

ATTACHMENT A - Text Section

Application For Future Land Use Map Amendment To The Seminole County Comprehensive Plan

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SEMINOLE COUNTY LOCAL PLANNING AGENCY/PLANNING AND ZONING COMMISSION AND BOARD OF COUNTY COMMISSIONERS

Proposed amendments to the County's Future Land Use Map are reviewed against the goals, objectives and policies of the Seminole County Comprehensive Plan. The future land use map itself is a graphic representation of the policies contained within the Plan.

Proposed amendments are also reviewed for compatibility with adjacent land uses, sufficient public facility resources to serve any change in the demand for services, appropriate timing and location of the amendment, potential environmental impacts, and for internal Plan consistency. The impact on state and regional resources, facilities and policies as well as upon specially designated areas within the County is included in this review.

The County also evaluates proposed amendments for consistency with the Central Florida Regional Growth Vision and the East Central Florida Regional Planning Council's Strategic Regional Policy Plan.

ATTACHMENT A SECTIONS :

1. A text section requiring the applicant to perform a preliminary evaluation of whether the amendment proposal meets certain standards set by the Comprehensive Plan. This section is a Microsoft Word document that can be downloaded, opened and directly filled-in. The document can then be either printed directly as a PDF or printed out and scanned to PDF for submission. The submitted PDF is included in the Board's meeting agenda package. Applicant responses are used by the Project Manager in reviewing the proposed amendment.
2. A worksheet section requiring the applicant to perform a preliminary evaluation of whether current facility capacities can meet the demand of the proposed land use change. This section is an Adobe Acrobat PDF document which can be opened from the County web-site and filled-in on screen or can be downloaded, opened on a personal computer and filled-in. Once both documents are filled-in, they can then be either printed directly as a PDF or printed out and scanned to PDF for submission. The submitted PDF is included in the Board's meeting agenda package.

NOTE: A MINIMUM OF THREE STEPS ARE INCLUDED IN THE AMENDMENT PROCESS:

1. Development Review Committee (DRC) Meeting – Review conducted by county staff to identify any potential internal plan conflict issues and provide recommendations. NOTE: This meeting may be waived under certain circumstances.
2. First Public Hearing – Review by the Planning and Zoning Commission, serving as the Local Planning Agency, to provide recommendations to the Board of County Commissioners.
3. Second Public Hearing –
 - a. For Small Scale Amendments (amendments affecting properties with fewer than 10 net buildable acres), the second public hearing is an adoption or denial hearing. The decision to amend the plan must be through adoption of an ordinance of amendment by affirmative vote of not less than a majority of the members of the governing board present at the hearing. Within 31 days of adoption of the ordinance, if no affected party has filed a request for a hearing at the Division of Administrative Hearings, the amendment is effective.
 - b. For Large Scale Amendments (amendments affecting properties with 10 or more net buildable acres), the second public hearing is a transmittal hearing by the Board of County Commissioners. The decision must be by an affirmative vote of not less than the majority of the members of the governing board present at the hearing to transmit the proposed amendment to State and Regional Reviewing Agencies.
4. Third Public Hearing for Large Scale Amendments –
 - a. Within 180 days of receiving comments from State and Regional Reviewing Agencies, a third public hearing is held before the Board of County Commissioners to consider adoption, which must be through an ordinance of amendment by affirmative vote of not less than a majority of the members of the governing board present at the hearing.
 - b. The amendment must then be resubmitted to the State Land Planning Agency, which will notify the County as to whether the amendment package is complete.
 - c. Within 31 days of notification by the State Land Planning Agency of receipt of a complete amendment package, if no affected party has filed a request for a hearing at the Division of Administrative Hearings, the amendment is effective.

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SPECIAL AREAS STANDARDS OF REVIEW – These Special Area evaluations apply only to the following:

1. An amendment to Planned Development (PD) FLU
2. An amendment seeking to
 - a. Change a future land use designation within the East Rural Area
 - b. Change the Urban/Rural Boundary
3. An amendment from Higher Intensity Planned Development (HIP) and/or Industrial (IND) FLU that reduces employment opportunities.
4. An amendment within the Wekiva River Protection Area
5. An amendment within the East Lake Sylvan Transitional Area
6. An amendment within the Econlockhatchee River Protection Area
7. An amendment within the Environmentally Sensitive Lands Overlay (ESLO)

Sources Of Information For Completing Attachment A

- “Attachment A - References” – This document includes objectives, policies and map exhibits that can be referenced when completing the Attachment A - Text Section. It can be downloaded at:
<http://www.seminolecountyfl.gov/gm/planning/FLUamend.aspx>
- The County's Information Kiosk provides parcel information useful in completing Attachment A, including whether a parcel is within one or more Special Areas:
<http://gis2.seminolecountyfl.gov/InformationKiosk/>
- A fully searchable single copy of the Seminole County Comprehensive Plan, noted as “Entire Comprehensive Plan (17MB)”, as well as individual Elements and Element Exhibits, can be opened and/or downloaded at:
<http://www.seminolecountyfl.gov/gm/planning/compplan.aspx>

STANDARDS OF REVIEW FOR ALL FUTURE LAND USE MAP AMENDMENTS¹

The County shall use the standards described below in evaluating all applications for amendments to the Future Land Use Map of the Seminole County Comprehensive Plan.

All submissions are included in the official file for the project and will become a part of staff memoranda for public, Board and State Agency review. Staff review will verify if the applicant is correct in determining whether a question is applicable.

This application is divided into two documents – a text section and a worksheet section. Both are to be submitted with the application.

ALL APPLICABLE INFORMATION MUST BE PROVIDED INCOMPLETE SUBMITTALS SHALL BE RETURNED TO THE APPLICANT

1. **OWNER/APPLICANT NAME:** Aleksandar and Dragana Nikolic/Lonnie Groot

2. **PROJECT NAME:** Nikolic Future Land Use Amendment

3. IDENTIFICATION OF PARCELS PROPOSED FOR AMENDMENT AND FLU OF ADJACENT PARCELS

List the parcel number of each parcel proposed for amendment, use no hyphens, separate by semicolons.

Insert Parcel Identification Number(s) Here:
02-20-29-300-0130-0000

Note 1: If proposing an amendment to Planned Development (PD) land use, a concurrent rezoning application must also be submitted with this map amendment application and the Standards of Review for PD portion of this document must be completed.

Note 2: If proposing an amendment from Higher Intensity Planned Development (HIP) or Industrial (IND) to any land use allowing residential, a test of the change in the jobs to housing ratio must be calculated. (See item #3 in the Standards of Review section of this document.)

Complete the following identification of the future land use designation(s) of parcels adjacent to the proposed parcel or grouping of proposed parcels. Use either of the following sites:

- <http://gis2.seminolecountyfl.gov/InformationKiosk/>
- <http://www.scpafl.org/>

FLU Designation to the north of subject property(ies)

SE

FLU Designation to the south of subject property(ies)

SE

FLU Designation to the east of subject property(ies)

PML

FLU Designation to the west of subject property(ies)

SE and PML

¹ Small Scale Amendment involves areas of 10 acres or fewer [Section 163.3187(1)(a), Florida Statutes 2012]. Large Scale Amendment involves areas of more than 10 acres [see Section 163.3184, FS for provisions regarding amendments].

4. ASSESSMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES

a. Demonstrate the Compatibility with Adjacent Land Uses

Section 163.3177, Florida Statutes, requires local comprehensive plans to “provide for compatibility of adjacent land uses”. The Seminole County Comprehensive Plan contains many policies that focus on compatibility with surrounding future land uses, such as Policies FLU 2.4 through 2.6, Policy FLU 4.4 and Policy FLU 5.16, as well as an Exhibit (*Exhibit FLU Compatible Transitional Land Uses*).

Section 163.3164, Florida Statutes, and the Seminole County Comprehensive Plan define “compatibility” as:

“A condition in which land uses can coexist in relative proximity to each other in a stable fashion over time such that no use is unduly negatively impacted directly or indirectly by another use.”

Applicant shall briefly explain how the amendment will be compatible with each of the adjacent land uses identified in the preceding Section 1, and may use the above cited policies and Exhibit, or other policies of the Seminole County Comprehensive Plan, in the explanation. (See: <http://www.seminolecountyfl.gov/gm/planning/FLUamend.aspx>).

Begin narrative below and/or note attachments to reference:

The cemetery land use is an enclave within an area that is suburban estates is nature in every respect. That is, the character of the area is very low density residential (1 dwelling unit to the acre) with an array of recreational uses such as the soccer complex and natural land uses such as the lands saved by actions of the County that was, at one time, proposed as the Plantation Development of Regional Impact. The planned use of the subject/Nikolic property would be, at most, 2 residential structures.

b. Demonstrate the Changes in Character to the Surrounding Area (if applicable)

Applicant shall describe how the character of the area surrounding the proposed amendment site has changed sufficiently to support the need for a different land use designation. Possible points may include, but not be limited to:

- Approved but uncompleted projects (private and public) within the surrounding area that will change the character of the area within the next five years, and
- Appropriateness of the timing of the proposed change in land use designation for the subject property (i.e., consistency with planned public facility improvements, support for major public facilities such as SunRail commuter rail or support for other Seminole County Comprehensive Plan goals, objectives and policies).

Begin narrative below and/or note attachments to reference:

Actually, the character of the area has NOT changed. The proposed use of the property (in accordance with the zoning classification assigned to the property and the general area which is predominantly assigned the Suburban Estates future land use designation. The currently assigned future land use designation is truly a misnomer. That is not asserted to be an error in the work of those who implement the County's Comprehensive Plan, but, instead, the result of some caution and historical confusion about the use of the property throughout history.

c. Demonstrate the Support and Furthering of County Plan Goals, Objectives and Policies

In the following table, the Applicant shall check which of the following Seminole County Comprehensive Plan goals, objectives and policies will be supported and/or furthered by the proposed amendment.

The following objectives and policies can be use to demonstrate that the proposed amendment supports and furthers the Seminole County Comprehensive Plan. The full text of each objective and policy can be found in the downloadable document entitled: "Attachment A – Reference" located at:

<http://www.seminolecountyfl.gov/gm/planning/FLUamend.aspx>

<i>Objectives Or Policies Of The County Plan Supported Or Furthered By Proposed Application</i>	CHECK IF 'YES'
Policy FLU 2.4 - Neighborhood Commercial Uses	
Policy FLU 2.5 - Transitional Land Uses in Urban Areas Not Approved for Mixed Development	✓
Policy FLU 2.7 - Location of Employment Uses, including Industrial Uses	
Objective FLU 4 - Redevelopment and Renewal of Blighted or Declining Areas	
Policy FLU 4.5 - Encourage Infill and Redevelopment of Existing Development Corridors and Centers	
Policy FLU 5.2 - Mixed Commercial/Residential Use Development	
Policy FLU 5.8 - North I-4 Corridor Higher Intensity Planned Development-Target Industry (HIP-TI) Permitted Uses and Locational Standards	
Policy FLU 5.15 - Mixed Use Developments (<i>Paragraph A, sections 1-6</i>)	
Policy FLU 11.1 - Recognition of East Rural Area	
Policy FLU 11.17 - Chuluota Nonresidential Design Standards	
Objective FLU 12 – Preservation of the Rural Character and Natural Resources of the Wekiva Protection Area	✓
Policy FLU 19.2 - Promote Economic Development in Target Areas through Urban Infill and Redevelopment (<i>Paragraph A</i>)	
Policy CON 3.12 - Central Florida Regional Growth Vision (How Shall We Grow?)	✓
Policy CON 7.3 - Future Land Use Designations	✓
Policy HSG 4.3 - Workforce Housing in Economic Development Target Areas	
Policy TRA 2.4.3 - Promote Infill Development	
Policy TRA 2.5.6 - Discourage Direct Access	✓
Policy TRA 3.2.2 - Prohibit Use of Roadway Improvements as Sole Justification for Land Use Amendments	✓
<i>List here other Plan goals, objectives or policies felt to be applicable: (See: http://www.seminolecountyfl.gov/gm/planning/compplan.aspx):</i> A review of the provisions of the Future Land Use Element indicate that this small scale future land use designation ais generally consistent with the community vision of the County and the well-founded historic FLUM policies and the growth management policies of the County. The proposed amendment is, at its very essence, a de minimus and curative land use change to address what must reasonably be considered an historic misnomer with regard to the future land use designation that has been assigned to the property. In that respect, and generally vis-a-vis the goals, objectives and policies of the Comprehensive Plan, the proposed amendment comports with the requirements of Objective FLU 1.6 pertaining to standards for review of proposed amendments to the FLUE. Further, the proposed amendment generally supports the overall provisions of Goal 2 of the FLUE relating to the protection of natural lands and the environment and, specifically, the Wekiva River Protection Area.	

5. ASSESSMENT OF CONSISTENCY WITH THE CENTRAL FLORIDA REGIONAL GROWTH VISION

Applicants shall identify one or more of the following six regional growth principles from the Central Florida Regional Growth Vision that are supported and/or furthered by this application.

(See: http://www.myregion.org/clientuploads/pdfs/HSWG_final.pdf)

<i>Regional Growth Principles From The Central Florida Regional Growth Vision</i>	CHECK IF 'YES'
PRESERVE open space, recreational areas, farmland, water resources, and regionally significant natural areas.	✓
PROVIDE a variety of transportation choices.	
FOSTER distinct, attractive, and safe places to live.	✓
ENCOURAGE a diverse, globally competitive economy.	
CREATE a range of obtainable housing opportunities and choices.	✓
BUILD communities with educational, health care, and cultural amenities.	

6. ASSESSMENT OF CONSISTENCY WITH THE EAST CENTRAL FLORIDA STRATEGIC REGIONAL POLICY PLAN

Applicants shall identify one or more of the following policies of East Central Florida Strategic Regional Policy Plan. Applicant may also identify other policies of the East Central Florida Strategic Regional Policy Plan and explain how the application supports and furthers those policies. (See: <http://www.ecfrpc.org/Document-Library/SRPP.aspx>)

<i>Policies Of The East Central Florida Strategic Regional Policy Plan Furthered Or Supported By The Application</i>	CHECK IF 'YES'
Policy 3.9 - Development should avoid or properly mitigate adverse impacts to listed species.	✓
Policy 3.10 - Wildlife management and conservation areas should be protected from encroachment.	✓
Policy 3.18 - Development in the 100 year floodplain should be discouraged.	✓
Policy 4.1 - Promote integrated land use and multi-modal transportation strategies that support diverse economic centers.	
Policy 4.3 - Support emerging economic centers that are located in the most appropriate areas, such as along transit corridors or in existing or planned employment centers.	
Policy 4.6 - Promote and preserve agriculture as a viable land use and integral economic industry.	
Policy 4.9 - Support efforts to retain and maximize traditional industrial sectors.	
Policy 4.10 - Promote the development and attraction of high-wage, value-added, and export-oriented technology and manufacturing industries.	
Policy 4.18 - Support efforts that integrate mixed income housing into existing, expanding and emerging job centers.	
Policy 5.3 - Promote a multi-modal transportation system that provides for the safe, efficient and cost effective movement of people and goods.	
Policy 5.9 - Promote compact, mixed-use development that reduces vehicle miles traveled.	
Policy 5.11 - Encourage transit-oriented and transit-ready developments proximate to transit stations.	
Policy 9.2 - Protect groundwater recharge areas.	✓
Policy 9.4 - Promote the incorporation of nonstructural methods of stormwater management.	
<i>List here other Policies of the East Central Florida Strategic Regional Policy Plan furthered or supported by the application:</i> 	

7. COMPLETION OF DATA AND ANALYSIS REQUIREMENTS

This section of the application requires the applicant to assess a) whether there is sufficient facility capacity to serve the potential development under the changed land use, and b) whether the proposed land use amendment will impact a designated Special Area.

a. Facility Capacity Impact Assessments

i. Utility Worksheets

The purpose of this facility analysis is to establish whether sufficient capacities are available or are planned to be available to support the proposed amendment. This facility analysis is required by the Future Land Use Element section entitled “Plan Amendment Standards of Review”.

Submitted worksheet calculations shall demonstrate that the service provider has sufficient surplus capacity to meet the proposed demand at the adopted Level of Service of the serving jurisdiction or at the unit demand standard provided by a private facility.

The worksheets are provided in a separate Adobe PDF document that can be opened with Adobe Reader. Entries made will automatically calculate certain fields. Once all fields are filled in, the worksheets can be printed directly to PDF or printed out and scanned to PDF and submitted with the application. Complete all worksheets, entering zero units or zero square footage if not applicable.

- Basic Information Worksheet 1 – Calculate the maximum number of units and square feet allowable under the proposed FLU and used in the following worksheets. **If the amendment is to PD FLU, enter the total number of units and/or square feet at bottom of sheet.**
- Potable Water Worksheet 2 - Test of facility capacity availability. Requires the applicant to contact the appropriate water utility if applicable.
 - a. If using well water, check box at top and make no entries
 - b. If utility does not provide the Available Capacity, check the box and submit with the application a letter from the utility confirming ability to serve.
 - c. If using Seminole County utility, levels of service are built in. Check the box in the title.
 - d. If using City/Private utility, enter the residential and non-residential Levels of Service and check the box in the title.
- Sanitary Sewer Worksheet 3 - Test of facility capacity availability. Auto-calculation.
 - a. If using septic, check box at top and make no entries
 - b. If utility does not provide the Available Capacity, check the box and submit with the application a letter from the utility confirming ability to serve.
 - c. If using Seminole County utility, levels of service are built in. Check the box in the title.
 - d. If using City/Private utility, enter the residential and non-residential Levels of Service and check the box in the title.
- Solid Waste Disposal Worksheet 4 – Calculation of capacity demand. Auto-calculation. This worksheet is completed only if residential units are proposed, the LOS incorporating associated non-residential demand. If only non-residential development is proposed, the worksheet is not calculated.
- Recreation/Open Space Worksheet 5 - Calculation of capacity demand. Requires an estimate of developed and total recreation/open space acres need to accommodate the land use. This worksheet is completed only if residential units are proposed. If no residential development is proposed, the worksheet is not calculated.

Separate from this Attachment A are two additional facility capacity impact assessments that must be completed and submitted. :

ii. School Board Assessment

Applicants must contact the Seminole County School Board, Facilities Planning Office, for a review and analysis of the impact of the proposed amendment. Contact the Facilities Planning Office at 407-320-0071 for direction in completing this analysis. A copy of the School Board's findings is to be included in the Board's agenda package.

iii. Transportation Assessment

Applicants must contact the Seminole County Planning and Development Division for guidance on the level of transportation assessment required. Contact Bill Wharton at 407-665-7398.

PLEASE NOTE: This worksheet analysis is NOT a concurrency review and DOES NOT reserve facility capacity for any specific development.

b. Assessment of Need for Special Area Data and Analysis Evaluations

Please check-off below those Special Areas identified at the Pre-Application Conference in which the parcel fall or would be affected by. Proceed to the Special Areas – Standards of Review on the next page and complete those topics which were checked off.

If you did not attend a Pre-Application Conference, call your Project Manager to confirm which Special Area(s) apply to your parcel(s).

<i>Is the amendment proposal for or involve one or more of the following?:</i>	Check if applicable:
1. An amendment from any FLU to Planned Development (PD) FLU	
2. An amendment seeking to:	
• Change a future land use designation within the East Rural Area	
• Change the Rural Charter Boundary	
• Change the Urban/Rural Boundary	
3. An amendment from Higher Intensity Planned Development and/or Industrial FLU that reduces previously projected employment opportunities	
4. An amendment within Wekiva River Protection Area	✓
5. An amendment within the East Lake Sylvan Transitional Area	
6. An amendment within the Econlockhatchee River Protection Area	
7. An amendment within or containing land affected by the Environmentally Sensitive Lands Overlay (ESLO)	

**SPECIAL AREAS
STANDARDS OF REVIEW**

NOTE:

*Complete only the following Special Area topics
which were checked off on the previous page in Section 5.b.*

1. Evaluation of Plan Amendments Proposing Planned Development (PD) Future Land Use Designation

In order to be considered for a Future Land Use amendment to a Planned Development (PD) future land use designation, an applicant must provide the following information in compliance with the Purpose and Intent Statement and Definition of the Planned Development Future Land Use designation, contained in the portion of the Seminole County Future Land Use Element entitled "Definitions of Future Land Use Designations and Overlays".

Demonstrate Consistency with the Following Standards
All Applications for future land use designation to PD must be accompanied by a complete rezoning application, including an associated master development plan identifying maximum density and/or intensity of proposed uses. (See <i>Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications</i> for applicable zoning districts). Master Development Plan demonstrating maximum density and/or intensity and rezoning application are attached? Yes ____ No ☒
<i>Note here any attachments to reference:</i>

2. Evaluation of Amendments within the East Rural Area, Including Amendments to the Urban/Rural Boundary

The County shall not consider amendments to parcels within the East Rural Area or to either the Rural Charter Boundary or the Urban/Rural Boundary, as depicted on *Exhibit FLU - Special Area Boundaries*, unless all of the following relevant information is provided .

NOTE: *The Board of County Commissioners shall transmit any required documentation and related support material to the State and Regional Reviewing agencies for review and comment prior to adoption.*

East Rural Area Future Land Use Map Amendment
Demonstrate the need to amend the land use in the East Rural Area— <i>Respond to topics as applicable:</i> (1) Provide data and analysis to document that additional urban land is needed to accommodate population projections; housing demand (in particular, for affordable, workforce or obtainable housing in proximity to employment opportunities); or to achieve economic development goals/employment projections of the Seminole County Comprehensive Plan because of the lack of suitable vacant or redevelopable land within the urban area; or (2) Provide data and analysis to document that additional urban land is 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. <i>Begin narrative below and/or note attachments to reference:</i> Not applicable.
Demonstrate the availability of sufficient urban facilities and services to meet the service demands of the proposed development, and the orderly, efficient and cost effective provision of such services. <i>Begin narrative below and/or note attachments to reference:</i> Not applicable.

Document the protection of environmental and natural resources, including regionally significant natural areas. This documentation shall include an analysis showing that the amendment would not adversely affect the interconnected system of wetlands/uplands that exist in the East Rural Area. The analysis must describe how the amendment protects the wetlands/uplands systems, including:

- retaining the connectivity of wetlands
- retaining/improving the ecological quality of wetlands
- retaining the functional and structural values of wetlands in the Rural Area

Begin narrative below and/or note attachments to reference:

Not applicable.

Demonstrate how the proposed amendment would be compatible with adjacent rural uses .

Begin narrative below and/or note attachments to reference:

Not applicable.

Home Rule Charter Rural Boundary Map Amendment
If proposing to amend the Seminole County Home Rule Charter Rural Boundary, provide a detailed parcel map and a legal description of the subject property in digital format. Provided? Yes ____ No ☒

Urban/Rural Boundary Map Amendment
If proposing to amend the Seminole County Urban/Rural Boundary, provide a detailed parcel map. Provided? Yes ____ No ☒

3. Evaluation of Amendments from Higher Intensity Planned Development or Industrial FLU to a Residential FLU or to Planned Development FLU

This standard applies to a proposal for a future land use map amendment from an employment generating land use (Higher Intensity Planned Development or Industrial Future Land Use) to an exclusively residential land use designation. *(Note: a proposal for Planned Development (PD) future land use shall be considered "exclusively residential" if more than 90% of the proposed floor area within the development would be designated for residential use.)*

The designation of land areas for nonresidential use is intended to allow for future development of employment opportunities in Seminole County. Calculation of the number of nonresidential acres needed to accommodate employment is a part of the requirements of Chapter 163, Florida Statutes. In order to understand the impacts of the proposed change, the applicant must calculate the potential impact of the amendment on the County's jobs-to-housing balance.

Demonstrate Consistency with the Following Standards		
Using statistics obtained from the Florida Bureau of Economic and Business Research (BEBR) and the formula shown below, calculate whether the proposed land use amendment would reduce the County's jobs to housing ratio below the minimum standard of 1.0 jobs per housing unit. <i>(Reference: Seminole County Comprehensive Plan, Future Land Use Element, Standards Of Review - Category II, Data and Analysis, Section F.)</i>		
$A/(B + C) = D$		
A.	Current total County employment*	Divided by
B.	Total Housing Units*	
C.	Number of new units under the proposed future land use change	
D.	Total with amendment	B + C
E.	Jobs-to-housing ratio	
<i>*Source: Florida Bureau of Economic and Business Research,-most recent year available</i>		

4. Plan Amendments Within The Wekiva River Protection Area

In order to be eligible for a Future Land Use Designation amendment within the Wekiva River Protection Area, as depicted in *Exhibit FLU - Special Area Boundaries*, an applicant for a Plan amendment shall comply with the requirements of Objective FLU 12 and its attendant policies; in particular, Policy FLU 12.2 (if within the East Lake Sylvan Transition Area), Policy FLU 12.3 (if outside of the East Lake Sylvan Transition Area), and Policy FLU 12.8.

NOTE: Development activity (including the placing or depositing of fill within wetlands and the 100-year floodplain identified by FEMA), within the Wekiva River Protection Area shall be prohibited except in cases of overriding public interest.

Demonstrate Consistency with the Following Standards
For purposes of allowing clustering of dwelling units to preserve environmentally significant features, but not for increasing allowable maximum densities, an application may propose the Planned Development future land use designation with an associated PD (Planned Development) zoning district. Such an application shall comply with the requirements for a PD Future Land Use amendment as shown above. Application includes rezoning application and Master Development Plan: Yes ____ No ☒
Subject property has a nonresidential Future Land Use designation and applicant is proposing an amendment to Suburban Estates or Recreation, consistent with Policy FLU 12.3. Applicant is proposing an amendment to Suburban Estates or Recreation. If "Yes", begin narrative below and/or note attachments to reference: Yes ☒ No ____

**The proposal must conform to the Seminole County Comprehensive Plan and
to these requirements of Part II, Chapter 369, Florida Statutes:**

369.305 Review of local comprehensive plans, land development regulations, Wekiva River development permits, and amendments.—

(1) It is the intent of the Legislature that Orange, Lake, and Seminole Counties emphasize the Wekiva River Protection Area in their planning and regulation efforts. Therefore, each county's local comprehensive plan and land development regulations applicable to the Wekiva River Protection Area must meet the following criteria:

(a) Each county's local comprehensive plan must contain goals, policies, and objectives that result in the protection of the:

1. Water quantity, water quality, and hydrology of the Wekiva River System;
2. Wetlands associated with the Wekiva River System;
3. Aquatic and wetland-dependent wildlife species associated with the Wekiva River System;
4. Habitat within the Wekiva River Protection Area of species designated pursuant to rules 39-27.003, 39-27.004, and 39-27.005, Florida Administrative Code; and
5. Native vegetation within the Wekiva River Protection Area.

(b) The various land uses and densities and intensities of development permitted by the local comprehensive plan shall protect the resources enumerated in paragraph (a) and the rural character of the Wekiva River Protection Area. The plan must also include:

1. Provisions that ensure the preservation of sufficient habitat for feeding, nesting, roosting, and resting so as to maintain viable populations of species designated pursuant to rules 39-27.003, 39-27.004, and 39-27.005, Florida Administrative Code, within the Wekiva River Protection Area.
2. Restrictions on the clearing of native vegetation within the 100-year flood plain.
3. Prohibition of development that is not low-density residential in nature, unless the development has less effect on natural resources than low-density residential development.
4. Provisions for setbacks along the Wekiva River for areas that do not fall within the protection zones established pursuant to s. [373.415](#).

5. Restrictions on intensity of development adjacent to publicly owned lands to prevent adverse impacts to such lands.

6. Restrictions on filling and alteration of wetlands in the Wekiva River Protection Area.

7. Provisions encouraging clustering of residential development if it promotes protection of environmentally sensitive areas and ensures that residential development in the aggregate is rural in density and character.

(c) The local comprehensive plan must require that the density or intensity of development permitted on parcels of property adjacent to the Wekiva River System be concentrated on those portions of the parcels which are the farthest from the surface waters and wetlands of the Wekiva River System.

(d) The local comprehensive plan must require that parcels of land adjacent to the surface waters and watercourses of the Wekiva River System not be subdivided so as to interfere with the implementation of protection zones as established pursuant to s. [373.415](#), any applicable setbacks from the surface waters in the Wekiva River System which are established by local governments, or the policy established in paragraph (c) of concentrating development in the Wekiva River Protection Area as far from the surface waters and wetlands of the Wekiva River System as practicable.

Begin narrative below and/or note attachments to reference:

This future land use amendment is, in the final and essential analysis, a de minimis amendment which corrects a misnomer in the assigned future land use. That historical land use was based upon reasonable caution that the property may have contained a cemetery use. It has been concluded that it does not. The proposed change to SE would be consistent with Goal 7 of the FLUE pertaining to property rights. The property should not have a Public future land use designation assigned to the property as there is no historical or evidentiary basis for retaining that misnomer. Controlling State law supports the privately owned property being put to a reasonable private use by the property owners. The property owners are only seeking a use which is consistent with the general area of the property.

5. Plan Amendments within The East Lake Sylvan Transition Area

The East Lake Sylvan Transitional Area (see FLU Exhibit-4 East Lake Sylvan Transitional Area/School Site), established by Policy FLU 2.12 Recognition of the East Lake Sylvan Transitional Area, has been designated as appropriate for densities in excess of those allowed elsewhere in the Wekiva River Protection Area wherein the one dwelling unit per net buildable acre is the final development form. The Standards for Plan Amendments within the East Lake Sylvan Transitional Area allows for a maximum allowable residential density not to exceed 2.5 dwelling units per net buildable acre within the Planned Development (PD) Future Land Use designation and PD (Planned Development) zoning classification.

NOTE: Development activity (including the placing or depositing of fill within wetlands and the 100-year floodplain identified by FEMA), within the Wekiva River Protection Area shall be prohibited except in cases of overriding public interest.

Demonstrate Consistency with the Following Standards
For purposes of allowing clustering of dwelling units to preserve environmentally significant features, but not for increasing allowable maximum densities, an application may propose the Planned Development future land use designation with an associated PD (Planned Development) zoning district. Such an application shall comply with the requirements for a PD Future Land Use amendment as shown above. <i>(Begin narrative below and/or note attachments to reference):</i>
Subject property has a nonresidential Future Land Use designation and applicant is proposing an amendment to Suburban Estates or Recreation, consistent with Policy FLU 12.3. <i>(Begin narrative below and/or note attachments to reference):</i>
The proposal must conform to the requirements of Part II, Chapter 369, Part II, Florida Statutes as noted above. <i>(Begin narrative below and/or note attachments to reference):</i>

6. Evaluation of Amendments Within The Econlockhatchee River Protection Area

The State Department of Environmental Protection has identified the Econlockhatchee River Protection Area as an “Outstanding Water”, based on authority given by Section 40C-41.063 (5), Florida Administrative Code. In order to be considered for a Future Land Use Amendment within the Econlockhatchee River Protection Area as depicted in *Exhibit FLU-Special Area Boundaries*, an applicant must demonstrate that the Performance Standards contained in Policy FLU 1.10 are met

Demonstrate Consistency with the Following Standards	
1. Projects within this Protection Area must comply with restrictions that limit uses within a 550-foot development restriction zone (from stream’s edge of the channels of the Big Econlockhatchee River and the Little Econlockhatchee River) to the creation of wetlands and passive recreational uses. If the subject property contains lands located within the 550 development restriction zone, provide data to demonstrate that the subject property is large enough to meet this development restriction while complying with the requirements of the desired future land use and the requirements of the zoning district desired. <i>(Begin narrative below and/or note attachments to reference):</i>	
2. For property located within 1,100 feet landward as measured from the stream’s edge of the main channels of the Big Econlockhatchee River and the Little Econlockhatchee River, only residential uses are permitted except as stated otherwise in Part 57, Econlockhatchee River Protection Overlay Standards Classification, of the Land Development Code of Seminole County. Does the amendment propose a residential land use designation? Yes ____ No ____	
3. All lands within 2,000 feet of stream’s edge, and lands identified on <i>Exhibit FLU: Areas of Archaeological Potential</i>, have the potential to contain significant archaeological resources. If the subject property contains lands within 2,000 feet of stream’s edge and/or contains lands identified on the aforementioned exhibit, provide data to demonstrate that the subject property is large enough to meet the requirements of the proposed land use and zoning district, and preserve potentially significant archaeological features, or provide an archaeological survey (conducted by a state certified archaeologist) verifying that no significant resources are present. <i>(Begin narrative below and/or note attachments to reference):</i>	

Demonstrate Consistency with the Following Standards

4. Minimal removal of native habitats is permitted within the Econlockhatchee River Protection Area, including limits on fragmentation of forested habitats, and limitations on any additional crossings of the river system.

Provide data to demonstrate that the subject property is large enough to meet the requirements of the proposed land use and zoning district while limiting fragmentation of forest habitats and/or additional river crossings in order to prevent disturbance of native habitats through .

Begin narrative below and/or note attachments to reference:

NOTE: *If any portion of the subject property is within the Environmentally Sensitive Lands Overlay, complete also the Evaluation of Amendments within the ESLO. Critical upland habitat and environmentally sensitive lands (see Exhibit FLU: FLU Series – Exhibit Environmentally Sensitive Lands Overlay) are required to be protected within the Econlockhatchee River Protection Area.*

7. Evaluation of Amendments Within The Environmentally Sensitive Lands Overlay (ESLO)

Demonstrate Consistency with the Following Standards

Provide data to verify that the subject property is large enough to meet the standards required by the proposed future land use and zoning district and also comply with the requirements of *Policy FLU 1.3 Wetlands Protection* and *Policy CON 7.4 Wetland Regulation – Buffers, Performance Standards and Compatibility*, part D - Wetland Compatibility Criteria. These policies prohibit encroachment on locally significant wetlands except for construction of, or improvement of, public facilities that benefit the general public.

The ESLO is comprised of floodprone and wetlands that may exist in any combination on a parcel. These areas are graphically depicted on either of the following websites:

- http://www.seminolecountyfl.gov/is/pdf/Information_Kiosk_Help.pdf
- <http://www.scpafl.org/>

NOTE: If applicant is proposing Planned Development (PD) land use, the Master Development Plan must show location of protected environmentally sensitive areas.

NOTE: Development activity (including the placing or depositing of fill within wetlands and the 100-year floodplain identified by FEMA), within the Wekiva River Protection Area shall be prohibited except in cases of overriding public interest.

Begin narrative below and/or note attachments to reference: