU: Compatible 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, structures that resemble residences of comparable heights to the adjacent residential uses, or substantial buffers and setbacks must be provided between the established residential uses and any new nonresidential uses.

F **Mixed Development Performance Framework:** 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, bicycle and pedestrian ways between and among the several uses and activities in the Mixed Development proposal itself, thus supporting the County's multi-modal mobility strategy and providing for a variety of transportation choices in support of the Central Florida Regional Growth Vision;

2 Designing traffic circulation that discourages cut-through vehicular traffic into established residential neighborhoods, thus ensuring distinct, attractive and safe places to live, in support of the Central Florida Regional Growth Vision;

3 Planting shade trees along the road rights-of-way and including Florida-friendly landscaping materials throughout the Mixed Development to reduce water demand;

4 Incorporating and preserving open space and significant natural areas, if any, to promote compatibility, foster distinct, attractive and safe places to live and create pedestrian connections between uses, in a manner consistent with the definition of Urban Open Space contained within *Policy FLU 4.4 Urban Open Space, On-Site Recreational Amenities and Buffering Performance Frameworks for Infill/Redevelopment Areas* and the Introduction Element;

5 Designing parking, stormwater facilities, access and signage, to reduce costs, create a safe pedestrian environment and improve visual appearance;

6 Ensuring compatibility with adjacent, surrounding, and less intensive abutting land uses, in order to preserve neighborhood character, by building setbacks and building heights, and the location, type and size of buffering and landscaping, with attention to transitioning the intensity of uses adjacent to the existing neighborhood;

7 Incorporating the principles of Crime Prevention Through Environmental Design throughout the Mixed Development proposal; and

8 Emphasizing a compact, walkable development pattern. MXD projects shall not be designed as sprawl or strip developments. Where pedestrian and/or bicycle connections between new and adjacent existing MXD developments are feasible, those connections shall be included in the new proposals. Where a pedestrian and/or bicycle connection is feasible between a new MXD proposal and surrounding neighborhoods in a manner that supports and preserves the character

of the existing, surrounding neighborhood, applicants for MXD projects shall be directed to meet with surrounding property owners to explore the feasibility of such connections.

Policy FLU 5.16 Notation of Planned Development Amendments on Future Land Use Development Detail Exhibit in Support Document

Effective July 24, 2007, the development details of density and/or intensity of all new sites designated as "Planned Development" future land use shall be notated on the *Exhibit FLU: FLU Series – Planned Development Future Land Use Development Detail* contained in the Support Document, after adoption of the amendment.

Policy FLU 5.17 Energy Conservation Overlay

A **Location**. Seminole County hereby establishes an Energy Conservation Overlay as shown on *Exhibit FLU Energy Conservation Overlay,* consistent with the Central Florida Regional Growth Vision and the provisions of House Bill 697 of 2008, located within the unincorporated Dense Urban Land Area, within ½ mile radius of major urban activity centers and the SunRail commuter rails stations, and within ¼ mile of the right-of-way of major urban transit corridors. The purpose of the overlay is to encourage a phased redevelopment of these areas into a more compact, energy conserving land development pattern that allows for a balance of jobs to housing and the use of multiple modes of transportation, in order to conserve energy and reduce greenhouse gases. A performance framework based on energy criteria, which is contained within this Policy, and score values identified in the Land Development Code (LDC), shall determine how redevelopment can occur. A specific development proposal shall be approved only upon achieving an 80% or higher score on the Energy Conservation Assessment Performance Framework contained herein, with numerical values assigned in the LDC.

B **Development Options.** Development in the Overlay shall occur in accordance with one of the following options:

Option 1: Compliance with the underlying future land use designation and the Comprehensive Plan provisions that apply to that designation (such as maximum residential dwelling units, allowable and permitted uses).

Option 2: Commercial, educational, light industrial, office, and residential uses in a compact land use pattern that allows for a range of transportation modes and includes green building techniques in order to conserve energy and reduce greenhouse gases by reducing vehicle miles traveled. Such compact land use patterns may also include buffers in the form of natural areas containing trees that can reduce greenhouse gases through absorption of carbon dioxide.

C **Energy Conservation Assessment Performance Framework**. Proposed developments requesting approval under Option 2 shall be subject to an assessment by Seminole County to evaluate extent of consistency with the Energy Conservation principles contained in this policy. The assessment shall consist of a point system contained within the LDC that measures and scores a development proposal on the basis of how well it meets several performance criteria, including the following:

1 Extent to which proposal creates a complementary mix of uses (residential, commercial, office, light industrial, educational) that allows for a sound jobs to housing balance, encourages multiple modes of transportation and reduces the need for automobile travel. The jobs to housing balance, as defined within the "Plan Amendment Standards of Review" portion of the Future Land Use Element, is measured as a ratio between total County employment divided by total allowable housing units, including those units that may be proposed by the individual development. The intent of the County is to maintain a County standard of 1.0 jobs per housing unit. As that standard is a Countywide standard, a proposal that does not include jobs may still achieve the points necessary to earn approval under Option 2.

2 Location relative to existing or proposed public transit service and/or rail station.

3 Walkability of proposed development; extent to which paths and sidewalks are proposed and proposed to be to be shaded; extent to which pedestrian and bicycle links to adjacent developed areas are provided, where possible; use of "complete streets" as part of development proposal.

4 Proposal redevelops an existing site that is not developed in an energy-efficient manner.

5 Proposal develops an infill area.

6 Proximity of proposal to existing development and existing or proposed urban services.

7 If a single use is proposed, extent to which the use improves jobs to housing balance in the immediate area and extent to which the use encourages multiple modes of transportation.

8 Extent to which proposal makes use of green building techniques and complies with energy efficiency and renewable energy technology requirements of Chapter 553, Florida Statutes.

9 Extent to which proposal discourages crime through use of Crime Prevention Through Environmental Design principles.

10 Extent to which proposal creates a range of housing options in the immediate area, including Affordable and Workforce housing, allowing for a mixed income area.

11 Extent to which proposal preserves existing natural areas, especially those containing trees, or creates wooded areas to serve as carbon sinks.

12 Extent to which proposal prevents urban sprawl by absorbing development that might otherwise pressure protected areas such as the East Rural Area, environmentally significant areas such as the Wekiva River Protection Area and other critical environmental assets.

13 Extent to which proposed development provides a needed public facility, such as a police substation, transit shelters available to the public, rail station facilities, public recreational area, or public school.

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D **Permitted Development**. Allowable densities and intensities shall be determined using the table below and the proposed development's Energy Conservation Assessment score.

Percent Score	Density*		Intensity*	
	Minimum	Maximum	Minimum	Maximum
95-100	15.00	20.00	.85	1.0
90-94	10.00	14.99	.71	.84
85-89	8.50	9.99	.53	.70
80-84	7.00	8.49	.36	.52
Less than 80	Comply with underlying FLU designation			
Density is measured in units per net buildable acres Intensity is measured in floor area ratio (FAR)				

**All Energy Conservation developments approved pursuant to this Policy shall be consistent with adopted levels of service for potable water, sanitary sewer, drainage, public school capacity and mobility quality standards as shown in the Capital Improvements Element of the Seminole County Comprehensive Plan. With respect to recreational acreage, Energy Conservation developments may satisfy needs either by compliance with the adopted levels of service as shown in the Capital Improvements Element, or by provision of the minimum performance frameworks for on-site recreational amenities consistent with the definition of 'Urban Open Space', as provided in Policy FLU 4.4 Urban Open Space, On-Site Recreational Amenities and Buffering Performance Frameworks for Infill/Redevelopment Areas.*

E **Energy Conservation Development Agreements**. Development within the Energy Conservation Overlay shall comply with applicable provisions of the Land Development Code, but shall also be subject to a Development Agreement with Seminole County to ensure effective implementation of energy conservation principles while furthering and supporting other important Comprehensive Plan Goals, Objectives and Policies. Each Agreement shall be uniquely crafted, based upon the location, type, density and intensity of the proposal. However, all Agreements shall address the following areas of concern:

1 **Compatibility**. The development shall be compatible with adjacent uses, particularly residential neighborhoods outside of Energy Conservation Overlay urban activity centers and transit corridors. Methods of achieving compatibility may include, but are not limited to: landscape buffers with Florida-friendly trees to remove greenhouse gases from the air and native vegetation to reduce need for irrigation; construction of transitional uses and/or lot size transitioning on lots abutting the adjacent uses; placement of parking, delivery, storage and solid waste management facilities away from abutting properties; building height restrictions; and use of residential architectural features

on facades of nonresidential structures abutting outside neighborhoods.

2 **Public Facilities**. Developments shall make efficient use of existing public facilities, such as potable water and sanitary sewer, with no need for expanded treatment plant capacity. Florida-friendly landscaping shall be used to minimize demand for irrigation water and reuse water shall be used for necessary irrigation. On-site septic disposal shall not be permitted. All stormwater management facilities shall comply with any federal requirements to limit Total Maximum Daily Pollution Loads.

3 **Mobility and Access**. Developments shall be designed to be transit-ready, whether current service is available or not. Internal mobility corridors shall be complete streets. Vehicular entry to a development via connections to arterial roads shall be held to a minimum. Developments along major transit corridors shall provide external transit shelters and sidewalks that link to internal pedestrian and bicycle paths within the development. Cross access points to neighboring developments, including pedestrian and bicycle access, shall be provided wherever possible.

4 **Parking**. Minimum parking standards shall be lowered in the Land Development Code for proposals located along major transit corridors or within ½ mile of SunRail stations. On-site parking shall emphasize centrally located, green building structured parking "wrapped" with other uses (such as retail shops, restaurants, offices and townhouses). Any such use located on the ground floor shall also be accessible from external pedestrian walkways. In general, parking areas should not be visible from main roads, with the exception of on-street parking that may be permitted where it can be done safely. Surface parking shall also be primarily centrally located and shall feature a number of spaces on stabilized, permeable surfaces. Any surface parking shall contain grade separated, well-lighted pedestrian walkways and drainage features that include Florida-friendly vegetation and trees; surface parking areas shall also feature Florida-friendly vegetated buffer areas and planting areas. Both structured and surface parking shall contain recharging stations for electric and hybrid vehicles. Employment uses shall provide bicycle lockers.

5 **Energy Conservation**. All developments will comply with the energy efficiency technology provisions and other energy requirements of Chapter 553, Florida Statutes, shall incorporate green building techniques including solar energy and other measures that reduce the need for artificial heating, cooling and lighting, and shall include or preserve forested areas to serve as carbon sinks. Any condominium or homeowner association established to manage buildings and common areas within Energy Conservation Overlay developments shall be required to include in its rules the procedures whereby a property owner can receive permission to install solar panels, solar collectors,

energy-efficient and storm hardened windows and doors, green roofs, outdoor security lighting, temporary hurricane shutters, and temporary clothes lines.

6 **Green Infrastructure, Open Space and Related Amenities**. All developments shall include "Green Infrastructure" areas set aside for landscaping, open space, preservation of existing Florida-friendly trees and vegetation, wetlands, passive recreation for residents and/or employees, and other amenities that create a sense of place, naturally sequester carbon dioxide and reduce the heat island effect in urban areas. Related amenities that are encouraged include green roofs, green walls, indoor planting areas, outdoor Florida-friendly vegetated planting beds and community gardens.

7 **Crime Prevention**. In addition to features that create an attractive, inviting place to live, shop, work and play, the development shall incorporate design features that reduce the threat of crime. These features include choices in lighting, fencing, landscaping, building design and site design that avoid creating dark hidden areas, and the location of pathways and public gathering places within view of a building's interior. These features work together to build a sense of community and ownership that discourages criminal activity and fosters a safe environment for the legitimate users of a site to live, work, shop and play.

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 as required (mobility strategies shall apply within the Dense Urban Land Area/Transportation Concurrency Exception Area; see *Exhibit TRA: Transportation Strategy Areas (TSA),* and that the County will ensure the availability of both public facility capacity and water supply capacity sufficient to serve development at the adopted level of service consistent with the Implementation Element of this Plan. The Proportionate Fair-Share program, as provided by State Law, shall be included as a method of ensuring the availability of service capacity.

The County shall ensure that all development orders, permits and agreements are subject to the adopted Concurrency Management System standards and provisions and that potable water facilities shall be in place and available to serve new development no later than the issuance by the local government of a certificate of occupancy or its functional equivalent. Prior to approval of a building permit or its functional equivalent, the local government shall consult with the applicable water supplier to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance by the local government of a certificate of occupancy or its functional equivalent.

Policy FLU 6.3 Infrastructure, Phasing, and Proportionate Fair-Share Program

The County shall require one of the following: that a proposed development provide needed services and facilities; that the project phase the development as a condition of approval in order to ensure availability of service through long-range adopted service and facility plans and the Capital Improvements Program; or that the developer enter into an agreement to provide the Proportionate Fair Share of the improvement already programmed in order that adopted levels of service be maintained outside of the Transportation Concurrency Exception Area (TCEA), and the a fair share of any necessary mobility strategy features are addressed within the TCEA.

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 for Otherwise Approvable Projects

On a case-by-case basis, where a development project could otherwise be approved by the County except for a facility or service needed only to serve that development and which is not included in the County Capital or Operating Budget, the County shall entertain agreements with developers that would require private investment in those infrastructure improvements (e.g., feeder roads, aerial fire apparatus, right-of-way, signalization, access improvements, transit facilities, stormwater quality or quantity facilities, etc.) where the improvements are needed to accommodate the that particular development and to minimize attendant public costs associated with that development .

Policy FLU 6.6 Concurrency Management

The Concurrency Management process shall be implemented consistent with the policies of the Implementation Element.

Policy FLU 6.7 Orlando Sanford International Airport

Development of industrial land use adjacent to the Orlando Sanford International Airport must be timed to ensure that the use initiates operations concurrently with the availability of facility capacity for provision of adequate public services according to adopted standards and facility plans.

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 and coordinated mobility strategies.

Policy FLU 7.1 Joint Planning Agreements

The County shall pursue adoption of joint planning agreements (JPAs) with each County municipality. JPAs shall address, at a minimum, future land use compatibility. JPAs may also address annexations, provision of services and facilities and, for cities abutting the East Rural Area of Seminole County, land use compatibility with the East Rural Area of Seminole County. JPAs shall also include agreement on future densities and intensities of properties that may be annexed, a procedure for resolution of any future conflicts and/or disputes, and standards for cut through traffic.

Policy FLU 7.2 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 7.3 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 area 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 established residential communities;

B Public school sites shall be served by adequate concurrency public facilities;

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 safety features and coordination of mobility strategies, such as pedestrian facilities, access to transit, and safe bicycle access or bikeways, shall be made for proposed school sites prior to any development to ensure the safe and efficient transport of students.

E In compliance with the updated Interlocal Agreement for Public School Facility Planning, the Planning Technical Advisory Committee shall review potential school sites based on, but not limited to, the following criteria:

1. Consistency with the Seminole County Comprehensive Plan, School Board of Seminole County's Educational Facilities Work Plan and the Seminole County Capital Improvements Program;
2. Joint use and co-location opportunities and feasibility; and
3. Availability of necessary supportive public facilities.

Policy FLU 7.4 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 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, should state funds be made available, and providing staff resources;

G Participating in and supporting the processes associated with preserving the Wekiva River as a Wild and Scenic River; and

H Continued participation in the Wekiva River System Advisory Management Committee.

Policy FLU 7.5 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 7.6 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 7.7 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.

Policy FLU 7.8 Coordination of Levels of Service and Mobility Strategies

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. The County shall continue to coordinate mobility strategies for its Transportation Strategy Areas (see *Exhibit TRA: Transportation Strategy Areas (TSA)* with those of neighboring jurisdictions.

OBJECTIVE FLU 8 UTILITIES

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

Policy FLU 8.1 County Utilities

Seminole County utilities (i.e., water, sewer, and solid waste) needed to support growth and redevelopment 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. Where such amendment is not feasible due to existing uses and a County facility is in need of expansion or retrofitting, the County shall employ buffering and design standards to ensure that impacts on adjacent uses are minimized.

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 (LDC). The County shall evaluate and revise, if necessary, the County's right-of-way utilization permit form and LD C 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 prohibit electrical transmission lines and related facility sitings within sensitive lands, such as preservation, conservation, or historic preservation 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, lands designated as Preservation/Managed Lands, and the Econlockhatchee and Wekiva River Protection Areas, as defined by County ordinance and Part II, Section 369, Florida Statutes, respectively, and the State's Substation Approval Process, Section 163.3208(4), Florida Statutes.

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 adequate landscaping, setbacks, vegetative screening and buffering to minimize visual and noise impacts, consistent with Section 163.3208, Florida Statutes.

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 to the Orlando Sanford International Airport (OSIA) as follows:

A Allow the conversion of existing neighborhoods to airport compatible uses and minimize nonresidential impacts during the conversion process;

B Implement Seminole County Comprehensive Plan *Policy FLU 5.7 Higher Intensity Planned Development-Airport (HIP-Airport) Permitted Uses and Locational Standards*;

C Amend the Land Development Code (LDC) to include the land uses specified in the Future Land Use Element Definitions of Future Land Use Designations section for Higher Intensity Planned Development-Airport (HIP-Airport) as land uses compatible with airport operations. Also amend the LDC to implement Seminole County Comprehensive Plan *Policy FLU 5.7 Higher Intensity Planned Development-Airport (HIP-Airport) Permitted Uses and Locational Standards*;

D Require avigation easements and recorded notice of aircraft noise and overflights in accordance with Seminole County Comprehensive Plan *Policy FLU 5.7 Higher Intensity Planned Development-Airport (HIP-Airport) Permitted Uses and Locational Standards* for redevelopment east and south of the OSIA, to advise property owners of noise exposure and overflight activity;

E 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 within the HIP-Airport Development Areas adjacent to OSIA;

F 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;

G Direct inquiries from property owners, the development community and general public to the SAA regarding future airport acquisitions; and

H Consider adoption of the Federal Aviation Administration Federal Aviation Regulations Part 150 Compatible Land Use Guidelines, as a guide for reviewing land use development activities adjacent to the OSIA.

Policy FLU 9.2 Neighborhood Redevelopment Plans

The County shall continue to implement Community Development Block Grant funded revitalization plans prepared for community development target areas. These plans may specify changes to land use and/or zoning, and may identify improvements to 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 stormwater 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 St. Johns River Water Management District 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.

OBJECTIVE FLU 10 AFFORDABLE AND WORKFORCE HOUSING

The County shall continue to implement and enforce innovative land development techniques and programs to promote safe and code-compliant housing for existing and future residents by supporting the provision of housing attainable by the County's workforce and lower income residents and ensuring the continued viability of affordable housing. The programs and Land Development Code provisions undertaken to implement this Objective are intended to support the Central Florida Regional Growth Vision principle of creating a range of obtainable housing opportunities and choices, to integrate the findings of the Seminole County Workforce Housing Task Force into the County Plan and to encourage a range of housing types and a range of household incomes within close proximity to SunRail commuter rail stations and within Energy Conservation Overlay. (See *Exhibit FLU: Energy Conservation Overlay.*)

Policy FLU 10.1 Affordable and Workforce Housing Density and Intensity Bonuses

The County will continue to evaluate potential Comprehensive Plan and Land Development Code amendments designed to encourage development of a range of obtainable, affordable and workforce housing opportunities and choices, including recommendations from the HUD Sustainable Communities Regional Planning Grant studies for the Sanford and Altamonte Springs SunRail stations. The studies may recommend changes to the Seminole County Comprehensive Plan and Land Development Code and the comprehensive plans and land development codes of the city of Sanford, in order to facilitate provision of affordable housing proximate to job opportunities and SunRail commuter rail transportation to jobs. The studies will be completed by January 31, 2015. The changes will also include provisions to implement *Policy FLU 5.15 Mixed-Use Developments* and may recommend policies for *Policy FLU 5.17 Energy Conservation Overlay*.

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 subsidize the cost of land, impact fees, supporting infrastructure, and other housing delivery costs as a means of encouraging non-profit 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 continue to provide opportunities for manufactured housing and mobile homes through the following actions:

A Continuing to allow existing manufactured housing and mobile homes as permitted uses where previously permitted, and allow as permitted uses in the zoning classifications permissible on lands with the Future Land Use designations of Rural-3, Rural-5, and Rural-10, as shown on *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications.* Manufactured housing and mobile homes shall be allowable consistent with the description of allowable uses for Rural-3, Rural-5, and Rural-10 contained in the section of the Future Land Use Element of the Seminole County Comprehensive Plan entitled "Definitions of Future Land Use Designations and Overlays";

B Continuing to allow minimum parcel size for manufactured housing developments to promote affordable housing; and

C Continue to enforce Land Development Code provisions for locating manufactured housing/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 "grandfathered" uses under the provisions of the RM-3 zoning classification within the Suburban Estates land use designation. The RM-3 Travel Trailer Parks and Campsites zoning district shall continue to exist as a grandfathered zoning district, in view of property rights accorded to such sites that were legally approved under prior County land development regulations. However, existing sites cannot expand or increase their legal nonconformity in any way, and new RM-3 sites cannot be created. However, if such sites are undeveloped or the uses are abandoned (including as a result of natural disasters or similar occurrences or events) for a period of 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's Development Services Department shall continue to coordinate with the Seminole County Community Services Department to identify and recommend land use and Land Development Code amendments to help meet the special needs of physically challenged residents of all ages, as well as the transportation and housing related needs of lower income residents in the County.

Through this coordination effort, the County shall identify properties within lower income neighborhoods eligible for Community Development Block Grant funding (Low/Moderate Target Areas) where lots or parcels of record, platted or unplatted, have been reduced in size by the dedication or conveyance of land for public road rights-of-way. The County shall consider such lots or parcels of record as if there had been no reduction in size for purposes of minimum zoning requirements relating to lot size and lot width, provided that the reduction shall not exceed 15% of the lot area prior to the dedication or conveyance of right-of-way or the remainder of the lot area shall not be less than 4,000 square feet.

In addition, these identified lots or parcels of record, platted or unplatted, in Low/Moderate Targeted Areas shall require no application for setback variances to accommodate said renovation or replacement of dwellings. However, in no case shall the front yard setback be less than 20 feet, side yard setback be less than 5 feet and the rear yard setback be less than 10 feet, and a minimum of ten feet must be maintained between all structures on adjoining lots.

Policy FLU 10.6 Optional Nonresidential Intensity Bonuses Associated with Workforce Housing

The Future Land Use Designation of Mixed Development, pursuant to *Policy FLU 5.15 Mixed-Use Developments*, and the Zoning Districts that implement

this Future Land Use, will permit a commercial intensity bonus [measured in units of floor area ratio (FAR)] as an incentive for including workforce housing units as a part of a MXD or Planned Development. The maximum allowable bonus shall be an FAR of .20. This intensity bonus is intended to provide an incentive to developers to provide workforce housing in locations identified as desirable and advantageous to Seminole County, proximate to jobs, to enable the County to both ensure a range of obtainable housing opportunities and choices in support of the Central Florida Regional Growth Vision and a land use pattern that supports the County's multi-modal mobility strategy by encouraging a mix of uses.

Policy FLU 10.7 Workforce Housing in Economic Development Target Areas

New housing developments located within any of the economic target areas (areas eligible for Community Development Block Grant funds) shall provide a minimum quantity of housing with prices or rents obtainable by households earning the average wage within the subject Economic Development Target Area. Exceptions shall be granted in cases where applicants demonstrate that either workforce housing exists within close proximity, or insufficient market support exists for workforce housing within the subject target area.

COUNTRYSIDE:
PROTECTING SEMINOLE COUNTY'S RURAL HERITAGE

OBJECTIVE FLU 11 PRESERVE RURAL LIFESTYLES IN 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 *Exhibit FLU: Rural Boundary Map)* 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 (LDC) provisions and implement existing land use strategies and those adopted in 2008 that were based on the Rural Character Plan of 2006 and 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 LDC 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-half acre, in order to ensure 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 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 re-enforces 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.

Policy FLU 11.6 Landscaping and Maintenance Standards for Rural Roadways

The County will maintain landscaping/maintenance standards for roadways in Rural Areas (including SR 434 and Florida Avenue) that protect the rural character of the area. These standards shall include:

A Access management;

B Trees and landscaping;

C Accommodation of bike/pedestrian movement with the use of trails where possible, rather than sidewalks;

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, Snowhill Road (formerly 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 lane facilities. County Road 419 west of Snowhill Road (formerly Chuluota Bypass) is the only segment programmed for a four 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 Urban Service Area (as defined in the Introduction Element)

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

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 demonstrated by the proponents of the system expansion, or by the State Department of Health or other public health entity, 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, but a future land use change shall not occur.

Policy FLU 11.11 Methods of Providing Sanitary Sewer Outside of the Urban Service Area (as defined in the Introduction Element)

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 demonstrated by the proponents of the system expansion, or by the State Department of Health or other public health entity, 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, but a future land use change shall not occur.

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 floodprone 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 and 2000.

B Periodically re-evaluate the effectiveness of the County Arbor Ordinance, referenced by *Policy FLU 1.18 Arbor Regulations*.

C Protect groundwater systems in the Rural Area as depicted in *Exhibit FLU: Special Area Boundaries*, including, but not limited to, the "Geneva Freshwater 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 within the River basin in accordance with *Policy FLU 1.9 Wekiva and Econlockhatchee River Protection* and *Policy FLU 1.10 Econlockhatchee River Basin Protection*;

2 Continuing to regulate development adjacent to the Econlockhatchee River in accordance with the Econlockhatchee River Protection Overlay Standards Classification, which implements *Policy FLU 1.10 Econlockhatchee River Basin Protection*;

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 Environmentally Sensitive Lands Overlay (see *Policy FLU 1.3 Wetlands Protection*); 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

3 Continue to pursue a Joint Planning Agreement with the City of Winter Springs for the purpose of achieving *Objective FLU 11 Preserve Rural Lifestyles in Seminole County*.

B 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.

The County shall provide that lots or parcels of record, platted or unplatted, zoning A-3, A-5 or A-10 that have been or are reduced in size by the amount of land dedicated or conveyed for public road rights-of-way, shall be considered as if there had been no such reduction in size for purposes of land use consistency and dwelling unit yield determination. Furthermore, such dedication or conveyance shall not operate to divest property owners of any rights existing under the existing provisions of Section 35.2(a) of the Land Development Code of Seminole County or any other vested property rights whenever such lots or parcels of record that qualified under Section 35.2(a) of the Land Development Code of Seminole County for subdividing prior to a Right of Way dedication or conveyance, have been or are reduced by 20% or less in size by land dedicated or conveyed for public road rights-of-way. Such lots or parcels can be subdivided consistent with that Section provided that one lot created shall meet the minimum lot size requirement of the applicable zoning district and the other lot shall have a buildable area equal to at least one acre located above the 100 year floodplain elevation. For example, a parcel (platted or unplatted) that was originally ten acres in size that now contains only 9.17 acres located above the 100 year floodplain elevation because, and solely because, land from the original parcel was dedicated or conveyed for a public road right-of-way, will be considered a ten acre parcel.

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 environmentally sensitive lands, 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 Five-Acre Resolution.

C 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 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 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 continue to enforce 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.

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.

Policy FLU 11.18 Rural Residential Cluster Subdivision Standards

Consistent with *Policy 11.4 – Rural Cluster Development*, lots within proposed Rural Cluster Subdivisions shall be arranged in a contiguous pattern and shall minimize disturbance to natural resources and environmentally sensitive areas. Individual lots shall not be platted into required open space. Open space shall be continuous and shall contain any environmentally sensitive features of local or regional significance. Road lengths within a Rural Cluster shall be minimized. Pedestrian circulation shall be provided via trails and paths that provide access between the open space features and the homes. Horse stables for personal use shall be permitted within Rural Cluster Subdivisions.

Policy FLU 11.19 Design Principles for Rural Neighborhoods in the East Rural Area, in General

The design principles for rural neighborhoods are:

A Open Space Standards

1 Maintain open vistas and protect integrity of rural character roadways.

2 Minimum 50% Open Space requirement.

3 Criteria to form open space that will ensure the creation or addition to a network of open spaces connected to regional open space.

4 Private maintenance of open space.

B Residential Development Standards

1 Lots shall be arranged in a contiguous pattern and shall minimize disturbance to natural features.

2 The rural appearance of land shall be protected and preserved as rural when viewed from public roads and abutting properties. The amount of road length required to serve a subdivision shall be minimized.

3 Individual lots shall not be platted into the required open space.

4 Environmentally sensitive lands and bona fide agricultural uses shall be preserved and integrated into the connected open space network.

5 Rural roadway levels of service shall apply; within rural neighborhoods, trails may also be permitted in lieu of paved roadways.

Rural Cluster Subdivisions as noted in *Policy FLU 11.18 Rural Residential Cluster Subdivision Standards* may be permitted in order to preserve open

space assets, but densities shall remain consistent with designated future land use classifications.

Policy FLU 11.20 Protection of Character of East Rural Area Neighborhoods

A The County shall seek partnerships and grant assistance in order to support the citizens of Geneva to provide infrastructure improvements that support and reinforce the historic character of the area.

B The County shall protect the character of the East Rural Area through the use of performance standards that require that public facilities serving the East Rural Area, including roadways, shall be designed in a context sensitive manner to ensure protection of the character of the East Rural Area

C Development in the East Rural Area shall be guided by performance standards in the Land Development Code that limit densities in accordance with the Future Land Use designation; preserve natural and agrarian areas; allow limited commercial uses in village settings or as roadside stands on bona fide agricultural properties; provide use restrictions and tree protection standards; limit the extension of urban infrastructure; provide opportunities for nature-based recreation and protect the Geneva Freshwater Lens, watersheds, wetlands and sensitive upland systems.

Policy FLU 11.21 Agritourism

The County's Agricultural Advisory Committee will meet on an annual basis for purposes of developing recommendations to the Board of County Commissioners that support Agritourism, including opportunities for cooperation, conflict resolution, regulatory streamlining, and other incentives.

OBJECTIVE FLU 12 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 (Chapter 369, Part II, 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 12.1 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 (Chapter 369, Part II, 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.

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 12.2 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 dwelling units per net buildable acre.

Residential development proposals in the East Lake Sylvan Transitional Area exceeding one (1) unit per net buildable acre shall be approved only under the Planned Development (PD) land use designation, and shall include a clustering concept that maintains a minimum of 25 percent open space on the site. No application for a Plan amendment or administrative Plan amendment proposing a residential density in excess of one dwelling unit per net buildable acre will be considered for any parcel located in the East Lake Sylvan Transitional Area unless the applicant demonstrates that such development has less impacts on natural resources than non-clustered residential development at one dwelling unit per net buildable acre. An equivalent analysis shall be required for any proposed nonresidential development, where allowed, in the East Lake Sylvan Transitional Area, demonstrating that such development would not exceed the impacts of one (1) dwelling unit per net buildable acre.

Policy FLU 12.3 Development Form of Land Area within the Wekiva River Protection Area 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 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 (Recreation designation shall be considered 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 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 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 nonresidential 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 nonresidential 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 nonresidential land use designation as of December 15, 1999.

Policy FLU 12.4 Platting and Replatting of Seminole Estates Development

For those properties within the Wekiva River Protection Area and within the Seminole Estates Development (see *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 under the existing provisions of Section 35.2(a) of the Land Development Code of Seminole County or of any other vested private property rights.

Policy FLU 12.5 Preservation of Local and Regionally Significant Natural Areas and 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 locally and regionally significant natural areas and 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, the County made a finding regarding lands not necessary to accommodate present capacity and projected waste water needs in the Yankee Lake Site, and adopted Resolution 2001-R-139, identifying those lands and originally assigning the Recreational Land Use designation to the properties in order to incorporate them into the County's Greenways, Trails and Natural Lands Program. Subsequently, in 2010, the County designated as "Preservation/Managed Lands" that section of property intended for Florida scrub jay (*Alphelocoma coerulescens*) preservation and management in perpetuity per requirements of permit #SAJ-2006-7328(IP-AWP) Department of the Army, referencing the United States Fish & Wildlife Service biological Opinion Log#4-1-94-174C; and in conjunction with Florida Department of Environmental Protection Wastewater Operating permit FL0042625-00-DW1P.

The portions of Yankee Lake property designated as Preservation/Managed Lands shown on *Exhibit FLU: Scrub Jay Habitat* and on the Future Land Use Map provide protection for Seminole County's only population of Florida scrub jays, as well as a large area of protected scrub habitat, considered to be an endangered ecosystem. The Management Plan for this parcel of Preservation/Managed land is consistent with the Florida Scrub Jay Habitat Management Plan. The legal description is contained in the Support Document to this Element.

The portions of the Yankee Lake Property identified as Recreation Land Use included that portion lying north of the drainage canal that drains the Seminole Estates development and runs east to west, and parcels that were purchased for mitigation and are connected to the Yankee Lake Property, less the above referenced property preserved as scrub jay habitat. These parcels designated as "Recreation" provide a significant corridor connection between the County's Riverside Ranch Wilderness Area and the Lower Wekiva State Preserve; provide a significant corridor for Florida Black Bear movement and preserve valuable wetland functions. 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.

Notwithstanding a designation to the "Recreation" Future Land Use designation, development activity, including the placing or depositing of fill within wetlands and the 100 year floodplain (as identified by FEMA), may be allowed in cases of overriding public interest. Where wetland values are degraded due to overriding public interest, mitigation efforts shall occur. Floodplain impacts will require compensating storage.

Policy FLU 12.6 Roadway Corridor Overlays for Markham Road, Longwood-Markham Road and Lake Markham Road

The County shall continue to enforce land development regulations enacted in June of 2001, 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 40 feet in depth from the right-of-way edge wherein:

A Roads shall be maintained with a maximum of two 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;

D Residential development shall preserve and/or create a vegetative buffer 40 feet 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 permittable 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 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.

G. 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 12.7 State Road 46 Roadway Corridor Overlay/State Road 46 Environmental Considerations

A The County shall continue to enforce land development regulations enacted in May of 2001 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.

Policy FLU 12.8 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 adopted land development regulations to implement, as necessary, the amendments to this Plan described in the Compliance Agreement Relating to Plan Amendment 99S.FLU2 and will continue to implement such regulations.

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 12.4 Platting and Replatting of Seminole Estates Development*.

2 Limiting the density within the designated East Lake Transitional Area to a maximum density of two and one half dwelling units per net buildable acre over the subject property as set forth in *Policy FLU 12.2 Recognition of the East Lake Sylvan Transitional Area*.

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 12.1 Recognition of the Wekiva River Protection Area, 12.3 Development Form of Land Area within the WRPA and Outside of the East Lake Sylvan Transitional Area,* and *12.5 Preservation of Local and Regionally Significant Natural Areas* and *Environmentally Sensitive Lands/Use of Lands for Passive Recreational Purposes*.

4 Limiting development of property assigned the Suburban Estates land use designation to a maximum density of one dwelling unit per net buildable acre, and encouraging clustering within the Suburban Estates land use designation where appropriate through the use of PD zoning to protect natural resources, as set forth in *Policies FLU 12.1 Recognition of the Wekiva River Protection Area, 12.3 Development Form of Land Area within the Wekiva River Protection Area and Outside of the East Lake Sylvan Transitional Area, 12.5 Preservation of Local and Regionally Significant Natural Areas* and *Environmentally Sensitive Lands/Use of Lands for Passive*

Recreational Purposes, and *12.9 Wekiva River Protection Area Environmental Design Standards* 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 12.8 Compliance Agreements between Seminole County and the Florida Department of Community Affairs*.

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 12.1 *Recognition of the Wekiva River Protection Area and 12.5 Preservation of Local and Regionally Significant Natural Areas* and *Environmentally Sensitive Lands/Use of Lands for Passive Recreational Purposes*.

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.

Policy FLU 12.9 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 continue to implement land development regulations enacted 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’) feet but no less than twenty-five (25’) feet in width shall be maintained surrounding areas identified as containing floodplain and/or wetlands or properties which have been designated as preserve 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, except in cases of overriding public interest. Where wetland values are degraded due to overriding

public interest, mitigation efforts shall occur. Floodplain impacts will require compensating storage.

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 on-site 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.

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 The County shall continue to enforce the land development regulations enacted to further 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 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 50 percent 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 one 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 Planned Development zoning shall be permanently protected by dedication to the St. Johns River 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 PD 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.

Policy FLU 12.10 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 3.5 Planned Development (PD)/Cluster Developments*

2 Conservation Element - *Policy CON 3.6 Conservation Easements /Dedications*

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:

1 Future Land Use Element - *Policy FLU 1.3 Wetlands Protection*

OBJECTIVE FLU 13 PROTECTION OF THE NATURAL RESOURCES OF THE WEKIVA STUDY AREA

The County shall recognize and enforce and, if necessary, strengthen existing Plan goals, objectives, policies, and land development regulations relating to open space, most effective recharge areas, karst features, and sensitive natural habitat, to reinforce the provisions of the Wekiva Parkway and Protection Act (Chapter 369, Part III, Florida Statutes). The goals, objectives, policies, and land development regulations shall ensure that all development activities within the Wekiva Study Area are consistent with the Wekiva Parkway and Protection Act (*Exhibit FLU: Special Area Boundaries*). The County shall also evaluate the effects of land use strategies on property rights protection within the Wekiva Study Area.

Policy FLU13.1 Wekiva Study Area Open Space

Open space within the Wekiva Study Area is defined as any portion of a parcel or area of land or water, which is open from the ground to the sky, including areas left undeveloped or minimally developed as part of a natural resource maintained preserve (e.g., floodplains, wetlands, soils unsuitable for development, etc.), passive recreational area, or stormwater management area, buffers, landscaped areas, easements for pedestrian connection, and trails, with consideration of wildfire minimization. Such designated open space excludes waterbodies, areas in lots, street rights-of-way, parking lots, impervious surfaces, and active recreation, such as golf courses.

Policy FLU13.2 Wekiva Study Area Natural Resource Protection

In order to protect open space, most effective recharge areas, karst features, and sensitive natural habitat (i.e., longleaf pine, sand hill, sand pine, and xeric oak scrub) (*Exhibit FLU: Wekiva Study Area Series - Sensitive Habitats and Karst Features*) within the Wekiva Study Area, as required by the Wekiva Parkway and Protection Act [Section 369.321(3), Florida Statutes] the County shall apply, but not be limited to, the following land use strategies and mechanisms:

A Protection of Open Space

1 Encourage, and if warranted by *Policy FLU 13.3 Wekiva Study Area Cluster Development Standards*, require planned developments and cluster developments;

2 Require dedication of conservation easements, or other appropriate legal mechanisms, to protect open space in perpetuity as part of the subdivision and/or site plan approval process;

3 Preserve environmentally sensitive areas via enforcement of the Environmentally Sensitive Lands Overlay District;

4 Enforce open space ratios and open space credits provisions established in the Land Development Code (LDC) of Seminole County; and

5 Evaluate the LDC every seven years to determine if it is necessary to update definitions, standards, and guidelines for provision of open space.

B Most Effective Recharge Areas

1 Encourage, and if warranted by Policy 13.3 *Wekiva Study Area Cluster Development Standards*, require planned developments and cluster developments;

2 Evaluate the Aquifer Recharge Overlay Zoning Classification, which sets alternative design criteria and standards to protect the functions of most effective aquifer recharge areas as part of each Comprehensive Plan Evaluation and Appraisal Report; and,

3 Enforce standards for the most effective recharge areas, as defined in the Aquifer Recharge Overlay Zoning Classification and *Exhibit FLU:-Recharge Areas* such as, but not limited to:

a The maximum area covered by structures and impervious surface shall not exceed 65% for nonresidential uses and 60% for residential uses of the total land area; and

b With the exception of handicapped parking spaces, no more than 25% of the total number of required off-street parking spaces shall not be paved.

C Karst Features and Sensitive Natural Habitat

1 The County shall adopt Best Management Practices (BMPs), including applicable BMPs recommended in "Protecting Florida's Springs – Land Use Planning Strategies and Best Management Practices", Florida Department of Community Affairs and Florida Department of Environmental Protection, 2002. BMPs may include, but not be limited to:

a Increasing public awareness of the Florida Yards and Neighborhoods Program regarding proper lawn and landscaping fertilization and irrigation techniques via Seminole County Government Television;

b Restricting untreated water from a development site from directly discharging into karst features;

c Requiring development proposals to verify by surveys and/or studies the presences of karst features and sensitive natural habitat;

d Requiring a clearing and building construction setback of a minimum of 50 feet from karst features or sensitive natural habitat; and

e Maintaining a minimum 25 feet, average 50 foot natural buffer adjacent to karst features.

2 The County shall also adopt BMPs to:

a Increase public awareness of the Florida Yards and Neighborhoods Program regarding proper lawn and landscaping fertilization and irrigation techniques;

b Request the Wekiva Working Group to recommend policies and/or regulations to protect natural resources, including springheads; and

c Discourage the use of flammable plants such as saw palmetto and wax myrtle adjacent buildings to ensure a defensible transition space to minimize wildfire impacts.

D Land Development Code Provisions

The County shall continue to enforce the land development regulations adopted in December of 2006, as required by Section 369.321(6), Florida Statutes, to implement Plan policies that shall apply to properties located within the Wekiva Study Area. The County shall also consider adoption of a Wekiva Springs Overlay District to optimize the protection of springs.

Policy FLU 13.3 Wekiva Study Area Cluster Development Standards

The County shall evaluate development proposals within the Wekiva Study Area to determine if cluster developments are required where development proposals meet one or more of the following conditions:

A Contains significant amounts of wetlands, floodprone areas, or other environmentally sensitive natural habitat such as longleaf pine, sand hill, sand pine or xeric oak scrub;

B Contains sensitive karst features or most effective recharge areas;

C Abuts a government owned natural lands or other environmentally sensitive area such as springs, or historical or archaeological site; or

D Is within 200 feet of the Wekiva River, as measured from the ordinary high water elevation or the landward limit of established conservation areas.

Policy FLU 13.4 Wekiva Study Area Incorporated Objective and Policies

The following objective and policies from various Elements of the Seminole County Comprehensive Plan to reinforce the provisions of the Wekiva River Protection Act are hereby incorporated into this Element by reference below:

A Most Effective Recharge

1 Conservation Element – *Policy CON 1.3 Recharge Area Protection*

2 Future Land Use Element – *Policy FLU 1.17 Cluster Development*

B Open Space

1 Conservation Element – *Policy CON 3.6 Conservation Easements/Dedication*

2 Future Land Use Element – *Policy FLU 1.17 Cluster Development*

3 Recreation and Open Space Element – *Policy REC 6.2 Recreation Grants*

4 Recreation and Open Space Element – *Policy REC 7.5 Agency Coordination*

5 Recreation and Open Space Element – *Policy REC 7.7 Significant Open Space and Natural Lands Acquisition*

C Sensitive Natural Habitat

1 Introduction Element – Definition of Rare Upland Habitat

2 Recreation and Open Space Element – *Policy REC 7.7 Significant Open Space and Natural Lands Acquisition*

D Property Rights

1 Future Land Use Element – *Objective FLU 17 Protection of Private Property Rights*

CORRIDORS:

ESTABLISHING LAND USE PATTERNS AND TRANSPORTATION IMPROVEMENTS THAT ENCOURAGE GREATER MOBILITY CHOICES FOR PEOPLE AND GOODS, IN SUPPORT OF THE COUNTY'S MULTIMODAL MOBILITY STRATEGY AND THE CENTRAL FLORIDA REGIONAL GROWTH VISION; AND

COORDINATION OF LAND USE AND TRANSPORTATION PLANNING THROUGH ENCOURAGING REDEVELOPMENT OF LAND USE PATTERNS THAT CANNOT BE SERVED BY MORE THAN ONE MODE OF TRAVEL

OBJECTIVE FLU 14 REVITALIZATION OF MAJOR CORRIDORS

The County shall continue to ensure the revitalization of major corridors as both multimodal links between urban centers, and as desirable destinations.

Policy FLU 14.1 Redesignating the US 17-92 Corridor

Seminole County redesignated as 'Mixed Development (MXD)' land use a total of 259 unincorporated commercial properties along the US 17-92 corridor through administrative action in 2008. This action was taken both to support the US 17-92 CRA 2006 Corridor Strategy accepted by the Board of County Commissioners, and to create a future land use pattern supportive of multimodal transportation. This action followed extensive meetings with property owners and applied to properties whose owners supported the action.

Policy FLU 14.2 Continuing Land Use Amendment and Rezoning Program

Seminole County and the Community Redevelopment Agency (CRA) administratively initiated land use amendments during 2008 within the unincorporated portions of the US 17-92 Corridor to Mixed Development land use designation, and shall use Tax Increment Funds from the CRA to assist with the costs of rezoning when sought.

Policy FLU 14.3 Adopt Creative Development features for MXD and the Energy Conservation Overlay Supportive of Transit and Bicycle Use and Complete Streets

Seminole County shall continue to draw upon the expertise of the County's regional partners and use the results of studies financed through the US Department of Housing and Urban Development to assist in the development of creative development features for the Land Development Code (LDC) that will improve pedestrian safety and the ease of transit and bicycle use within the US 17-92 corridor and urban corridors within the Energy Conservation Overlay. Features may include but are not limited to: bonuses to encourage mixed use developments that improve ease of pedestrian access to multimodal transportation, including SunRail commuter rail; frontage roads in mixed developments that are reserved for transit and bicycle use only; bus shelters that are a component of mixed-use buildings and multiple use parking structures; recharge stations for electric and hybrid vehicles; and inclusion of bus lockers within nonresidential buildings and parking structures. Pedestrian, transit and bicycle facility standards in the Technical

Manual of the Public Works Department will guide developers installing such improvements.

Policy FLU 14.4 Policies for Live, Work, Shop, Play Corridor Character

Through Joint Planning Agreements of the US 17-92 Community Redevelopment Agency and other programs as needed, the County shall form partnerships with its municipalities to establish consistent policies guiding the redevelopment within major urban corridors. Issues to be addressed may include, but not shall be limited to, the following:

A Uniform or complementary policies for buffers adjacent to major roads that allow for 'built-to' lines in pedestrian–oriented corridors, addressing Florida-friendly, low water demand landscape planting species; buffer widths; fencing/berms and posting of building addresses on commercial properties.

B Minimum tree size, tree spacing, tree species, and irrigation standards to ensure the viability of new landscaping. Acceptable landscape plantings listed in the Land Development Code shall emphasize low water use species.

C Flexibility in tree species selection to avoid tree conflicts with utility lines and to allow for shading of pedestrian areas.

D Hedges, walls and landscaping at intersections and development entryways along arterial and collector roadways that are consistent with line-of-sight safety standards and that identify community areas to the traveling public.

E Landscaping and design techniques between commercial areas and highway frontage together with sign controls that ensure compatibility and support neighborhood viability. Landscape and design techniques may vary in urban development corridors, the Energy Conservation Overlay and mixed-use centers based on the specific site plans for each site.

F An evaluation of the long-term need for joint maintenance procedures with cities to ensure that the desired appearance is maintained.

G Consideration of the use of low water demand ground cover along State Highways, and in areas where maintenance is frequent and labor-intensive, or planting areas expose workers to heavy traffic flows.

H Performance frameworks for urban corridors that allow for the use of paver block, multi-colored crosswalk paving, brick crosswalks, paver block medians, Florida-friendly tree islands and open spaces and other methods of creating pedestrian-friendly, transit and bicycle oriented corridors that are compliant with the Americans with Disabilities Act (ADA) requirements and do not require the use of irrigation.

I Evaluation of the need for landscaping and planting of shade trees at commuter rail stations, and the need, if any, to provide identifying landmarks at approaches to stations along the rail corridor.

J The County shall protect, and shall encourage cities to protect, existing canopy trees adjacent to collector and arterial roads, parking lots,

recreation areas, and other locations where they create a pedestrian-friendly, safe, livable, attractive environment.

K Encouragement of Adopt-A-Road programs for litter control and Adopt-A-Median programs for management of Florida- friendly landscaping.

OBJECTIVE FLU 15 ENHANCED TRANSIT SERVICE

The County shall support enhanced transit service in corridors and centers where redevelopment efforts are desired, including the US 17-92 Community Redevelopment Area, unincorporated urban centers, the cities, and the major urban transit corridors within the Energy Conservation Overlay, in order to provide alternative mobility options to support: redevelopment; the Central Florida Regional Growth Vision ("How Shall We Grow?"); improved coordination of land use and transportation planning; and implementation of the County's multimodal mobility strategy.

Policy FLU 15.1 Improved Transit Headways on US 17-92 CRA corridor

Seminole County shall continue to provide Tax Increment Funds to shorten headways from 30 minutes to 15 minutes for LYNX service along the US 17-92 CRA corridor (Links 102 and 103), and shall support the express bus service (Fast Link).

Policy FLU 15.2 Incentive Program for Transit Passenger and Pedestrian Amenities on US 17-92

Seminole County and the US 17-92 Community Redevelopment Agency shall investigate the feasibility of creating an incentive program for those property owners within the US 17-92 corridor to install amenities such as lighted bus shelters and informational kiosks for pedestrians at locations that will encourage pedestrian activity and transit usage.

Policy FLU 15.3 Continued Support for and coordination with LYNX Long-range Strategic Master Plan and Five Year Service Plan

Seminole County shall continue to provide staff support, land use, population and job projection data, and review comments/analysis during the LYNX planning efforts, and shall coordinate the ongoing development, implementation and evaluation of the County's multimodal mobility Strategies with LYNX and MetroPlan Orlando during the preparation and updating of the LYNX Long-range Strategic Master Plan and the Five Year Service Plan updates. These plans will identify Functional and Enhanced Core Systems, improvements to existing core systems, such as primary corridors like US 17-92, and enhanced systems, such as improved headways on primary corridors, SunRail access, service to new regional urban centers, identification of feeder corridors and identification of candidate bus rapid transit (BRT) corridors such as State Road 436. BRT service is intended to attract "choice" riders (those with transportation options).

Policy FLU 15.4 Continue to Fund and Support Successful LYNX routes, including new LYNX Link 434, as part of the County's Mobility Strategy

Seminole County shall continue to fund successful LYNX routes in the County, including new Link 434, a Florida Department of Transportation Service Development grant startup initiated in April of 2009. Link 434 provides service from University of Central Florida and Seminole State College Altamonte campus to West Altamonte Springs, with an increasing ridership that began at 5,000 per month and has reached 10,000 per month within the first six months of operation. The route is part of the County's Mobility Strategy. The County supports the efforts of LYNX to seek additional grant funding for passenger amenities for Link 434.

Policy FLU 15.5 Coordinate with and support Altamonte Springs Flex Bus as part of coordinated Mobility Strategies

Seminole County shall continue to support the City's program to coordinate with Florida Department of Transportation and LYNX to provide a Flex Bus system, by ensuring that unincorporated areas within the Flex bus service area are "transit ready". (The County had contributed toward a matching grant for a feasibility study in 2000.) The Flex Bus special transit circulation system will use Intelligent Transportation Systems elements to accept customer reservations and dispatch a vehicle within less than twelve minutes. Vehicles will not operate on a fixed route but will provide service between approximately thirty stations according to customer demand. The Flex Bus will connect portions of the City to the SunRail station within the City, and service will be available to unincorporated areas located within the Flex Bus service area. The service area is generally bounded by State Road 434 to the west, Central Parkway to the north, US 17-92 to the east and the City of Altamonte Springs border to the south, near Maitland Boulevard.

Policy FLU 15.6 Coordinate with and support LYNX PickUpLine serving the City of Oviedo

Seminole County will coordinate with and support the operation of a LYNX "PickUpLine" service that picks up callers who have reserved a ride at least two hours prior to departure, delivers riders to any location within the service area, and allows for transfers to the LYNX fixed bus routes. Seminole County is supporting this PickUpLine by funding the connecting LYNX fixed bus route, which is the new Route 434.

OBJECTIVE FLU 16 CENTRAL FLORIDA COMMUTER RAIL SYSTEM (SUNRAIL)

The County shall continue to support the Florida Department of Transportation in the implementation of the Central Florida Commuter Rail system through continued financial commitment of the County's share of this project (*Exhibit CIE: Facility Program – Transportation*), Energy Conservation and Mobility Strategies that facilitate use of the rail system, and coordination with the Mobility Strategies of the cities in which the stations area located, through measures such as identification of incentives to encourage transit supportive land use patterns, redevelopment within ½ mile of stations, identification of potential County and City code changes to foster transit-readiness and long-term passenger amenities.

Policy FLU 16.1 Coordination with the Cities

Seminole County shall continue to coordinate with the cities in the development of policies to include within the County and city Comprehensive Plans and land use codes regarding transit-oriented land use patterns within ½ mile of stations, mobility strategies to enable pedestrian and bicycle access of stations, and code changes to foster long term transit-readiness. Coordination efforts shall also examine possible long term passenger amenities and possible passenger-supportive uses at rail stations.

Policy FLU 16.2 Long Term Efforts to Seek Public-Private Partnership for Commuter Rail Station Passenger Incentive Opportunities

Seminole County shall investigate the feasibility of issuing Requests for Proposals for a private partner to construct stations at the commuter rail stops by 2011; said stations shall not significantly reduce available parking for passengers but shall allow space for the partner to install passenger-oriented businesses such as news stands, beverage and sandwich vending services, dry-cleaning drop-off and similar services. Sales of tickets to assist passengers with sight and mobility limitations shall also be included as a passenger amenity.

Policy FLU 16.3 Continue Financial Support for County's share of SunRail system

Seminole County shall continue financial support for SunRail, as a major component of both the County's efforts to reduce greenhouse gases, and to provide mobility options, in accordance with the provisions contained in the Capital Improvements Element (*Exhibit CIE: Facility Program – Transportation*).

SEMINOLE COUNTY
FLORIDA'S NATURAL CHOICE

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PROPERTY RIGHTS

PROCEDURES FOR PRIVATE PROPERTY RIGHTS PROTECTION, DISPUTE RESOLUTION, ADULT USES

OBJECTIVE FLU 17 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 17.1 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 17.2 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 17.3 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 17.4 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 17.5 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.

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 17.6 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 17.7 Additional Compatibility Standards

The County shall rely upon performance standards noted in *Policy FLU 2.9 Determination of Compatibility in the Planned Development Zoning Classification* such as buffering, perimeter lot size transitioning, and other appropriate measures to ensure compatibility where residential subdivisions of differing densities meet. These standards are intended to provide homeowners and home buyers with reasonable assurances as to the potential form and impacts of future development on adjacent or nearby properties. The effectiveness of this strategy will be evaluated every five years to determine how well it addresses compatibility issues and concerns, and will be revised as necessary.

Policy FLU 17.8 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 non-profit.

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 alcoholic 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 17.9 Protection of Residential Neighborhoods, Viable Economic Corridors and Natural Resources

In addition to implementing the location policies and standards set forth in *Policy FLU 17.8 Location 0f Adult Entertainment Establishments and Sexually Oriented Businesses*, the County shall ensure that properties assigned the zoning classification within which adult entertainment establishments and sexually oriented businesses are permitted uses 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 International Airport gateways, and the US 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.

OBJECTIVE FLU 18 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 18.1 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 18.2 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.

OBJECTIVE FLU 19 ECONOMIC DEVELOPMENT TARGET AREAS, INDUSTRIES AND OCCUPATIONS

Target Areas, Industries and Occupations are the three components of the Target Approach of the Economic Development Plan. The County will continue to focus on these key factors in order to achieve the economic development goals of attracting and supporting high quality jobs, attracting businesses paying higher than average wages and strengthening the economic base of the County.

Policy FLU 19.1 Economic Development Target Areas

A The following areas as shown on *Exhibit FLU: Economic Development Target Areas* are identified as areas to implement an aggressive strategy to attract specific industries which deliver economic growth:

1 The North Interstate 4 Target Industry Area;

2 The Orlando Sanford International Airport;

3 The US 17-92 Mixed Use Corridor; and

4 The Seminole Way Employment Corridor.

B The County will increase the values of property in these areas by investing in the necessary infrastructure and facilitating quality development. Track the square footage of appropriate uses within Community Redevelopment Areas, Target Areas and municipal downtowns and activity centers.

C The County will promote the development of Target Areas to provide jobs convenient to existing residential development, support mass transit and SunRail, and make the most efficient use of the County's substantial investment in infrastructure.

D The County will maintain the balance of employment and residential opportunities within targeted areas by supporting the goals of the Future Land Use Element of the Seminole County Comprehensive Plan.

E During the Evaluation and Appraisal process, the County will review and revise, as necessary, policies relating to HIP Design Standards located in *Policy FLU 5.12 Higher Intensity Planned Development (HIP) Design Standards*.

Policy FLU 19.2 Promote Economic Developments in Target Areas through Urban Infill and Redevelopment

A In an effort to promote a strong economic base, preserve the quality of life, and decrease costs associated with extending urban services, the County shall encourage infill development and redevelopment and business growth in the Target Areas of the County and economic activity centers of its cities.

B The County shall provide incentives to encourage green building and development in order to attract employers and a professional workforce that values this type of work environment.

C The County shall review and update as necessary Comprehensive Plan policies during the Evaluation and Appraisal process to promote Higher Intensity Planned Development land use categories to provide economic growth as intended. If needed, the County will strengthen related policies to ensure that lands dedicated as economic zones are not underutilized. The County may also investigate the use of incentives to promote owner-based residential infill and redevelopment outside target areas.

D The County shall review and update as necessary Land Development Code regulations for performance guidelines for mixed-use and activity centers to ensure the inclusion of transit oriented development promoting a pedestrian-friendly orientation, connectivity and safety.

E The County may evaluate the feasibility of local assistance programs to support the physical redevelopment of existing businesses within target areas according to a schedule adopted by the Board of County Commissioners.

F The County shall continue to invest in a full range of infrastructure to support the development of target areas and to promote the development and redevelopment of target areas for high tech industries.

G The County shall review and update as necessary Land Development Code regulations for performance frameworks for targeted redevelopment areas that provides bonuses, incentives and opportunities for redevelopment of properties difficult to develop under conventional zoning regulations by way of modifying requirements for setbacks, allowing 'build-to' lines instead of setbacks in transit-oriented areas, allowing the use of 'urban open space', modifying landscaping and parking requirements, and allowing increased building height where feasible.

H The County will continue to help administer the State of Florida's Brownfield Redevelopment Program within the US 17-92 CRA boundaries by maintaining The Seminole County Economic Enhancement District (SEED). The SEED district will continue to serve as the implementation umbrella under which Brownfield Redevelopment programs and incentives are administered within the US 17-92 CRA.

Policy FLU 19.3 Target Industries

The Board of County Commissioners shall define Target Industries and the specific businesses offering high wage jobs by adopting specific recruitment and retention guidelines. A catalogue listing the specific companies that fit the profile of targeted Industries shall be continually maintained *(see Exhibit FLU: Target Industry Uses).*

Policy FLU 19.4 Target Occupations

The County shall continue to diversify its tax base by promoting advanced technology industries that provide quality occupations with above averages wages for its residents. The County shall periodically review employment opportunities within the ever changing field of technology to remain on top of professional trends in this arena.

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 area-wide 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 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 describes 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.

STANDARDS OF REVIEW - CATEGORY I

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, such as a "small scale" amendment (less than 10 acres, and, if residential, fewer than 10 units per acre) or a single parcel, has predominantly localized impacts which would require a review emphasizing local area compatibility more than regional or statewide impacts. However, applicants submitting either small scale or large scale

amendments shall address these criteria, and staff shall evaluate the material submitted by the applicant:

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

C Whether the site is suitable for the proposed use and will be able to comply with floodprone 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 future land use is compatible with existing surrounding development and future land uses in accordance with *FLU Exhibit: Compatible Transitional Land Uses*.

F Whether the proposed use furthers the public interest by providing or enabling the provision of:

1 Sites for public facilities or facility improvements in excess of requirements likely to arise from development of the site (applicable to Planned Development Future Land Use);

2 Dedications or contributions in excess of Land Development Code requirements (applicable to PD Future Land Use);

3 A range of obtainable housing opportunities and choices, including affordable or workforce housing;

4 Economic development (enabling higher paying jobs);

5 Reduction in transportation impacts on area-wide roads;

6 Mass transit and a variety of transportation choices; or

7 Whether the proposed land use designation is consistent with other applicable Plan policies and supports and is consistent with the Central Florida Regional Growth Vision, the Strategic Regional Policy Plan, and the State Comprehensive Plan. (Applicant shall cite applicable Goals, Objectives or Policies.)

STANDARDS OF REVIEW - CATEGORY II

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/Internal Consistency of the Comprehensive Plan

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 requirement of Section 163.3177(2), Florida Statutes that coordination of the elements of the local

comprehensive plan shall be a major objective of the planning process. Accordingly, applicants for Future Land Use amendments shall submit data and analyses as summarized below. The analyses shall document the fact that the proposed amendment will not cause internal inconsistency within the Seminole County Comprehensive Plan by lowering the adopted levels of service contained in the Capital Improvements and Implementation Elements 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.

Data and Analysis

The following data and analysis 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 cannot 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 future land use designation must be accompanied by a complete rezoning application (including associated master/site plan). The plan amendment application shall be accompanied by data and analysis supporting the ability of service providers to meet service demands at the density or intensity desired by the rezoning application. An approval of a rezoning shall not become effective until 22 days after publication of an unchallenged Notification of Intent by the State Land Planning Agency. 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 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 shall be required to identify the ability of the roadway network and other transportation facilities to accommodate the land use with the existing or programmed network, near-site improvements, project phasing, etc., for all regular (large scale) amendments. Such studies may also be required for small scale amendments where roadways are constrained and public transportation limited.

D Student generation analysis, based on the student generation rate factors of the Seminole County School District, shall be provided by an applicant seeking an increase in density.

E Water demand calculations based on adopted levels of service as provided by the water service provider shall be provided by an applicant seeking increases in density and/or intensity of land uses.

F For an amendment proposed to redesignate land that allows employment to a residential only designation the potential impact of the proposed amendment on the County's jobs-to-housing balance shall be calculated by the applicant, measured as a ratio between total County employment divided by total allowable housing units (according to statistics available from Metro Orlando), plus those proposed by the land use change. As of 2008, the Seminole County jobs-housing ratio is 1.29. If the calculation results in the County

ratio falling below a minimum standard of 1.0 jobs per housing unit, the County may recommend an alternative course of action, such as a change of land use to the Mixed Development Future Land Use designation, rather than a residential future land use designation.

G Wetlands mitigation plans, where disruption greater than that permitted by the Land Development Code is anticipated to occur, and documentation regarding viability of said mitigation plans from the appropriate agency that has jurisdiction over any impacted regional wetlands.

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 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, transit facilities) that provide an area-wide benefit to the community.

B 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 10% 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

The County's Urban/Rural Boundary has been established as a part of the Seminole County Charter. Any proposed amendment to the Boundary within the County Plan must meet the standards established in the Seminole County Charter.

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 Data and analysis shall be provided to document that additional urban lands are needed to accommodate population, housing or employment projected for the horizon year of this Plan, based on the population projections used by the current version of the Seminole County Comprehensive Plan; or

2 Data and analysis shall be provided to document that additional lands are required to support affordable, workforce or obtainable housing opportunities and choices in proximity to employment opportunities and public transportation or that such amendment is needed to achieve the adopted redevelopment goals of the County because of the lack of suitable redevelopable or vacant land within the urban area; or

3 Data and analysis shall be provided to document that additional lands are required to support the adopted economic development goals of the County because of the lack of suitable vacant or redevelopable land within the urban area; or

4 Data and analysis shall be provided to document that additional lands are required to provide for a critically needed public facility, such as a public school, because of the lack of suitable vacant or redevelopable land within the urban area.

B Locational Analysis of Amendments:

1 Availability of facilities and services, and the orderly, efficient and cost-effective provision of service, given that the level of service for potable water and sanitary sewer

in the Rural Area is on-site service, and that availability of public school capacity in the Rural Area is limited; and

2 Fiscal capacity to provide adopted levels of service; and

3 Protection of environmental and natural resources, including regionally significant natural areas.

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:

1) Retaining the connectivity of wetlands;

2) Retaining/Improving the ecological quality of wetlands; and

3) 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 and Regional, Plans:

1 Any proposed amendment to the Urban/Rural Boundary must undergo an assessment of consistency with applicable goals, objectives and policies of this Plan, the East Central Florida Regional Planning Council's Strategic Regional Policy Plan, and the Central Florida Regional Growth Vision.

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 to the State Reviewing Agencies 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 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.

B Plan amendments shall be to the Planned Development future land use designation with an associated PD (Planned Development) zoning district. Residential development shall employ clustering techniques to comply with Policy 12.2 by creating less impact on natural resources than one unit per net buildable acre in a non-clustered configuration.

C Applications for development shall include specific information to document how the proposed development will comply with Paragraph B above. This information may include, but is not limited to, the following:

1 Length of paved roads and utility lines needed to serve the development.

2 Acreage set aside from development through designation as open space and/or conservation easements.

3 Preservation of native vegetation, wildlife habitat, and aquifer recharge areas.

4 Innovative design techniques such as low-impact development (LID) and LEED certification.

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 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.

FUTURE LAND USE ELEMENT
DEFINITIONS OF FUTURE LAND USE DESIGNATIONS AND OVERLAYS

The definitions and uses provided for each of the following future land use designations and overlays are generalized descriptive definitions only. A comprehensive listing of permitted and special exception uses are provided in the Land Development Code of Seminole County, which details how particular uses may be developed. A future land use designation may be implemented by more than one zoning classification as noted in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications.* The land use designation is not a development order and does not guarantee that all allowable zoning classifications (and thus all allowable uses) may be permitted on a particular parcel.

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.

The land use designations and overlays have been grouped into four major categories:

A Environmental Land Use Categories

B Rural Land Use Categories

C Suburban Land Use Category

D Urban Land Use Categories

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ENVIRONMENTAL LANDS CATEGORIES

Environmentally Sensitive Lands Overlay

This overlay 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). The generalized overlay cannot identify exact boundaries of wetlands or floodplain areas specifically for parcels. At time of development of a privately owned property affected by the overlay, a property owner provides a survey that delineates the exact location of the overlay zone (or whether the property is beyond the boundary of the overlay). Portions of a parcel that do not lie within the overlay, and are not used for utility easements, rights of way or other public purposes, are part of the net buildable acreage of the parcel.

Purpose and Intent

A Implementing public policies to protect the public health, safety and welfare by conserving and protecting natural resources needed to ensure availability of groundwater and limiting flood damage;

B Implementing the County's non-structural approach to water management. Uses that involve a minimum land alteration are permitted in order to maintain the natural flood storage and nutrient assimilation capability of wetland and floodprone areas; and

C Preserving 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 that, 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 (BMP). Such BMP include, but are not limited to, the publication entitled "Silviculture Best Management Practices Manual", and "Management Guidelines for Forested Wetlands in Florida". Both manuals were published by the Florida Department of Agriculture and Consumer Services Division of Forestry. Additional standards are found in 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

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 employing the Environmentally Sensitive Lands Overlay 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 Environmentally Sensitive Lands Overlay must be consistent with the public interest. The Environmentally Sensitive Lands Overlay 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, Chapter 163, Part II, Florida Statutes.

Services and Facilities

These areas within the Environmentally Sensitive Lands Overlay 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 Environmentally Sensitive Lands Overlay 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 floodprone area) the future land use of that property shall not be governed by the Environmentally Sensitive Lands Overlay, 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.

Preservation/Managed Lands

This land use consists of natural lands owned by Seminole County, the State of Florida, the St. Johns River Water Management District, the Federal Government, or other public body. The maximum intensity permitted in this designation is .10 floor area ratio.

Purpose and Intent

A Preserving open space, water resources and regionally significant natural areas as desired and authorized by Seminole County residents through the Natural Land Program and in support of the Central Florida Regional Growth Vision Green Print;

B Protecting the important natural/environmental lands located within Seminole County through acquisition, restoration and management, for the benefit of existing and future residents of Seminole County;

C Maintaining good surface water quality by preserving appropriate lands for their natural stormwater cleansing abilities; and

D Providing opportunities to Seminole County and its visitors for beneficial educational, passive recreational and eco-tourism uses of environmentally significant resources.

Uses

Natural lands with environmental significance or important assets, including:

A Wild and scenic areas;

B Undisturbed native plant communities, including endangered and rare species;

C Forest and botanical resources;

D Lands critical to fish and wildlife survival, especially rare and endangered species;

E Wetlands;

F Lands that serve as natural protective buffers and natural stormwater cleansing areas for water quality maintenance of surface waters and wetlands; and

G Historic resources, including archaeological, geological and historical sites

Lands with this land use designation that are owned by Seminole County shall have management plans created for them that are unique to the environmental assets within each area. Lands with this designation that are owned by other governmental entities may also have management plans created by those owners.

County management plans shall include preservation programs that may involve the use of prescribed burns, resource protection efforts that may limit location and amount of public access, and control of exotic species. Management plans may include restoration efforts and passive recreational uses in designated areas. Passive recreational uses shall be based on ability to ensure preservation of the resource and impact on surrounding lands and land uses and may include, but are not limited to, the following:

A Hiking on designated trails;

B Camping at designated campsites and in accordance with permits;

C Horseback riding on designated horse or multi-use trails;

D Hunting where and when authorized by the managing agency;

E Boating and canoeing at designated boat ramps, launch sites or by special authorization permits

Management Plans for other governmental lands

Lands with this designation that are owned by other governmental agencies may also have management plans, and the County shall allow uses and activities identified in those plans.

Services and Facilities

These areas are not intended for urban uses and will not be scheduled for urban services.

Special Provisions

Uses of managed lands are subject to the Management Plans that govern them. Use of Preservation Easements is subject to the Agreement conveying the easement.

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RURAL LAND USE CATEGORIES
RESIDENTIAL DESIGNATION SERIES

The County has established three similar, yet very distinct, future land use designations assigned to the East Rural Area of Seminole County as depicted in *Exhibit FLU: 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.

Purpose and Intent

A These three land use designations are intended to work in harmony to maintain the rural character, lifestyle and agricultural potential of the Rural Areas of Seminole County.

B 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.

C 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.

D 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

A The Rural-3 Future Land Use Designation allows rural residential development at densities equal to or less than one dwelling unit per three 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: 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 dwelling unit per three net buildable acres or one free standing mobile/ manufactured home and accessory uses per three net buildable acres;

B Publicly and privately owned parks and rural recreation facilities;

C Houses of worship, 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, 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 on a short term basis (established at time of approval), and must be located in less densely populated areas having natural or man-made recreation facilities in the vicinity.

Fifty percent (50%) of land within any clustered developments shall be interconnected open space and lot sizes shall be no smaller than one-half acre (21,780 square feet). Open space uses within a clustered development may include common open space land for the grazing of horses or farm animals belonging to owners of land within the development and riding trails.

Rural-5

The Rural-5 Future Land Use Designation allows rural residential development at densities equal to or less than one dwelling unit per five 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

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

B Rural residential development at a density equal to or less than one dwelling unit per five net buildable acres or one free standing mobile/manufactured home and accessory uses per five net buildable acres;

C Publicly and privately owned parks and rural recreation facilities;

D Houses of worship, country clubs (over 10 acres in size) and home occupations;

E Agricultural operations and attendant structures, greenhouses, nurseries and silviculture;

F Public elementary schools; and

G Special exceptions such as adult congregate living facilities, group homes, 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 on a short term basis (established at time of approval), 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.

C Fifty percent (50%) of land within any clustered developments shall be interconnected open space and lot sizes shall be no smaller than one-half acre (21,780 square feet). Open space uses within a clustered development may include common open space land for the grazing of horses or farm animals belonging to owners of land within the development and riding trails.

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 dwelling unit per 10 net buildable acres, or one dwelling unit per five net buildable acres, when units are sited specifically on one acre lots. This land use is established to accommodate the continuation of agricultural pursuits and allow residential development on large lots 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-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 dwelling unit per 10 net buildable acres; one dwelling unit per five buildable acres when units are sited specifically on one acre lots; or one free standing mobile/manufactured home and accessory uses per 10 net buildable acres;

C Publicly and privately owned parks and rural recreation facilities;

D Houses of worship, 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, 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 on a short term basis (established at time of approval), 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.

C Fifty percent of land within any clustered developments shall be interconnected open space and lot sizes shall be no smaller than one-half acre (21,780 square feet). Open space uses within a clustered development may include common open space land for the grazing of horses or farm animals belonging to owners of land within the RPD development and riding trails.

SUBURBAN LAND USE CATEGORY
SUBURBAN DESIGNATION SERIES

Suburban Estates

Purpose and Intent

The purposes and intent of this land use designation are: to allow the development of large lot single family estates as a desired final land use; to act as a stepped down land use serving as a buffer between urban development and the Rural Area; and to allow existing agricultural operations to continue until developed for other uses.

This land use consists primarily of residential development on a minimum of one acre. Lots sizes of less than one acre may be permitted with accompanying PUD zoning; provided, however, that density shall be computed on the basis of one 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.

Uses

A Single family residences on a minimum of one acre;

B General rural uses;

C Houses of worship, country clubs (over 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.

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URBAN LAND USE CATEGORIES
RESIDENTIAL DESIGNATION SERIES

Low Density Residential

Purpose and Intent

The purpose and intent of this land use designation is to provide appropriate locations for standard detached single family residences at a maximum density of four dwelling units per net buildable acre, with a limited list of public purpose and special exception uses. 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 (site-built or modular) up to four 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, houses of worship, 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. Pedestrian connections between residential areas, sidewalks abutting the residential areas, and transit stops are encouraged.

B Clustering of residential units to preserve environmentally sensitive areas above and beyond Land Development Code requirements and/or to provide sites for schools, recreation and other public facilities is permitted under the Planned Unit Development zoning classification. To maintain compatibility with surrounding land uses, the density of clustered units is limited to a maximum of four dwelling units per net buildable acre.

C Mobile homes/manufactured housing 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).

D Single family detached residences (site-built or modular) may be permitted up to seven dwelling units per net buildable acre in compliance with the provisions of *Policy FLU 10.1 Affordable and Workforce Housing Density and Intensity Bonuses*.

Medium Density Residential

Purpose and Intent

The purpose and intent of this land use designation is to provide for a range of residential uses at a maximum density of 10 dwelling units per net buildable acre and allow for the conversion of existing residential units to residential professional office uses in the Residential Professional 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, multi-family units, mobile home parks/manufactured housing 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, houses of worship, 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, usable 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 environmentally sensitive 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 Planned Unit Development 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.

C Residential dwelling units may be permitted up to a density of 12 dwelling units per net buildable acre in compliance with the provisions of *Policy FLU 10.1 Affordable and Workforce Housing Density and Intensity Bonuses*

High Density Residential

Purpose and Intent

The purpose and intent of this land uses designation is to provide for a range of residential development at a maximum density of 20 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 houses of worship, utilities, group homes, hospitals, convalescent and nursing homes, and accessory office uses.

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 transitfacility 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 preservenvironmentally sensitive 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 Planned Unit Development 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 reuse to meet public safety needs and offset facility capacity impacts.

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URBAN LAND USE CATEGORIES
MIXED LAND USE DESIGNATION AND OVERLAY SERIES

Energy Conservation Overlay

Purpose and Intent

The purpose of the Energy Conservation Overlay **is to encourage and incentivize a phased redevelopment of areas identified on *Exhibit FLU: Energy Conservation Overlay* in order to achieve the intent**: a land use pattern that conserves energy, reduces the production of greenhouse gases, and fosters the use of multiple modes of transportation.

This Overlay is limited to locations within ½ mile radius of major urban activity centers and SunRail commuter rail stations, and within ¼ mile of major urban transit corridors. A Performance Framework, identified in *Policy FLU 5.17 Energy Conservation Overlay* and further implemented by a scoring system contained in the Land Development Regulations, controls the activation of the Overlay provisions. A minimum score of 80% is required to benefit from the incentives of the Overlay.

Uses

Option 1: Compliance with and limitation to the underlying future land use designation and the Comprehensive Plan provisions that apply (such as maximum allowable residential dwelling unit, maximum nonresidential square footage and the like).

Option 2: Commercial, educational, light industrial, office and residential uses in a compact land use pattern that allows for a range of transportation modes, and includes green building techniques, in order to conserve energy and reduce greenhouse gases by reducing vehicle miles traveled. Such compact land use patterns may also include buffers in the form of natural areas that can reduce greenhouse gases through absorption of carbon dioxide.

Energy Conservation Assessment Performance Framework

Proposed developments requesting approval under Option 2 shall be subject to an assessment by Seminole County to evaluate extent of consistency with the Energy Conservation principles contained in this policy. The assessment shall consist of a point system contained within the Land Development Code that measures and scores a development proposal on the basis of how well it meets those features of the performance framework that are relevant to the proposal, including the following:

A Extent to which proposal creates a complementary mix of uses (residential, commercial, office, light industrial, educational) that allows for a sound jobs to housing balance, encourages multiple modes of transportation and reduces the need for automobile travel.

B Location relative to existing or proposed public transit service and/or rail station.

C Walkability of proposed development; extent to which paths and sidewalks are proposed and extent to which they are to be shaded; extent to which pedestrian and bicycle links to adjacent developed areas are provided, where possible; use of "complete streets" as part of development proposal.

D Proposal redevelops an existing site that is not developed in an energy-efficient manner.

E Proposal develops an infill area.

F Proximity of proposal to existing development and existing or proposed urban services.

G If a single use is proposed, extent to which the use improves jobs to housing balance in the immediate area and extent to which the use encourages multiple modes of transportation.

H Extent to which proposal makes use of green building techniques and complies with energy efficiency and renewable energy technology requirements of Chapter 553, Florida Statutes.

I Extent to which proposal discourages crime through use of Crime Prevention Through Environmental Design principles.

J Extent to which proposal creates a range of housing options in the immediate area, including Affordable and Workforce housing, allowing for a mixed income area.

K Extent to which proposal preserves existing natural areas, especially those containing trees, or creates wooded areas to serve as carbon sinks.

L Extent to which proposal prevents urban sprawl by absorbing development that might otherwise pressure protected areas such as the East Rural Area, environmentally significant areas such as the Wekiva River Protection Area and other critical environmental assets.

M Extent to which proposed development provides a needed public facility, such as a police substation, transit shelters available to the public, rail station facilities, public recreational area or public school.

Permitted Development

Allowable densities and intensities shall be determined using the table below and by the proposed development's Energy Conservation Assessment score.

Percent Score	**Density***		**Intensity***	
	Minimum	**Maximum**	**Minimum**	**Maximum**
95-100	15.00	20.00	.85	1.0
90-94	10.00	14.99	.71	.84
85-89	8.50	9.99	.53	.70
80-84	7.00	8.49	.36	.52
Less than 80	Comply with underlying FLU designation			
Density is measured in units per net buildable acre Intensity is measured in floor area ratio (FAR)				

*****_All Energy Conservation developments approved pursuant to this Policy shall be consistent with adopted levels of service for potable water, sanitary sewer, recreational acreage, drainage, public school capacity and mobility quality standards as shown in the Capital Improvements Element of the Seminole County Comprehensive Plan._

Energy Conservation Development Agreements. Development within the Energy Conservation Overlay requesting approval under Option 2 shall comply with applicable provisions of the Land Development Code, but shall also be subject to a Development Agreement with Seminole County to ensure effective implementation of energy conservation principles while furthering and supporting other important Comprehensive Plan Goals, Objectives and Policies. Each Agreement shall be uniquely crafted, based upon the location, type, density and intensity of the proposal and shall address, at a minimum, the issues of concern identified in *Policy FLU 5.17 Energy Conservation Overlay*.

Planned Development

Purpose and Intent

The purpose and intent of this land use designation is to enable innovative arrangements of land development features that are not possible with the use of standard land use designations and zoning districts. This land use designation provides for a variety of densities and/or intensities arranged within a development site to encourage flexible and creative site design. An application for rezoning to PD (Planned Development) zoning must accompany an application to amend the future land use designation of a property to PD (Planned Development) future land use. The rezoning does not take effect until 31 days after completion of the transmittal of the adopted future land use amendment from the County to the State and Regional reviews agencies, which is the time period set for all Future Land Use amendments to take effect. Upon approval of the future land use designation, the maximum permitted density and/or intensity requested in the rezoning application shall be noted on the County's Future Land Use Map or map series.

PD (Planned Development) zoning 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 compatibility with adjacent uses through, at a minimum, buffering, setbacks, lighting, building heights, and creative site design features where needed (such as lot sizes on perimeters that are comparable to lot sizes in adjacent residential developments) to ensure such compatibility.

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 may 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; the size and location of service areas and other features specified by performance standards in the Land Development Code. 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.);

D Public and private elementary schools, middle schools and high schools; and

E Attendant on-site facilities such as shared vehicular and bicycle parking facilities, public transit stops and shelters, 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. The proposed rezoning is processed at the same time as the amendment to Planned Development and shall not become effective until 31 days after completion of the future land use amendment process, as is the case for all Future Land Use amendments. The 31-day period allows for second transmission of that amendment following adoption to the State and Regional Review agencies, response of State and Regional review agencies and waiting period required by State Law for affected parties to request hearings.

B The master plan/site plan shall provide open space recreation and internal and external pedestrian circulation for residents, employees and/or customers as a component of site design. To the extent feasible, the master plan/site plan is encouraged to protect locally and regionally significant features by transferring residential units proposed for the portion of the site containing the feature to other portions of the site, through the use of clustering of units. This provision applies for sites within the urban portion of unincorporated Seminole County, and not for sites within or adjacent to the Wekiva Protection Area and the East Rural Area.

C Minimum Open Space: A minimum of 25% 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 within Mixed-use Planned Developments: 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, demonstrate internal trip capture within the planned development community, and minimize the impact of commercial uses on adjacent and surrounding communities.

F Minimum Size: Mixed-use planned developments are required to demonstrate that they contain sufficient acreage to effectively design the site for residential and nonresidential uses, and required parking.

G 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.

H Development Phasing: Development of the phases of a mixed-use development must be timed concurrent with concurrency 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.

I 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, bicycle paths, cross access easement, connected parking lots, and other similar means of providing full internal access are typical components.

J 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.

K 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.

Special Services

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

Higher Intensity Planned Development (HIP) - Core And Transitional Areas

Purpose and Intent

The purpose and intent of this land use is to designate strategic locations to accommodate employment centers and higher intensity mixed uses where efficient use can be made of existing infrastructure and to discourage urban sprawl. The maximum density and intensity permitted in the HIP-Core designation is 50 dwelling units per net buildable acre and floor area ratio of 1.0, and 20 dwelling units per net buildable acre and floor area ratio of .35 in the HIP-Transitional designation. 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 supportive of employment uses, office, commercial and industrial land uses are permitted, in order to allow for multimodal work trips. This will allow residents of a mixed use development or housing built close to an employment use the option of walking or bicycling to work, or driving to work without accessing major arterials and freeways. The intent of this land use is 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, at interchanges 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 developments, corporate business parks, office complexes, industrial parks and attendant retail, commercial, service, and hotel uses;

B Public and private elementary schools, middle schools and high schools;

C Planned medium density residential and high density residential developments supportive of employment uses; and

D Planned mixed-use developments.

Zoning

Zoning classifications allowed in this land use designation are presented in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications,* which also specifies allowable densities and intensities of development proposals.

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 intensity requirements shall be encouraged by allowing phasing of development when market conditions do not support immediate construction of allowable intensities.

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. Performance standards shall be provided in the Land Development Code.

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 Development within this Future Land Use Designation Requires Rezoning: Plan amendments to Higher Intensity Planned Development will require a future rezoning to enable a HIP development to proceed. If a rezoning request is submitted simultaneously with a plan amendment, the following conditions shall apply: (a) the

plan amendment shall be accompanied by data and analysis supporting the ability of the County and/or other service providers to meet service demands at the maximum density and/or intensity allowable by the future land use designation, regardless of the density or intensity of a proposed rezoning; (b) the proposed rezoning shall be processed as a separate case with a separate staff analysis; (c)an approval of a rezoning shall not become effective until 31 days after completion of the future land use map amendment process, including response of State and Regional review agencies after adoption of the amendment by the Board of County Commissioners, and the expiration of the time period allowed by State Law to enable an affected party to request a hearing on the future land use amendment; and (d) a preliminary master plan/site plan is a required submission with the rezoning application which would then become a condition of zoning approval; said preliminary plan shall provide sufficient detail to demonstrate compliance with the performance standards contained in this section of the Seminole County Comprehensive Plan (Plan) and standards implementing the policies of the Plan as provided for in the Land Development Code.

F Development Phasing: Construction of the phases of the planned 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, including any adjacent public transportation facilities, 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 reuse to meet public safety needs and to offset facility capacity impacts.

Higher Intensity Planned Development (HIP)-Target Industry

Purpose and Intent

The purpose and intent of this land use designation is the identification of sites along the north I-4 Corridor where locational factors and higher land values tend to attract higher intensity development, and services and facilities are programmed to accommodate a range of nonresidential employment-oriented uses offering higher paying jobs, and to allow supportive residential uses. The maximum density and intensity permitted in this HIP designation is 50 dwelling units per net buildable acre and floor area ratio of 1.0. Target industries (as identified in *Exhibit FLU: Target Industry Uses)*, high density residential in support of and in association with the attraction of target industries, 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 transportation 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 transit corridors, at major interchanges and major intersections to reduce development pressures in other areas of the County, thereby supporting the Central Florida Regional Growth Vision, connecting future land use development with supportive multimodal mobility and avoiding 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; High density residential uses ancillary to and functionally and physically integrated into project components as defined in *Policy FLU 5.8 North I-4 Corridor Higher Intensity Planned Development–Target Industry (HIP-TI) Permitted Uses and Locational Standards*;

C Commercial uses located adjacent to the Seminole Towne Center Mall, at major roadway intersections (i.e., collector and arterial intersections) or as an accessory use or a use supportive of the Target Industry and which is located either within a principal office structure or on-site within walking distance of the Target Industry and occupying a lesser square footage than the Target Industry;

D 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;

E Medium density residential uses and lower intensity office uses may only be located adjacent to existing subdivisions as a buffer for the existing subdivisions 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;

F Public and private elementary schools, middle schools and high schools;

G In addition, for those HIP-TI properties located east of I-4 and north of State Road 46, not including properties within a ½ mile radius of the SunRail station or the Energy Conservation Overlay, the following uses are also allowed:

1 Automobile repair shops;

2 Distribution and terminals;

3 Durable goods and surgical supply manufacture;

4 Free-standing large scale commercial sales, such as automobile sales;

5 Light manufacturing industry;

6 Lumberyards and machinery sales;

7 Manufacturing, distribution, industrial and rail dependent uses located in the Rand Yard area;

8 Medical clinics;

9 Office parks, medical offices;

10 Paint and body shops;

11 Publishing plants;

12 Showroom warehouses;

13 Trade shops and trade schools, including health care related trade schools;

14 Universities and colleges;

15 Warehousing;

16 Wholesale greenhouses; and

17 Other similar uses

H Small free-standing single or multi-use commercial operations are permitted long major collector and arterial roads on properties with the HIP-TI Future Land Use designation 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

I Special exceptions such as utilities, service stations, nursing homes, heliports and helipads.

J High density residential uses and lower intensity office uses may only be located adjacent to existing subdivisions as a buffer for the existing subdivisions from future industry and target industry development, if such residential and office development provides adequate areas on the development site to buffer the existing subdivisions and residential uses from future industrial development;

K 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 maximum development intensities in *Exhibit FLU: Future Land Use Designations and Zoning Classifications* and the "Purpose and Intent" Statement of this Section 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:

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 Development within this Future Land Use Designation Requires Rezoning: Plan amendments to Higher Intensity Planned Development will require a future rezoning to enable a HIP development to proceed. If a rezoning request is submitted simultaneously with a plan amendment, the following conditions shall apply: (a) the plan amendment shall be accompanied by data and analysis supporting the ability of the County and/or other service providers to meet serve demands at the maximum density and/or intensity allowable by the future land use designation, regardless of the

density or intensity of a proposed rezoning; (b) the proposed rezoning shall be processed as a separate case with a separate staff analysis; (c) an approval of a rezoning shall not become effective until 31 days after completion of the future land use map amendment process, including response of State and Regional review agencies after adoption of the amendment by the Board of County Commissioners, and the expiration of the time period allowed by State Law to enable an affected party to request a hearing on the future land use amendment; and (d) a master development plan is a required submission with the rezoning application, which would then become a condition of zoning approval; said preliminary plan shall provide sufficient detail to demonstrate compliance with the performance framework contained in this section of the Seminole County Comprehensive Plan (Plan) and regulations implementing the policies of the 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 throughout the site and 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 reuse to meet public safety needs and to offset facility capacity impacts.

Higher Intensity Planned Development (HIP)-Airport

Purpose and Intent

The purpose and intent of this land use *designated* is to ensure a land use pattern surrounding the Orlando Sanford International Airport that is supportive of the Airport in compliance with Section 163.3177(6)(j)(7), Florida Statutes, and that takes advantage of the presence of the Airport as an economic engine. The maximum density and intensity permitted in this HIP designation is 30 dwelling units per net buildable acre and floor area ratio of 1.0. 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, Office, commercial, and industrial land uses, especially those supportive of Airport functions, are encouraged to:

K Expand industrial land use and zoning in areas where airport noise impacts are expected to prohibit residential development; and

L Provide additional areas for very limited residential uses more distant from the airport, especially as a part of mixed-use development that would be compatible with airport operations.

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, warehouses, corporate business parks, office complexes, commercial developments and attendant retail, service, and hotel uses;

B Medium to high density residential development only in appropriate locations, especially as part of mixed-use developments supportive of airport uses;

C Residential land uses and residential zonings shall not be permitted if within 300 feet of the centerline of the OSIA's new runway system east to the Conservation Area adjacent to Lake Jesup; and

D Public elementary schools, public middle schools, public high schools, and trade schools supportive of airport uses; however, new public educational facilities shall be prohibited if within 300 feet of the centerline of the OSIA's new runway system east to the Conservation Area adjacent to Lake Jesup.

Intensity

Maximum intensity at any given location shall not exceed a floor area ratio (FAR) of 1.0. For mixed uses within an HIP-A project, additional nonresidential square footage shall be permitted on a sliding scale based on the number of workforce housing units included within the project, but in no case shall a project exceed the FAR of 1.0 for the entire project. Residential density of 30 units per net buildable acre shall be the maximum for HIP-Airport.

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

General Use	Minimum	Maximum
Medium – High Density Residential Uses, including Rental	0%	10%*
Industrial Uses	50%	75%
Commercial Uses	25%	75%

** Night watchman's quarters or similar living quarters in support of and accessory to an otherwise nonresidential use may be permitted.*

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

For mixed-use projects, prior to issuance of building permits for any portion of approved residential units representing greater than 70% of the total residential units, 50% of the

nonresidential square footage must be completed. All residential uses are subject to an Avigation Easement and compatibility standards addressed in *Policy FLU 5.7 Higher Intensity Planned Development-Airport (HIP-Airport) Permitted Uses and Locational Standards*.

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.

Special Provisions

A Development within this Future Land Use Designation Requires Rezoning: Plan amendments to Higher Intensity Planned Development will require a future rezoning to enable a HIP development to proceed. If a rezoning request is submitted simultaneously with a plan amendment, the following conditions shall apply: (a) the plan amendment shall be accompanied by data and analysis supporting the ability of the County and/or other service providers to meet service demands at the maximum density and/or intensity allowable by the future land use designation, regardless of the density or intensity of a proposed rezoning; (b) the proposed rezoning shall be processed as a separate case with a separate staff analysis; (c) an approval of a rezoning shall not become effective until 31 days after completion of the future land use map amendment process, including response of State and Regional review agencies after adoption of the amendment by the Board of County Commissioners, and the expiration of the time period allowed by State Law to enable an affected party to request a hearing on the future land use amendment; and amendment In Compliance by the State Land Planning Agency; and (d) a preliminary master plan/site plan is a required submission with the rezoning application which would then become a condition of zoning approval; said preliminary plan shall provide sufficient detail to demonstrate compliance with the performance framework contained in this section of the Seminole County Comprehensive Plan (Plan) and regulations implementing the policies of the 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. The Land Development Code shall include appeal procedures.

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: Higher 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, higher 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: Higher 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.

Special Services

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

Mixed Development

Purpose and Intent

In general, the purpose and intent of this land use is to encourage and promote well planned, suitable and appropriate mixed-use developments with residential and nonresidential components in close proximity to one another. This land use designation is an optional, or applicant-driven, land use for which an applicant will apply. The County shall not apply the Mixed Development (MXD) land use designation unless working with land owners for a public purpose, such as enabling redevelopment undertaken pursuant to plans or strategies adopted in accord with Chapter 163, Part III of Florida Statutes, or as part of an overall strategy to support the Central Florida Regional Growth Vision by enabling the creation of compact, energy-efficient development patterns that prevent urban sprawl and strip development, reduce greenhouse gases and foster the use of alternative transportation modes. Should an applicant seek this land use designation, the list of potential development options is identified below. 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 while encouraging internal capture of automobile trips 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.

A minimum of two uses are required within a MXD development unless special circumstances apply, but no mandatory minimum percentage of each use shall be established.

Specific Designations

A Specific Mixed Development Proposals within areas served by multiple providers. Where unincorporated lands within a corridor, or an unincorporated area with multiple parcels and multiple property owners has been designated as Mixed Development, multiple providers of potable water and sanitary sewer exist and the area is not subject to a Development of Regional Impact approval, individual service areas shall be identified and the maximum allowable number of dwelling units and nonresidential square footage shall be recorded for each service area as a part of the Seminole County Comprehensive Plan Future Land Use Element text. The maximums shall be determined by and consistent with the adopted levels of service of the providers.

B There are hereby established the following individual service areas within the US 17-92 Community Redevelopment Area, as illustrated on *FLU Exhibit: Seminole County US 17-92 - Community Redevelopment Area (CRA) Mixed Development (MXD) Water/Sewer Service Areas.* The maximum dwelling unit count and maximum nonresidential square footage counts for the subareas within the Community Redevelopment Area (CRA) Mixed Development Corridor for the first five years of the planning horizon (projected to 2013), and for the planning horizon to 2025, are shown on *FLU Exhibit: Seminole County US 17-92 - CRA MXD Service Demand Analysis by Jurisdictional Service Area and Planning Period*. The maximums for the entire planning horizon are as follows:

1 City of Sanford Service Area: Maximum dwelling unit count: 336; maximum nonresidential square footage: 424,544;

2 Seminole County Northeast Service Area: Maximum dwelling unit count: 937; maximum nonresidential square footage: 1,182,442;

3 City of Longwood Service Area: Maximum dwelling unit count: 800; maximum nonresidential square footage: 1,009,792;

4 City of Casselberry Service Area: Maximum dwelling unit count: 792; maximum nonresidential square footage: 999,289;

5 Seminole County Southeast Service Area: Maximum dwelling unit count: 1,424; maximum nonresidential square footage: 1,796,934.

6 A small number of parcels have not yet had a provider of urban potable water and sanitary sewer service identified for them. The update of the CRA Plan in 2009 shall identify the provider or providers. Maximum dwelling unit count and maximum nonresidential square footage, until service provider is determined, is governed by the capabilities of existing services.

Potential Development Options that may be selected

A Mixed-use developments that includes a mix of residential and nonresidential components.

B Multiple use developments allow a mixture of nonresidential uses, such as retail commercial, office, service uses and/or light industrial.

C New developments are required to be mixed-use developments, unless one or more special circumstances apply, as follows:

1 Existing single use developments in place at the time that the land area is designated MXD shall be allowed to continue as legal conforming uses that can be restored, maintained or redeveloped in accordance with the zoning district standards in effect prior to designation of the site as MXD Future Land Use.

2 New single use developments proposed for this land use designation shall be allowable uses if a site contains fewer than six acres.

3 Single use residential developments on sites containing six or more acres are allowable if a range of housing opportunities, including workforce housing, and a variety of transportation choices linking the development to nearby nonresidential uses is provided, in support of the Central Florida Regional Growth Vision.

D Allowable residential uses may include single family in place prior to the land being designated MXD, zero-lot line units, duplexes, tri and quadplex units, townhouse units, units located above nonresidential uses within multi-story structures, accessory units and multi-story multi-family units;

E Allowable nonresidential uses may include commercial, office, hotel, service, very light industrial, public and private schools (including elementary, middle and high schools), banks, cultural facilities, open space and natural areas, health care facilities including hospital, day care facilities, indoor recreational facilities, parks, restaurants, business and light industrial "incubators" and research facilities; and

F Attendant on-site facilities such as structured parking facilities integrated into other uses, transit facilities, 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 Acreage	Maximum Acreage
Medium – High Density Residential Uses*	20%	80%
Light Industrial Uses	20%	80%
Commercial Uses(including retail and office uses)**	20%	80%

Note: Total land use mixture cannot exceed 100% of site acreage.

**Maximum permitted residential density is 30 dwelling units per net buildable acre. A residential density of up to 40 units per net buildable acre will be permitted where a minimum of 20%) of the project's units qualify as workforce housing.*

***The maximum Floor Area Ratio (FAR) for all nonresidential uses shall be .60 FAR with a potential bonus of .20 FAR for developments that qualify as a workforce housing development. A potential bonus of .20 FAR is also available for projects that meet the minimum green certification standards per Policy FLU 5.15 Mixed-Use Developments. In no case shall the FAR exceed 1.0 inclusive of each bonus.*

G 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 Location of the property within, or in close proximity to, an established Community Redevelopment Area or within a one-mile radius of a commuter rail station stop.

3 Standards, methodologies and techniques addressed in the Comprehensive Plan, such as level of service standards to ensure that internal consistency is maintained;

4 Provision of facilities and services shall be required consistent with *Exhibit FLU: Services and Facilities By Classification*; and

5 Mixed Development land use shall not be assigned to properties within the Wekiva River Protection Area or the East Rural Area of Seminole County.

Nonresidential uses and FARs shall transition away from established residential neighborhoods according to the requirements of *Policy FLU 5.15 Mixed-Use Developments* and the assigned zoning classification to prevent adverse impacts to adjacent residential neighborhoods. Mixed-use structures abutting neighborhoods or lands with residential future land use designations shall include design features facing those residential lands that are compatible with and complementary to the residential areas and other features intended to ensure a compact, walkable development pattern, as specified in the Seminole County Comprehensive Plan Performance Standards contained within *Policy FLU 5.15 Mixed-Use Developments* and the Land Development Code.

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.

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 MXD. *Exhibit FLU: Compatible Transitional Uses* will be utilized in evaluating compatibility of proposed uses.

Concept Plan

The concept plan shall illustrate the location of proposed uses and facility improvements, a walkable development pattern that supports multiple modes of transportation, and shall indicate densities and intensities of uses. The purpose of the concept plan is to determine whether the proposed use can meet the requirements of the zoning classification, which implement the performance standards specified in *Policy FLU 5.15 Mixed-Use Developments*. The Concept Plan shall support and be consistent with the maximum densities and intensities of any individual service area, where applicable. Special attention shall be given to established residential uses adjacent to or near any MXD parcel or area to provide a reasonable transition of uses and reasonable buffers. A transition area of compatible residential uses, structures that resemble residences of comparable heights to the adjacent residential uses, or substantial buffers and setbacks must be provided between the established residential uses and any new nonresidential use.

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.

Performance Standards

Performance Standards provided in *Policy FLU 5.15 Mixed-Use Developments* and the Seminole County 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 that incorporates and preserves natural areas, if any, is consistent with the requirements of Urban Open Space definition contained in Policy FLU 4.4 and the Introduction Element, as well as land development code 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. Where compatibility permits, separate pedestrian and vehicular connections to abutting land uses shall be provided.

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, thus providing for a variety of transportation choices in support of the Central Florida Regional Growth Vision. Sidewalks, cross access easements, connected parking lots, and other similar means of providing full internal access are typical components. Exterior pedestrian connections to transit shall also be provided for corridors served by transit.

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 vehicular traffic and intrusion of adverse impacts; however, pedestrian and bicycle access between developments is encouraged. Developers shall be directed to meet with adjacent neighborhoods to discuss the feasibility of such connectivity and methods of preserving the character of the surrounding neighborhoods. 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 Seminole County Comprehensive Plan policies of supporting the Central Florida Regional Growth Vision of ensuring multiple transportation modes, and the Seminole County Land Development Code objectives of creating a network of local multi-modal corridors that facilitate mobility in and around the site. Strip development, or development with vehicular access only, shall not be approved.

2 Street Trees: Mixed-use developments shall provide street trees along all adjacent public streets planted in the right-of-way pursuant to approval by the County Engineer or on private lands immediately adjacent to the street right-of-way if public right-of-way planting presents safety hazards.

3 Signage: Shared signage to reduce safety hazards caused by excessive signage shall be a feature of mixed developments, and shall be regulated consistent with the requirements of the Land Development Code.

URBAN LAND USE CATEGORIES
NONRESIDENTIAL LAND USE CATEGORIES

Office

Purpose and Intent

The purpose and intent of this land use if to identify locations for 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. The maximum intensity permitted in this designation is .35 floor area ratio.

OP (Office Professional), RP (Residential Professional) and PD (Planned 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 may 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 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 low and medium density 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

Purpose and Intent

The purpose and intent for this land use is to identify locations 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. The maximum intensity permitted in this designation is .35 floor area ratio.

Uses

A Neighborhood convenience store;

B Community, regional and subregional shopping centers;

C Colleges, universities, business and technical schools;

D Retail sales, restaurants and commercial services;

E Highway oriented businesses and outdoor advertising;

F Amusement and commercial recreation within an enclosed building;

G Adult and child care facilities, including evening and night facilities ;

H Public and private elementary schools, middle schools, and high schools;

I Hotels and motels; and

J 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.

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 commercial development has already occurred.

B Commercial developments adjacent to existing residential neighborhoods should be developed as Planned Developments with a flexible site design to provide adequate buffers, maintain existing tree cover, allow for adequate and safe pedestrian and bicycle connections between the Planned Development and existing residential neighborhoods 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

Purpose and Intent

The purpose and intent of this land use is to identify locations for 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. The maximum intensity permitted in this designation is .65 floor area ratio.

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.

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

Purpose and Intent

The purpose and intent of this land use is to identify locations for 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. The maximum intensity permitted in this designation is .65 floor area ratio.

Uses

A Public and private recreation, education and library facilities;

B Public elementary schools, public middle schools and public high schools;

C Public and private cemeteries and mausoleums;

D Public safety facilities; and

E 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

A 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.

B Development activity, including the placing or depositing of fill within wetlands and the 100 year floodplain as identified by FEMA, shall be prohibited on lands designated as Public, Quasi-Public, except in cases of overriding public interest. Where wetland values are degraded due to overriding public interest, mitigation efforts shall occur. Floodplain impacts will require compensating storage.

Recreation

Purpose and Intent

The purposed and intent of this land use is to identify locations for 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. The maximum intensity permitted in this designation is .50 floor area ratio.

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.

SEMINOLE COUNTY
FLORIDA'S NATURAL CHOICE

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