

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for } DOCKET NO. 980657-WS
amendment of Certificates Nos.}
279-W and 226-S to add }
territory in Seminole County }
by Florida Water Services }
Corporation }

INTERVENOR, SEMINOLE COUNTY'S,
NOTICE OF SERVICE OF TESTIMONY

COMES NOW, Intervenor, Seminole County, and by and through
its undersigned attorneys, files this Notice of Service of
Testimony. The submitted testimony includes the direct
testimony of Ms. Frances Chandler, Seminole County Planning and
Development Director, and exhibits to the testimony that have
been identified by the Court Reporter as Exhibits (A) - (G).

RESPECTFULLY SUBMITTED, this 6th day of January, 1999.

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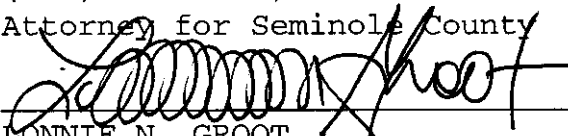
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and seven true and correct copies of Intervenor, Seminole County's, testimony and the original and seven true and correct copies of the foregoing notice have been furnished by Hand Delivery to the Division of Records and Reporting, Florida Public Service Commission, 2450 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850; and one (1) true and correct copy of the testimony and the foregoing notice has been furnished by U.S. Mail to Mr. Michael Rich, President, Coalition for Responsible Econlockhatchee Development, Inc., P.O. Box 621047, Oviedo, FL 32762; Mr. Charles K. Smith, P.E., City of Oviedo, 400 Alexandria Boulevard, Oviedo, FL 32765; Mr. Matthew J. Feil, Esquire, Florida Water Services Corporation, P. O. Box 609520, Orlando, FL 32860-9520; Alafaya Utilities, Inc., C/O Martin Friedman, Esquire, Rose Law Firm, 2548 Blairstone Pines Dr., Tallahassee, FL 32301; and Mr. Stanley E. Stevens, 377 River Woods Trail, Chuluota, FL 32766, on this 07L day of January, 1999.

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ORIGINAL

PREFILED DIRECT TESTIMONY OF FRANCES CHANDLER
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ON BEHALF OF

FLORIDA WATER SERVICES CORPORATION

DOCKET NO. 980657-WS

ASSOCIATED COURT REPORTERS (407)323-0808

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Seminole County Services Bldg.
1101 East First Street
Sanford, Florida
December 22, 1998
10:30 a.m.

A P P E A R A N C E S

LONNIE N. GROOT, ESQUIRE
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I N D E X

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P R O C E E D I N G S

1
2 WHEREUPON,

3 FRANCES CHANDLER

4 was called as a witness and, having first been duly sworn,
5 testified as follows:

6 DIRECT EXAMINATION

7 BY MR. GROOT:

8 Q Could you state your full name?

9 A Frances Ellen Chandler.

10 Q And what's your position?

11 A I'm the director of planning and development
12 for Seminole County.

13 Q How long have you held that position?

14 A For -- since February of 1997.

15 Q Okay. And what positions have you held with
16 Seminole County Government before that?

17 A Before that, I was the comprehensive planning
18 division manager. Prior to that, I was the principal
19 planner. Prior to that, I was senior planner. Prior to
20 that, I was planner.

21 Q And so how many years in total have you been
22 working as a planner with Seminole County Government?

23 A Thirteen years.

24 Q And during the course of that experience with
25 Seminole County, what has been your responsibilities with

1 regards to the Seminole County Comprehensive Plan?

2 A It's varied over the years. In my years in
3 comprehensive planning, I've had the responsibility for
4 writing different elements of the Comprehensive Plan, for
5 developing future land use scenarios, transportation
6 planning, editing the plan, developing policies and
7 objectives and goals to recommend to the Board of County
8 Commissioners, have worked with citizen groups and
9 development community to identify alternate land use and
10 growth management options to present to the Board of
11 County Commissioners for their review.

12 Q And about how many times do you think you've
13 testified in front of a Board of County Commissioners on
14 comprehensive planning issues? Would it be in the
15 hundreds?

16 A Yes.

17 Q Okay. And have you testified a similar number
18 of times in front of the Seminole County Planning and
19 Zoning Commission or Land Planning Agency?

20 A Yes, I have.

21 Q And what is the statutory responsibility of the
22 Land Planning Agency?

23 A They have the responsibility for preparing the
24 Seminole County Comprehensive Plan.

25 Q And how closely do you work with the Land

1 Planning Agency?

2 A Staff works with the Land Planning Agency to
3 prepare all data, research and recommendations relative
4 to the Growth Management Plan.

5 Q Okay. In terms of the text and the exhibits of
6 the Seminole County Comprehensive Plan, would it be fair
7 to say that as to the text and the exhibits, you've
8 either written or approved the writing or creation of a
9 hundred percent of what's in the Comprehensive Plan?

10 A That would be correct.

11 Q Okay. And so how many -- on a day-to-day
12 basis, is it your job to interpret and construe the
13 Seminole County Comprehensive Plan?

14 A Yes, it is.

15 Q Prior to coming to Seminole County, what was
16 your -- what experience did you have of a related nature
17 in the planning field?

18 A None.

19 Q None. Did you work for any government prior to
20 Seminole County?

21 A Yes. I worked for Volusia County Government
22 and for Volusia County Business Development. Those were
23 economic development related positions.

24 Q Okay. And what's your educational background?

25 A I have a Bachelor's from Stetson University

1 with a degree in economics.

2 Q Okay. About how many reports of a planning
3 nature have you published over the course of your
4 thirteen years with Seminole County?

5 A Dozens.

6 Q Dozens?

7 A I can't even, you know, unless you want a list
8 of them.

9 Q No. That's fine. So a significant number of
10 reports?

11 A Yes.

12 Q Okay. And are those reports submitted to other
13 agencies of state government for review?

14 A State and regional government, Regional
15 Planning Council, State Department of Community Affairs,
16 Department of Environmental Protection, St. Johns Water
17 Management District, any entity that would review and/or
18 make comments on the Seminole County Comprehensive Plan
19 and related support documentation.

20 Q Okay. Have you ever lectured on planning
21 issues before any course?

22 A Yes, I have.

23 Q And what courses?

24 A The Florida Chamber Growth Management Short
25 Courses for several years.

1 Q Okay. Have your department or any office that
2 you've been responsible for --

3 A In addition to that --

4 Q Go ahead.

5 A -- also the National Association of Planning,
6 the National APA, American Planning Association, have
7 lectured before them at their annual conference relative
8 to growth management issues.

9 Q Have any office or department that you've been
10 part of or responsible for received any awards in the
11 planning field?

12 A Yes, we have.

13 Q And what awards have you-all received that you
14 recall?

15 A We've received awards for housing programs, our
16 housing element, design element. I can't even remember
17 all of them.

18 Q But your offices have received numerous
19 planning awards?

20 A Yes, they have.

21 Q And you've participated in directly or
22 supervised the efforts which were ultimately awarded by
23 planning associations or -- or groups?

24 A Yes. Yes, I have.

25 Q Okay. All right. Have you ever testified in a

1 court of law before?

2 A Yes, I have.

3 Q Was it -- did you testify as a expert in the
4 field of planning?

5 A Yes, I did.

6 Q And was your testimony accepted by the judge
7 who was presiding in that case?

8 A Yes, it was.

9 Q Okay. Do you recall what case that was?

10 A The nature was adult entertainment issues but I
11 don't recall which of the cases it was.

12 Q Was the presiding judge Judge Dickey?

13 A Yes, it was.

14 Q Of the Eighteenth Judicial Circuit?

15 A Yes. That's correct.

16 Q Okay. All right. Are you familiar with the
17 Florida Water Services application to amend its area of
18 service?

19 A Yes, I am.

20 Q Which is filed with the Public Service
21 Commission?

22 A Yes, I am.

23 Q And is assigned Docket Number 980657?

24 A Yes.

25 Q Okay. The proposed service area amendment is

1 within an area of Seminole County designated the east
2 rural area. What is meant by the terms rural character
3 and rural lifestyle generally?

4 A The terms rural character and rural lifestyle
5 refer to the -- the way the eastern portion of Seminole
6 County is currently developed and the way in which
7 services are provided.

8 This type of development is characterized,
9 among other things, by residential densities of less than
10 one dwelling unit per acre or less than that and it is
11 characterized by the lack of central water and sewer
12 services.

13 Q Is there anything special about the eastern
14 area of Seminole County besides its rural character?

15 A The east area of Seminole County has a
16 substantial majority of the County's river and lake
17 frontage along with extensive associated wetlands.

18 It also includes the Geneva Bubble which is a
19 lens of fresh water sitting atop ancient salt waters.

20 Most of the agricultural lands of Seminole
21 County are located in the eastern -- in East Seminole
22 County and the road network is very limited compared to
23 the urbanized parts of Seminole County.

24 Q In 1991, did the County have any particular
25 concerns relative to the east area of Seminole County?

1 A In 1991, Seminole County was substantially an
2 urban county and wanted to preserve a variety of
3 lifestyles.

4 In addition to urban lifestyles, the County
5 also wanted to preserve rural lifestyles and to protect
6 its agricultural land.

7 With the goal of preserving a mix of land uses
8 in the County and with strong support from residents in
9 the area, the County established a rural area.

10 Q Okay. And how -- how was the rural area
11 established?

12 A It was established as part of the 1991 Seminole
13 County Comprehensive Plan Update.

14 In that Update, the County adopted very low
15 density future land use and zoning designations in the
16 eastern area along with Seminole County Comprehensive
17 Plan Objective 2.11 that's entitled Preserve Rural
18 Lifestyles in East Seminole County. This objective
19 instituted a set of eleven associated policies and
20 programs that were specifically designed to preserve and
21 reinforce the positive qualities of the rural lifestyle
22 presently enjoyed in the East Seminole County and thereby
23 make sure that the rural lifestyle was available to
24 future residents.

25 Q Were these policies relating to the east area

1 of Seminole County limited to just central water and
2 sewer issues?

3 A No, they were not.

4 The policies dealt with virtually all aspects
5 of growth management and protecting a rural lifestyle
6 that could be identified -- that were identified at that
7 time from providing agricultural primacy, to agricultural
8 operations, to addressing development regulations that
9 would encourage clustering of developments, to providing
10 for additional conservation policies, providing
11 additional landscaping and other infrastructure
12 maintenance that would be maintained at a rural level.

13 Q Okay. At the time of adopting the east area
14 plan, were some of the areas of that east area served by
15 central water alone and were there some concentrations in
16 the area of urban density and intensity that were
17 existing at the time?

18 A Yes, there were. The Black Hammock area was
19 and has been provided personal use water for health
20 considerations by the County.

21 In addition, there were three long time small
22 water associations that provided central service to homes
23 on large lots.

24 In addition to that, there were some parts of
25 Geneva proper and Chuluota proper that had some urban

1 features.

2 Q Okay. Notwithstanding these urban features as
3 you've described them, the County went ahead and adopted
4 a rural plan?

5 A Yes, it did. Those areas were seen as very
6 limited in size and nature, were historic and had been
7 constructed some long years ago.

8 And those existing conditions were really
9 considered to be grandfathered and were explicitly not to
10 be used as justification for further extension of the
11 urban area in what was otherwise a rural area.

12 Q All right. You're familiar that -- with the
13 fact that Seminole County has objected to the application
14 of Florida Water Services; is that correct?

15 A Yes, I am.

16 Q Did you participate in any way to develop the
17 analysis that led up to that objection?

18 A Yes, I did.

19 Q Are you familiar with the Letter of Objection
20 that Seminole County filed to at least in part initiate
21 this proceeding?

22 A Yes, I am.

23 Q Okay. In the County's Letter of Objection to
24 the Proposed Amendment, the County stated that the
25 proposed amendment was inconsistent with the

1 Comprehensive Plan of Seminole County.

2 In what way is the proposed amendment by
3 Florida Water Services inconsistent with the Seminole
4 County Comprehensive Plan?

5 A The County found that the amendment was
6 inconsistent with Future Land Use Element Policy 2.11.10
7 and 2.11.11 of the Seminole County Comprehensive Plan.

8 These policies specifically prescribe how water
9 and sewer services shall be provided in East Seminole
10 County including surrounding the Chuluota area.

11 Q Okay. And is this document that we're going to
12 mark Exhibit A for the purpose of this testimony the
13 Letter of Objection filed by Seminole County?

14 A Yes, it is.

15 Q And that's the document that you helped at
16 least in part prepare?

17 A That's correct.

18 (Marked Exhibit A for identification.)

19 BY MR. GROOT:

20 Q So, in general, how is the proposed amendment
21 inconsistent with the policies which you just cited?

22 A These policies state that the County shall
23 continue to rely primarily upon individual well and
24 septic systems to provide services to customers in East
25 Seminole County and that new development outside the

1 adopted service area shall not be designed nor
2 constructed with central water and sewer systems.

3 Q And as the keeper of these policies, why were
4 these policies set before the Board of County
5 Commissioners to be adopted?

6 A It was part of an overall program that was
7 designed to preserve the integrity of the rural character
8 of the area.

9 Q Okay. How is it that these specific policies
10 are intended to protect and maintain the rural character?

11 A Central water and sewer services have
12 historically been a precursor to urban development. The
13 restriction of their use and of the potential for their
14 use by restricting the expansion of service areas is a
15 legitimate tool used by local governments to control and
16 manage locally adopted growth plans.

17 Q Okay. Did the County find that the proposed
18 amendment was inconsistent with any policy from the
19 potable water element of the Seminole County
20 Comprehensive Plan?

21 A Yes. In addition to the policies in the Future
22 Land Use Element, there are policies in the Potable Water
23 Element Policy 11.4.1 which prohibits the expansion of a
24 service area if the expansion itself will encourage urban
25 sprawl.

1 Q How, in your opinion, does the proposed
2 amendment by Florida Water Services encourage urban
3 sprawl?

4 A Florida Water Services has applied to expand
5 its service area to accommodate the request of developers
6 who are now proposing developments of urban uses and
7 urban densities in the vicinity of the Chuluota area.

8 Q Okay. I want to show you now what we'll mark
9 as Exhibit B for the purposes of this testimony and ask
10 you if you can identify this document?

11 A This is a document that was provided to us by
12 Florida Water Services that identified those developments
13 that -- that had contacted them directly requesting
14 service, requesting central services from them in order
15 to accommodate additional intensity or density of
16 development.

17 Q Okay. In terms of the rural area now, what are
18 the generally predominant land uses that are -- land use
19 designations that are assigned to the rural property in
20 that area?

21 A The land use densities that are currently in
22 this area are Rural 3 which is one dwelling unit per
23 three net buildable acres, Rural 5 which is one dwelling
24 unit per five net buildable acres and Rural 10 which is
25 one dwelling unit per ten net buildable acres.

1 Q Okay. The proposed developments that are in
2 this -- that are depicted on this Exhibit B, would they
3 be consistent with those densities that are established
4 in the Seminole County Comprehensive Plan?

5 A Although this document does not identify a
6 density of use for these developments, it is staff's
7 understanding from discussions with Florida Water
8 Services staff that these developments are looking at
9 densities that would be greater than any of those that
10 were previously articulated.

11 Q Okay. Is that why in addition to the policies
12 that we've already discussed, that the -- that the Letter
13 of Objection also found that the proposed amendment by
14 Florida Water Services was also contrary to the
15 provisions of the Land Use Element of the Seminole County
16 Comprehensive Plan?

17 A Well, the area that's proposed for expansion
18 includes a considerable amount of property that's
19 currently designated for one of the rural land use
20 categories, Rural 5 and Rural 3, and some suburban
21 estates which is one dwelling unit per net buildable acre
22 in addition to some properties that are designated as
23 both public and private recreational lands.

24 The density and intensity of development that
25 would be required to make the provision of central water

1 and sewer services economically viable to expand the
2 service area would be greater than that called for in the
3 Seminole County Comprehensive Plan.

4 Q So in your opinion, does the proposed amendment
5 of Florida Water Services violate each of the policies
6 we've discussed prior to this?

7 A Yes, it does.

8 Q Okay. What is the urban service area boundary
9 set forth in the Seminole County Comprehensive Plan?

10 A It is a boundary that distinguishes the urban
11 area of Seminole County from the rural area of Seminole
12 County.

13 Q Okay. Is the proposed amendment by Florida
14 Water Services inconsistent with the Comprehensive Plan's
15 adopted urban service area boundary?

16 A The proposed service area amendment by Florida
17 Water Services extend urban services central water and
18 sewer services into the rural area of Seminole County.

19 Q How were these land use designations which you
20 talked about earlier and boundaries arrived at?

21 A The future land use designations along with
22 their associated zoning classifications were originally
23 adopted by the Board of County Commissioners in 1991 and
24 subsequently the rezoning was done in 1992 and were based
25 in part upon then existing water and -- central water and

1 sewer service areas of Florida Water Services.

2 In addition, the County had prepared an east
3 area plan which specifically evaluated all of the
4 infrastructure requirements that are necessary to serve
5 both urban and rural densities and intensities of use to
6 evaluate environmental constraint of the area and
7 ultimately identified the urban/rural boundary.

8 Q When was that urban/rural boundary established
9 and why was it established?

10 A It was established and adopted into Seminole
11 County's Comprehensive Plan in 1991 specifically to
12 prevent urban sprawl and to protect the lifestyle of the
13 County's rural area.

14 The boundary itself separates urban and rural
15 intensities of development and serves to limit the
16 provision of certain urban services within the rural area
17 in accordance with the Comprehensive Plan's policies
18 regarding the rural area. These include policies such as
19 Policy 2.11.20, 2.11.11 and 11.4.1 which were discussed
20 earlier.

21 Q Okay. Can you describe in general terms the
22 scope and impact of the proposed amendment by Florida
23 Water Services on the rural areas of Seminole County?

24 A Based upon the application of Florida Water
25 Services filed with the PSC, we've identified that the

1 buildable acres within the expanded service area is one
2 thousand six hundred and sixty-three acres. The
3 projected density within that application was two
4 dwelling units per acre and the projected number of
5 dwelling units that would be served would be three
6 thousand three hundred twenty-six dwelling units.

7 Q In your opinion, is that proposal an urban
8 level of development?

9 A Yes, it is.

10 Q Is the proposed amendment inconsistent with any
11 state law regulations in your opinion?

12 A We believe that it -- I believe that it would
13 be inconsistent with Rule 9J-5.006(5).

14 Q Okay. And what role has the State played with
15 regard to the urban sprawl issue?

16 A The Florida Legislature through enactment of
17 Chapter 163, Part II, Florida Statutes and its Department
18 of Community Affairs that enacted Rule 9J-5 which
19 implemented Chapter 163, they've clearly set a goal for
20 all jurisdictions in the state to address the containment
21 of urban sprawl by implementing policies within their
22 comp -- policies and objectives within their
23 comprehensive plans that would restrict urban sprawl.

24 Q Okay. Has the Department of Community Affairs
25 made any comment on the proposed amendment by Florida

1 Water Services?

2 A Yes, they have.

3 Q I'm going to show you now what we're going to
4 mark Exhibit C to this testimony. Are you familiar with
5 that document?

6 A Yes, I am.

7 Q Okay. And does that document contain the
8 comments made by the Florida Department of Community
9 Affairs?

10 A Yes, it does.

11 Q And what is that document?

12 A It is a letter to Mr. Charles Hill, Director,
13 Division of Water and Wastewater Public Service
14 Commission. It is from J. Thomas Beck, the Chief of
15 Bureau of Local Planning for Division of -- for
16 Department of Community Affairs.

17 (Marked Exhibits B and C for identification.)

18 BY MR. GROOT:

19 Q And attached to that document, do you find any
20 other document issued by the Department of Community
21 Affairs?

22 A Attached to the letter was an internal
23 memorandum from Brenda Winningham, the planning manager
24 for the Department of Community Affairs to Thomas Beck
25 through Charles Gauthier who is the section administrator

1 and James Stansbury, community program administrator. It
2 includes her summary of staff analysis relative to this
3 request.

4 Q And what relationship does Mrs. Winningham have
5 to Seminole County in terms of her functions with the
6 Department of Community Affairs?

7 A She reviews our comprehensive plan amendments
8 and prepares departmental comments, objections and
9 recommendations relative to any of those accompanying
10 plan amendments.

11 Q Is she a person who you believe is familiar
12 with Seminole County and the development patterns in
13 Seminole County?

14 A Yes. She's been the lead review, departmental
15 reviewer for Seminole County's plans for several years
16 now.

17 Q Based on the Department of Community Affairs
18 letter and the attachments, would you say that the
19 Department -- in your opinion, is the Department's
20 position and the County's position, are they supporting
21 one another and consistent with each other?

22 A Yes, they are.

23 Q And why would you say that?

24 A In the State's letter to Mr. Hill, they
25 identify that they also are concerned relative to the

1 expansion of service area as a potential to promote urban
2 sprawl.

3 Specifically the Department found that the
4 utility expansion area is located in an area which is
5 slated by the Seminole County Comprehensive Plan to
6 remain rural in character. They found that the land uses
7 designated on the Future Land Use Map are now currently
8 primarily rural. They found that the expansion appears
9 to be inconsistent with Future Land Use Element Policies
10 2.11.10 and 2.11.11 as well as Potable Water Element
11 Policy 11.4.2 of the Seminole County Comprehensive
12 Plan -- no, excuse me, 4.1, Potable Water Element Policy
13 11.4.1 of the Seminole County Comprehensive Plan
14 concerning the expansion of water and sewer facilities
15 into the rural area in Seminole County.

16 The expansion may contribute to urban sprawl
17 and is, therefore, inconsistent with Potable Water
18 Element 4.4.1 and that the anticipated development
19 density of two dwelling units per acre is inconsistent
20 with the Seminole County Comprehensive Plan which
21 designates the area as primarily rural development.

22 Q You've testified relative to the inconsistency
23 of the proposed amendment with the Seminole County
24 Comprehensive Plan.

25 In your opinion, are there other general

1 planning issues that are raised regarding the
2 application?

3 A Yes, there are.

4 Q Why do you think what you believe that the
5 approval of the proposed amendment by Florida Water
6 Services would influence growth in the area, the east
7 area of Seminole County, and jeopardize the rural
8 character of that area?

9 A The existence of central water and sewer
10 services has historically been a precursor to
11 urbanization and encourages development interests to
12 pursue urban densities and intensities of land use.

13 The proposed service area amendment represents
14 a step towards potential future urban encroachment and --
15 into the rural area.

16 While a PSC approved change to the Florida
17 Water Services area would not require a corresponding
18 amendment to Seminole County Comprehensive Plan
19 consistent to those new boundaries, the amendment would,
20 in fact, most likely encourage requests for additional
21 and increased residential and non-residential density and
22 intensity of use, that is, developments that require
23 central services would be now interested in developing in
24 this area.

25 Q Okay. It seems like a natural comeback to that

1 would be that the County Commission controls land use
2 approvals in Seminole County. That's true; isn't it?

3 A Yes, it is.

4 Q Why then would this proposed amendment by
5 Florida Water Services be a planning concern to Seminole
6 County?

7 A Seminole County's strategy to protect the
8 integrity of the rural area includes a variety of
9 different techniques. The limitation of the expansion of
10 central water sewer services and wastewater services is
11 just one of the tools that we use, that's correct.
12 However, it is a primary tool to also increase
13 urbanization.

14 If you intend to increase urban development
15 within an area, you need to bring in central services to
16 serve that additional intensity of use.

17 Q Okay. Did the 1991 study, or any other studies
18 subsequent to then, of the east area and Chuluota area of
19 the county involve any assessment or goal relative to the
20 protection of the natural environment?

21 A Yes, it did.

22 Q Now, I believe Florida Water Services has
23 indicated that the best way to protect the environment is
24 to allow central water and sewer services. Do you have
25 an opinion relative to that statement?

1 A Well, I think central sewer is certainly a
2 benefit in urbanized areas for the protection of the
3 environment.

4 However, the intended adopted comprehensive
5 plan and its policy are designed to specifically preserve
6 the rural character of the area and not to provide for
7 increased urbanization within the area.

8 One of the techniques that is identified in the
9 Seminole County Comprehensive Plan is to restrict the use
10 of central services as well as require large lot
11 development.

12 Seminole County has addressed its desire to
13 protect the natural environment in the rural area by
14 providing for large lot rural types of development and
15 for providing conservation land use overlays in those
16 areas that are most -- have most limited development
17 potential and are most environmentally sensitive.

18 So the combination of rural land use categories
19 in addition to conservation land use categories help to
20 protect the integrity of the environmental resource in
21 the area.

22 Q Has the County also enacted an ordinance, a
23 specific ordinance to protect Econlochatchee River?

24 A Yes, we have.

25 Q And does it implement that ordinance?

1 A Yes, it does.

2 Q In terms of land use approvals?

3 A Yes, it does.

4 Q Why does the Seminole County Comprehensive Plan
5 water and sewer service maps for water -- Florida Water
6 Services in this Chuluota area not match the current --
7 the Florida Water Services current PSC certified service
8 area boundaries?

9 A The County did not amend the comprehensive plan
10 each time the Public Service Commission grants a change
11 to water and sewer service area. The intention of the
12 Seminole County Comprehensive Plan is to prescribe the
13 direction and management of growth in the unincorporated
14 areas of Seminole County and it does not reflect the
15 business of various utility providers that operate within
16 the county.

17 Water and sewer service area adoption is one of
18 the tools by which the Comprehensive Plan manages growth
19 and development within the County to achieve these
20 specific visions and goals.

21 For these reasons, the maps are amended only
22 after the evaluation of the impacts of that
23 infrastructure on land uses in the area and consistency
24 determination with the intent of the overall policy of
25 the plan have been made.

1 Q Okay. Is there a need for expanded central
2 water and sewer service areas in East Seminole County in
3 the rural area?

4 A Well, need could be described in a couple of
5 different ways. A property owner who desires to make use
6 of their land and needs additional central services to do
7 so in order to provide for additional density or
8 intensity of development, that's a way that you need it
9 to support growth in urban development. And this area,
10 it is a rural area and rural levels of development can be
11 accommodated without the extension of central services.

12 Q Is there a need for more housing in Seminole
13 County?

14 A As a part of the evaluation and appraisal
15 report of our comprehensive plan, a report which is
16 statutorily required by the State to evaluate how well
17 our plan has performed since it was adopted in 1991, we
18 have updated the data and analysis specifically related
19 to our land absorption and our population and employment
20 projections. We have identified that we would be
21 concerned as we start to see residential buildout
22 occurring at the horizon year of our plan. The horizon
23 year of our plan is now 2013. We are in the process of
24 evaluating areas in the County where additional
25 urbanization may be warranted and also would be

1 consistent with the lifestyles of the area and compatible
2 with surrounding development.

3 Q Okay. Considering the provisions of the
4 Seminole County Comprehensive Plan, the State
5 Comprehensive Plan and general planning policies that are
6 currently in effect in Seminole County, is it your
7 opinion that the Florida Water Services's proposed
8 amendment is contrary to the public interest?

9 A It is not consistent with Seminole County's
10 Comprehensive Plan as it's currently adopted.

11 Q Okay. Would that make it contrary to the
12 public interest of Seminole County citizens since their
13 plan is the document which controls growth in the county?

14 A Yes, it would.

15 Q Now, is there a study ongoing at the present
16 time relative to the Chuluota area and a portion of the
17 east area of Seminole County?

18 A Yes, there is.

19 Q And this area that the study is currently being
20 undertaken, it would involve the Florida Water Services's
21 service area?

22 A It does include those properties, yes.

23 Q That are subject to the amendment; right?

24 A Yes. That's correct.

25 Q And if a study was approved and plan amendments

1 were adopted, could some of the statements that you made
2 today be modified subject to modification?

3 A Yes, they would be.

4 Q Okay. Do you have anything further that you
5 believe you need to state in your testimony relative to
6 the application of Florida Water Services that's under
7 consideration?

8 A Not at this time.

9 MR. GROOT: Thank you very much.

10 (Short recess.)

11 BY MR. GROOT:

12 Q We're going back on the record, Ms. Chandler,
13 I'm handing you a document which we're going to mark
14 Exhibit D for this testimony. What is that document?

15 A It is two pages from Seminole County's adopted
16 Comprehensive Plan.

17 Q And what do those pages contain?

18 A The first page is page B-53, it contains
19 policies from the County's Comprehensive Plan and Future
20 Land Use Element Policy 2.11.10 and 2.11.11.

21 Q And the second page?

22 A The second page is page K-9 which is --
23 contains policies from Seminole County's Wastewater
24 Element -- I mean, excuse me, Potable Water Element and
25 includes Policy 11.4.1.

1 Q And were those the policies that you were
2 referring to during the course of your testimony?

3 A Yes, it was -- yes, they were.

4 (Marked Exhibit D for identification.)

5 BY MR. GROOT:

6 Q I'm now going to hand you a document which is
7 marked Exhibit E to this testimony. What is that
8 document?

9 A It is a page from Seminole County's
10 Comprehensive Plan, page K-9. It includes policies from
11 Seminole County's Potable Water Element and includes the
12 text of Policy 11.4.2.

13 (Marked Exhibit E for identification.)

14 BY MR. GROOT:

15 Q Now I'm going to hand you a document that will
16 be marked as Exhibit F to this testimony and what is that
17 document?

18 A This is several pages from Seminole County's
19 Comprehensive Plan from pages B-49 consecutively through
20 B-55. It is text from the Future Land Use Element of
21 Seminole County's Comprehensive Plan and includes the
22 text of the Objective 2.11, Preserve Rural Lifestyles in
23 East Seminole County as well as all policies related
24 thereto.

25 (Marked Exhibit F for identification.)

1 BY MR. GROOT:

2 Q Okay. And although we're not going to
3 introduce it today, is there a map that is associated
4 with the Seminole County Comprehensive Plan?

5 A Yes, there is.

6 Q And what's that map called?

7 A It's called the Future Land Use Element --
8 excuse me. It's called the Adopted Future Land Use Map
9 of Seminole County.

10 Q And would the land use designations which are
11 three -- one unit to three acres and one unit to five
12 acres and one unit to ten acres be reflected on that map?

13 A Yes, they would. As well as the conservation
14 land use.

15 Q Thank you. And are there definitions in the
16 Seminole County Comprehensive Plan that describe the
17 conservation land use designation and the R-3, R-5 and
18 R-10 land use designations?

19 A There are the definitions in the Future Land
20 Use Element of the Plan that describe the intent and the
21 density and uses for each of those land use designations
22 and, in addition, there is a table in the Future Land Use
23 Elements that describes what zoning classifications and
24 the maximum density of use that's allowed in each of
25 those classifications.

1 MR. GROOT: Okay. And we'll submit that as a
2 Composite Exhibit G to the court reporter after this
3 testimony is terminated.

4 Thank you very much.

5 (Whereupon, the foregoing proceedings were concluded at
6 11:55 a.m.)

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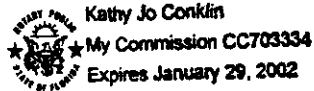
CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF SEMINOLE

I, the undersigned authority, certify that
Frances E. Chandler personally appeared before me and
was duly sworn.

WITNESS my hand and official seal this 30th
day of December, 1998.

Kathy Jo Conklin
KATHY JO CONKLIN, RPR-CP, RMR
Notary Public - State of Florida
My Commission No. CC332373
Expires: January 29, 2002



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CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF SEMINOLE

I, KATHY JO CONKLIN, RPR-CP, RMR, certify that I was authorized to and did stenographically report the deposition of Frances E. Chandler; that a review of the transcript was not requested; and that the transcript is a true and complete record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative of employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

Dated this the 30th day of December, 1998.


KATHY JO CONKLIN, RPR-CP, RMR



BOARD OF COUNTY COMMISSIONERS

June 9, 1998

Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

Subject: Amendment to Water and Wastewater Certificate for Florida Water Services Corporation, Seminole County, Florida
Certificates 279-W and 226-S, Docket Number 980657

Dear Sir:

We are in receipt of a notice of application requesting an amendment to the Florida Water Services Corporation's (FWSC) service area in southeast Seminole County. This letter serves as an objection to the proposed amendment and a request for a proceeding pursuant to ss.120.569 and 120.57. Findings are as described below:

Background. The area proposed for amendment by the FWSC includes a considerable amount of property currently designated on the County's Future Land Use Map as Rural-5 (one dwelling unit per five acres), Rural-3 (one dwelling unit per three acres), and Suburban Estates (one dwelling unit per one acre), in addition to properties designated as both public and private recreation lands (see enclosed map). The future land use designations, along with associated zonings, were adopted by the Board of County Commissioners (the Board) and were based, in part, upon the boundaries of the FWSC service area, and upon a study titled "East Seminole County Rural Area Plan". As these properties are located in the County's Rural Area, development may occur without the need for urban services (i.e., central water and sewer services, paved roads, etc.), while maintaining consistency with the County's Plan.

Inconsistency with Seminole County's Comprehensive Plan (the Plan). The existing service area and proposed amendment area both lie in the southeast portion of the County, outside the established urban boundary line. This line was adopted to prevent urban sprawl and protect the County's established Rural Area. The line separates urban and rural intensities of development and serves to limit the provision of certain urban services in the Rural Area in accordance with the Plan's Future Land Use Element Policies 2.11.10 and 2.11.11. These policies are included within a series of policies which address protection of the County's Rural Area by discouraging the expansion of private water and sewer service areas and the construction of new development with central water and/or sewer systems (see enclosed Plan pages B-53).



Precedence of the Comprehensive Plan. While the County acknowledges that the FWSC may wish to establish an expanded service area for the purpose of long range planning, a PSC approved change to their certificated area does not require a corresponding amendment to the Plan consistent with the new boundaries. Additionally, increases in intensity/density of land use are predicated on such factors as consistency with Plan policies, compatibility, appropriateness of the request, etc., and not simply the availability or lack thereof services and facilities.

Conclusion. The amendment area, as proposed, would be inconsistent with at a minimum the Plan's Future Land Use Policies 2.11.10 and 2.11.11, and represents an encroachment of urban services into the County's establish rural and therefore should be denied.

Thank you for the opportunity to comment on this matter. If you have any questions, or need additional information, please contact Frances Chandler, Director, Planning and Development Department, at (407 321-1130, extension 7397), who will be able to assist you.

Sincerely,



Randall C. Morris
Chairman
Board of County Commissioners

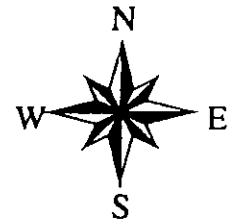
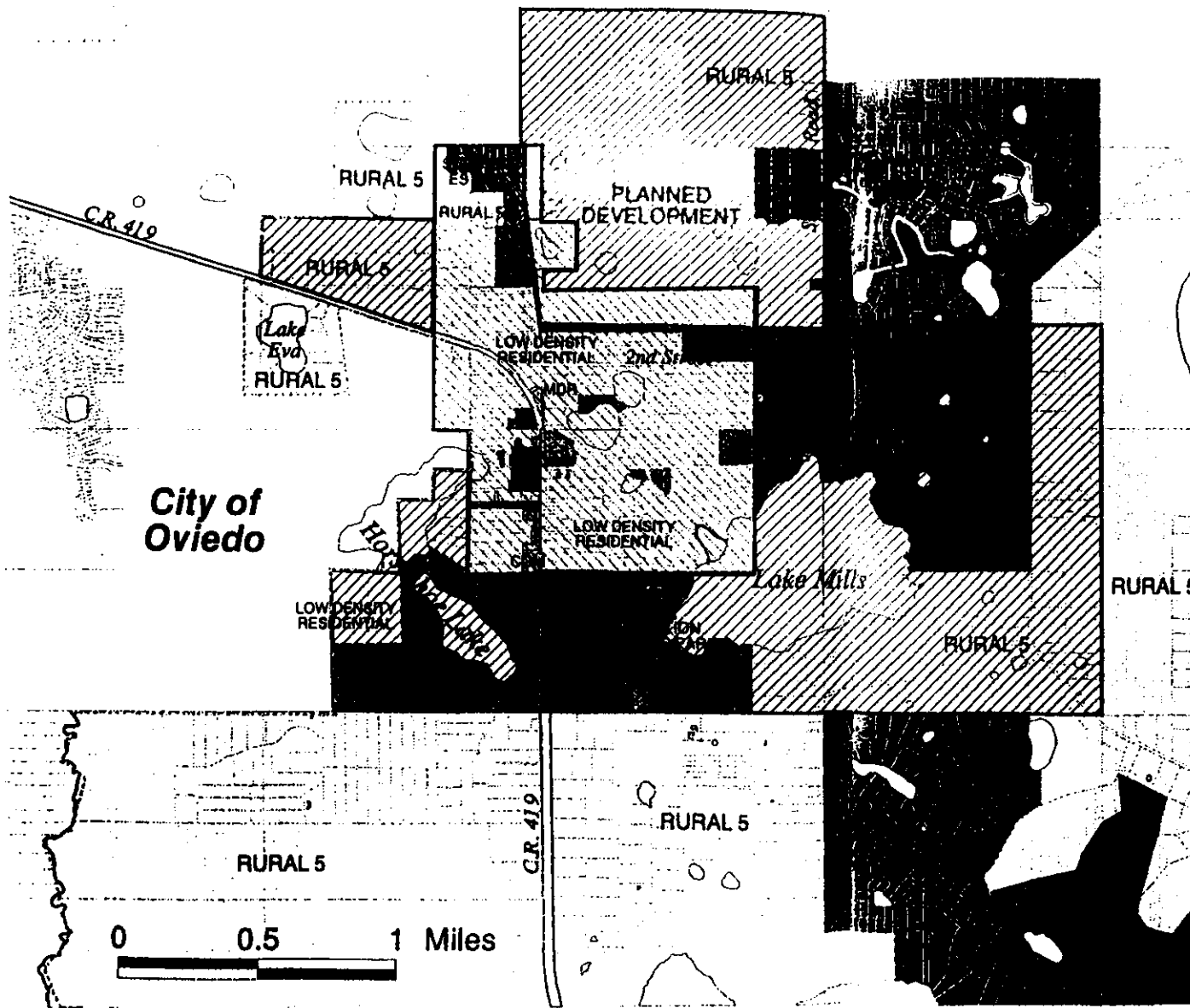
Attachments:

- Amendment area map
- Page B-53 from Seminole County Comprehensive Plan
- Citizen letter received on this topic

RM:db

cc: Board of County Commissioners
Gary Kaiser, County Manager
Cindy Coto, Deputy County Manager/Administration
Lonnie Groot, Deputy County Attorney
Frances Chandler, Director, Planning and Development Department
Colleen Rotella, Acting Manager, Comprehensive Planning Division
Warren Wagner, Director of Environmental Services
Matthew J. Fell, Esquire, Florida Water Services Corporation
David Moon, City of Oviedo

Florida Water Service - Water & Sewer Service Area Proposed Change

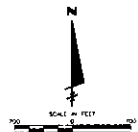
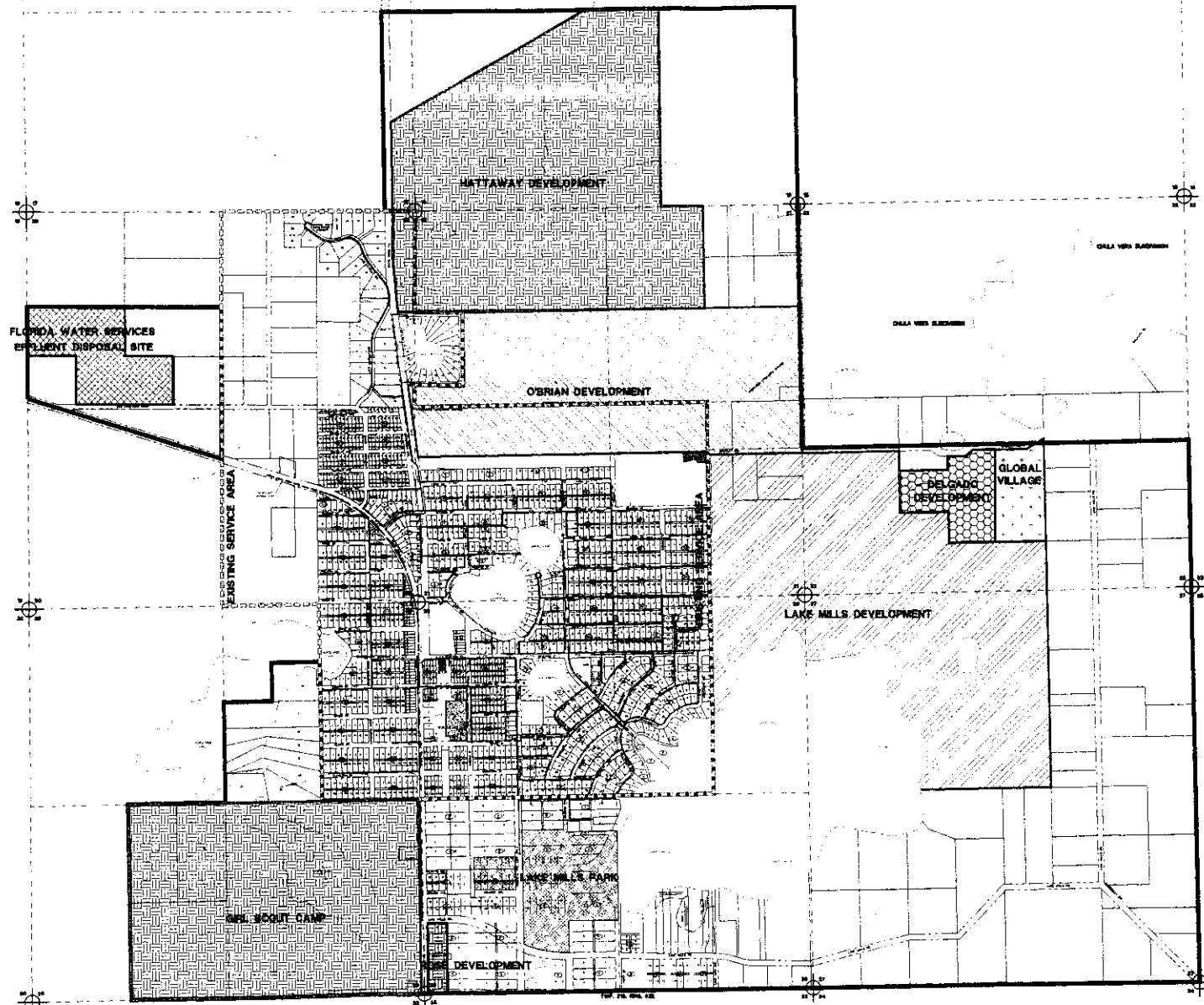


LEGEND:

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

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

Exhibit
B



LEGEND

—○—○—○—	4" GRAVITY SEWER	—○—○—○—	12" WATER MAIN
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CHULUOTA
WATER DISTRIBUTION SYSTEM
SEMINOLE COUNTY, FLORIDA
Sheet Number: 355 Date: DECEMBER 1997
Scale: 1" = 700'



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Helping Floridians create safe, vibrant, sustainable communities"

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Governor

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Secretary

Copy: BCC
Gary K.
Kenne Groot
Dave Schmidt
Dick Boyer

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OCT 16 1998

OCT 14 1998

PLANNING AND DEVELOPMENT

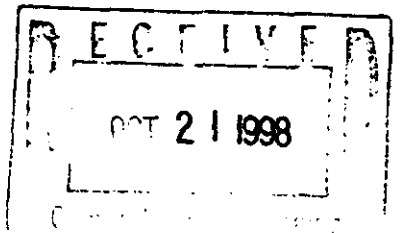
Charles H. Hill, Director
Division of Water and Wastewater
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

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

Dear Mr. Hill:

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

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



2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100

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

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

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

GREEN SWAMP
Area of Critical State Concern Field Office
155 East Summerlin
Bartow, Florida 33810-4641

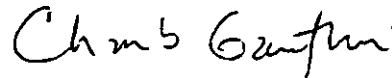
SOUTH FLORIDA RECOVERY OFFICE
P.O. Box 4022
8600 N.W. 36th Street
Miami, Florida 33187-4022

Charles H. Hill
October 12, 1998
Page Two

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

922-1800

Sincerely,



J. Thomas Beck, Chief
Bureau of Local Planning

Attachment

JTB/bw

cc: Francis Chandler, Seminole County



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

"Helping Floridians create safe, vibrant, sustainable communities"

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Governor

JAMES F. MURLEY
Secretary

MEMORANDUM

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

THROUGH: Charles Gauthier, Section Administrator *prepare 20 letter*
James Stansbury, Community Program Administrator

FROM: Brenda Wunningham, Planning Manager *BW*

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

DATE: October 8, 1996

Comment Due to PSC: October 16, 1998

I. Summary of Staff Analysis

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

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100
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152 East Suncom Way
Gainesville, Florida 32601-2002

SOUTH FLORIDA RECOVERY OFFICE
P.O. Box 4022
Buckley, FL 33448-0022
Phone: 813.973.1111

II. Location of Proposed Service Territories

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

III. Local Government Comprehensive Plan

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

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

IV. Agency Comments

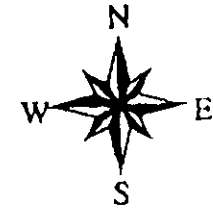
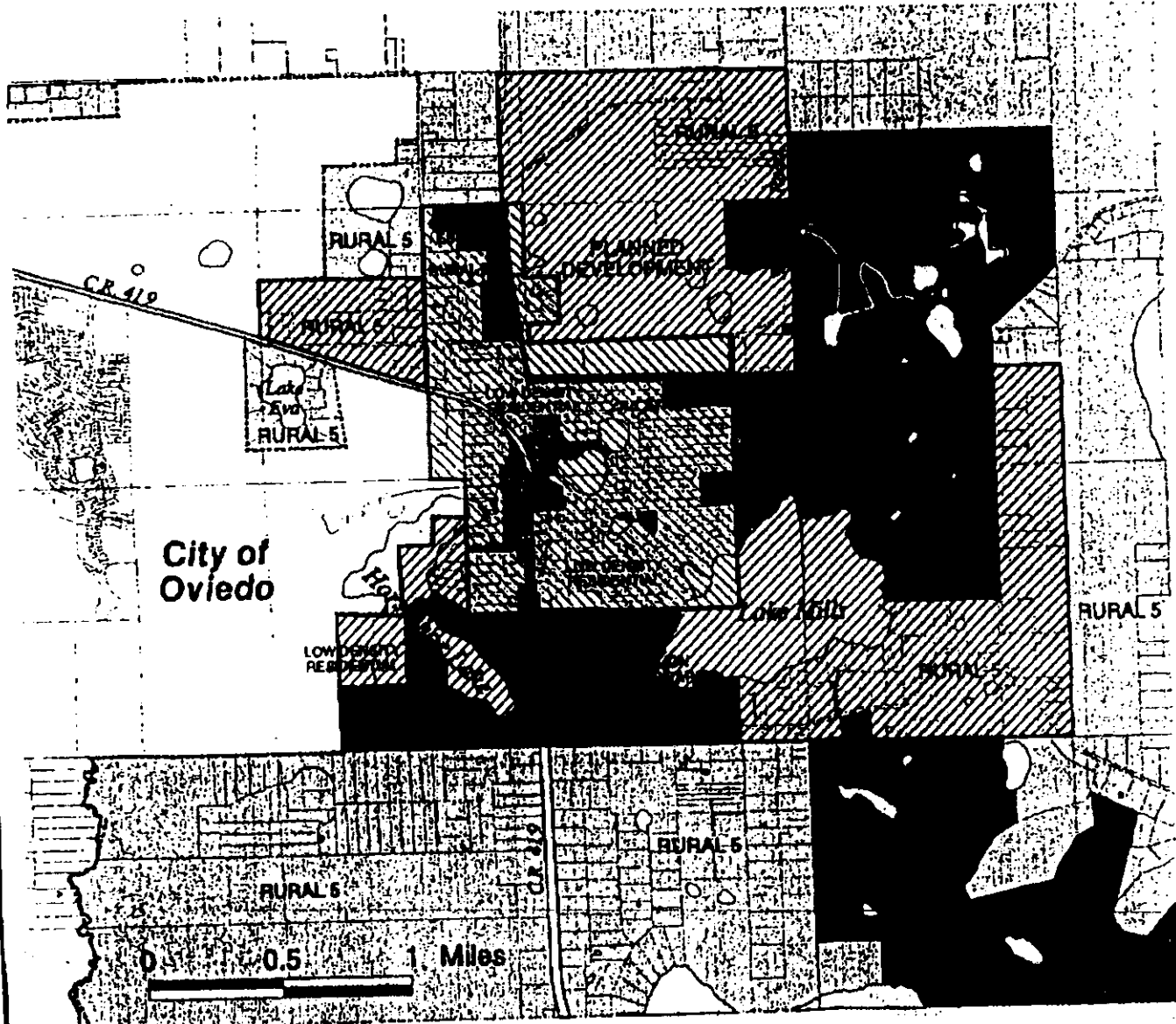
Seminole County provided the Department with a copy of the County's letter to the PSC expressing the county's objection to the extension of central water and sewer services into the Rural Area of Seminole County. The County cites the Rural land use designations for the area, that the site is located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

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

V. Conclusions

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

Florida Water Service - Water & Sewer Service Area Proposed Change



LEGEND:

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

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

SEMINOLE COUNTY

1991 COMPREHENSIVE PLAN

Policy 11.3.4 Transmission Lines

The County shall ensure that future transmission lines are sized to adequately meet the projected demands of development according to development phasing needs based upon the adopted/accepted Master Water and Sewer Plan which uses adopted future land uses as a basis for planning.

Policy 11.3.5 Timing of Future Treatment Facility Expansion

The County shall ensure that sufficient treatment facility capacity is maintained, once average daily flow (ADF) equals or exceeds 75% of a facility's permitted capacity or once the sum of current ADF plus future committed ADF equals or exceeds 90% of permitted capacity. A report shall be presented to the Board by the Department of Environmental Services on the need to increase capacity and, if capacity needs to be increased, the method of increase, estimated cost and timing.

Policy 11.3.6 Adopted Potable Water Service Area Map

Figure 11.1, Adopted Existing and Future Water Service Areas, is the adopted potable water service area map for Seminole County. Whether central water usage is required for a particular piece of property within the service area is determined by reference to the Future Land Use Map Series and the regulations governing that property according to its designation in the Series.

OBJECTIVE 11.4: COORDINATION AND URBAN SPRAWL

The County shall coordinate the extension of lines or increase of facility capacity with adjacent municipal and private facilities and discourage urban sprawl through implementation of the following policies:

Policy 11.4.1 Evaluation of Service Area Expansion

The County shall evaluate the impact on delivering adequate service to residents within the adopted service area as depicted in Figure 11.1, Existing and Future Water Service Areas, prior to the expansion of a potable water service area outside the adopted service area boundaries. The County shall not expand the

service area if the adopted level of service in the existing service area cannot be maintained or if the expansion will encourage urban sprawl.

Policy 11.4.2 Methods of Providing Potable Water Outside of the Adopted Service Area (East Seminole County)

The County Shall:

- o Continue to rely primarily upon individual wells as the method of providing potable water to the residents and other occupants of East Seminole County.
- o Encourage private central systems that exist as of the adoption 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 them from expanding their service areas.
- o Amend the appropriate resolution to re-align the County Water Service Area such that its eastward-most boundary south of the City of Oviedo is the Econlockhatchee River.
- o New development outside adopted central service areas shall not be designed nor constructed with central water and/or sewer systems. However, if development of an existing non-rural land use immediately adjacent to an existing service area would be of such a density that the use of septic systems poses an environmental or health concern, an expansion of the service area shall be allowed.
- o Public and private central systems may be permitted in the future if it is clearly and convincingly demonstrated by the proponents of the system expansion that a health problem exists in a built but unserved area for which there is no other feasible solution. In such cases, the service area expansion plans will be updated concurrent with an area-wide administrative land use update (Plan amendment) (Amendment 97F.TXT 4).

Policy 11.4.3 Existing Package Plants

Existing package plants (i.e., schools, mobile home parks) shall be requested by the County to hook-up to the County system when it becomes available.

Policy 11.4.4 Wholesale Agreements

AMENDMENT 97F.TXT4, ORDINANCE 97-49 (12/16/97)

SEMINOLE COUNTY

1991 COMPREHENSIVE PLAN

Policy 2.11.10 Methods of Providing Potable Water Outside of the Adopted Service Area (East Seminole County)

The County shall:

- o Continue to rely primarily upon individual wells as the method of providing potable water to the residents and other occupants of East Seminole County.
- o 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 them from expanding their service areas.
- o Amend the appropriate resolution to re-align the County Water Service Area such that its eastward-most boundary south of the City of Oviedo is the Econlockhatchee River.
- o New development outside adopted central service areas shall not be designed nor constructed with central water and/or sewer systems. Public and private central systems may be permitted in the future if it is clearly and convincingly demonstrated by the proponents of the system expansion that a health problem exists in a built but unserved area for which there is no other feasible solution. In such cases, the service area expansion plans will be updated concurrent with an area-wide administrative land use update (Plan amendment).

Policy 2.11.11 Methods of Providing Sanitary Sewer Outside of the Adopted Service Area (East Seminole County).

The County shall:

- o Continue to rely primarily upon individual septic tank systems as the method of disposal of wastewater in East Seminole County.
- o 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. The County shall discourage the expansion of service areas.

- o Amend the appropriate resolution to re-align the County Sewer Service Area such that its eastward-most boundary south of the City of Oviedo is the Econlockhatchee River.

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

Policy 2.11.12 Methods of Managing Stormwater

The County shall:

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

Policy 2.11.13 Methods of Collecting and Disposing of Solid Wastes

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 2.11.14 Recreation System Plan

The County shall prepare a Recreation System Plan for East Seminole County by 1993 that maximizes the collective advantages of the several parks and trails in East Seminole County.

Policy 2.11.15 Protection of Natural Resources

The County shall:

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Policy 11.3.4 Transmission Lines

The County shall ensure that future transmission lines are sized to adequately meet the projected demands of development according to development phasing needs based upon the adopted/accepted Master Water and Sewer Plan which uses adopted future land uses as a basis for planning.

Policy 11.3.5 Timing of Future Treatment Facility Expansion

The County shall ensure that sufficient treatment facility capacity is maintained, once average daily flow (ADF) equals or exceeds 75% of a facility's permitted capacity or once the sum of current ADF plus future committed ADF equals or exceeds 90% of permitted capacity. A report shall be presented to the Board by the Department of Environmental Services on the need to increase capacity and, if capacity needs to be increased, the method of increase, estimated cost and timing.

Policy 11.3.6 Adopted Potable Water Service Area Map

Figure 11.1, Adopted Existing and Future Water Service Areas, is the adopted potable water service area map for Seminole County. Whether central water usage is required for a particular piece of property within the service area is determined by reference to the Future Land Use Map Series and the regulations governing that property according to its designation in the Series.

OBJECTIVE 11.4: COORDINATION AND URBAN SPRAWL

The County shall coordinate the extension of lines or increase of facility capacity with adjacent municipal and private facilities and discourage urban sprawl through implementation of the following policies:

Policy 11.4.1 Evaluation of Service Area Expansion

The County shall evaluate the impact on delivering adequate service to residents within the adopted service area as depicted in Figure 11.1, Existing and Future Water Service Areas, prior to the expansion of a potable water service area outside the adopted service area boundaries. The County shall not expand the

service area if the adopted level of service in the existing service area cannot be maintained or if the expansion will encourage urban sprawl.

Policy 11.4.2 Methods of Providing Potable Water Outside of the Adopted Service Area (East Seminole County)

The County Shall:

- o Continue to rely primarily upon individual wells as the method of providing potable water to the residents and other occupants of East Seminole County.
- o Encourage private central systems that exist as of the adoption 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 them from expanding their service areas.
- o Amend the appropriate resolution to re-align the County Water Service Area such that its eastward-most boundary south of the City of Oviedo is the Econlockhatchee River.
- o New development outside adopted central service areas shall not be designed nor constructed with central water and/or sewer systems. However, if development of an existing non-rural land use immediately adjacent to an existing service area would be of such a density that the use of septic systems poses an environmental or health concern, an expansion of the service area shall be allowed.
- o Public and private central systems may be permitted in the future if it is clearly and convincingly demonstrated by the proponents of the system expansion that a health problem exists in a built but unserved area for which there is no other feasible solution. In such cases, the service area expansion plans will be updated concurrent with an area-wide administrative land use update (Plan amendment) (Amendment 97F.TXT 4).

Policy 11.4.3 Existing Package Plants

Existing package plants (i.e., schools, mobile home parks) shall be requested by the County to hook-up to the County system when it becomes available.

Policy 11.4.4 Wholesale Agreements

AMENDMENT 97F.TXT4, ORDINANCE 97-49 (12/16/97)

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POTABLE WATER ELEMENT

PERMAD-Byronne N.J.

EXHIBIT

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are abandoned (including as a result of acts of God or similar occurrences or events) for a period of one hundred and eighty (180) days; then such sites shall be assigned a new land use designation and rezoned to be consistent with that land use designation.

Policy 2.10.5 Special Land Use Considerations

The County shall establish an advisory council to recommend land use and land development code measures to help meet the needs of handicapped residents in the County.

OBJECTIVE 2.11 PRESERVE RURAL LIFESTYLES IN EAST SEMINOLE COUNTY

The County shall institute 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 Figure 2.9) and thereby make sure the rural lifestyle is available to future residents. (Amendment: 95F.FLU 11)

Policy 2.11.1 Recognition of Rural Areas

The County shall develop land development regulations and land use strategies by April 1992 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 code enforcement consistent with the rural character of such areas.

Policy 2.11.2 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 2.11.3 Land Development Code Revisions to Accommodate Rural Uses

AMENDMENT 95F.FLU 11, ORDINANCE 95-14 (12/12/95)

The County shall revise The Land Development Code by April 1992 to accommodate the "Rural" series of land use designations with the institutional, public and other support uses offered as Special Exceptions to the appropriate rural zoning category, rural clustering and roadway corridor districts.

Policy 2.11.4 Rural Cluster Development

The County shall develop rural cluster land development regulations by April 1992 which will be designed to preserve open space along roadway corridors, preserve open space in rural residential areas, preserve natural amenity areas, enhance the rural character of the area and ensure that development along the 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 1 acre, with the perpetual reservation of the undeveloped buildable land as open space. The rural cluster regulations are intended to affect the location of the number of dwelling units authorized by the future land use designation and not serve as a vehicle for increasing the lot yield above the number of units authorized by the designated rural land use designation.

Policy 2.11.5 Roadway Corridor Overlay District for the Major Roadways in East Seminole County

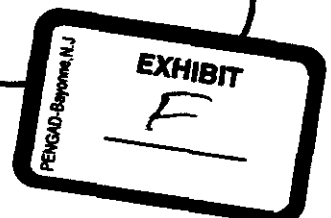
The County will develop and enact, by April 1992, a Rural Roadway Corridor Zoning Classification Overlay for the major roads in East Seminole County in order to regulate land development along the major roadways to improve or protect the rural character of the area. The overlay corridor classification shall extend 200' 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 shall regulate land development along the major roadway system in East Seminole County by, at a minimum, establishing standards for:

- o land use types and frequencies
- o preservation of existing canopy trees
- o planting of new canopy trees
- o landscaping requirements
- o clearing setbacks and restrictions
- o building character, setbacks and locations

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FUTURE LAND USE ELEMENT



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- o location of parking
 - o location of equipment storage
 - o walls, fences, entrance features and similar structures
 - o location and design of retention ponds
 - o access management
 - o the number of travel lanes
 - o the number and location of traffic signals
 - o the absence or presence of overhead powerlines or their presence on only one side of the street with lateral crossings underground
 - o the location and design of signage
 - o the location and design of street lights
 - o easements, deed restrictions and other instruments required to perpetually preserve the undeveloped portion of the roadway corridor.
- For the purposes of this policy the term "major roadway system" means County Road 419, State Road 46, County Road 426 and Snowhill Road to the extent that they are located in East Seminole County.

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determination. For example, a lot that was originally platted as a 10-acre lot that now contains only 9.17 acres because, and solely because, land from the original lot was dedicated to a public road right-of-way, will be considered a 10-acre lot; 5 acre lots, and multiples of 5-acre lots, similarly reduced, will be treated likewise.

- o Address conditions existing prior to adoption of this Plan as follows:

It is the intent of the rural residential land use designations (Rural 3, Rural 5, Rural 10) to guide the future development and use of these areas. For the purpose of the Rural 3, Rural 5 and Rural 10 categories, structures existing as of the adoption date of the 1991 Comprehensive Plan shall be permitted to be rebuilt in the event of an accident or otherwise improved as long as the gross density of residential property or intensity of non-residential property of the property is not increased and/or the land use remains consistent with those regulations in effect as of the adoption date of this Plan. Lots and parcels of record as of the date of adoption of the Comprehensive Plan shall be allowed to be built upon even if they are smaller than the new lot size standards, as long as all other land development regulations are met. 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 this Plan. This provision is based on the following findings:

- These lots and parcels are a generally accepted development pattern by residents of the East Area of the County;
- The grandfathering of these certain lots and parcels will not adversely affect the overall intent and objectives of the Rural Area Plan;
- 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

- There are expressed expectations and intent by these existing property owners to use their property in a certain manner as evidenced through their application for and action by the County to record a parcel, approve and maintain as valid a final Development Order or execute a 5-acre Resolution.

- o Facilitate the continuation of the family farm by permitting family subdivisions. It is the intent of the "Rural 10" and "Rural 5" Land Use categories 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" category, 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 1 acre. (Amendment: 95F.TXT 3.3)

Policy 2.11.17 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.

OBJECTIVE 2.12: PROTECTION OF PRIVATE PROPERTY RIGHTS (Created in its entirety by Amendment 95F.TXT 7.3)

The County shall not intentionally enact or impose any unreasonable land development regulation or apply any land development

AMENDMENT 95F.TXT 3.3, ORDINANCE 95-14 (12/12/95)

AMENDMENT 95F.TXT 7.3, ORDINANCE 95-14 (12/12/95)



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- o Protect the wetland and flood prone areas in East Seminole County 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.
- o Re-evaluate the effectiveness of the County Arbor Ordinance, referenced by Policy 2.1.6, by April 1993.
- o Protect the groundwater systems in East Seminole County, including, but not limited to, the Geneva "Lens" by:
 - 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;
 - 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 the excessive pumping of the aquifer;
 - 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
 - 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.
- o Protect the Econlockhatchee River in East Seminole County by:
 - Regulating development adjacent to the River in accordance with the existing Wetlands Ordinance (see Policy 2.1.3). Regulating development adjacent to the River in accordance with the Econlockhatchee River Basin Protection Ordinance enacted by the Board of County Commissioners in 1991.
 - Purchasing properties, when appropriate, with funds from the Natural Lands Program and other Federal, State, and regional programs.
 - Enacting provisions in the Land Development Code by April 1993 regarding the prohibition of additional bridge crossings of the River.
- o Protect the St. Johns River by:
 - Continuing to enforce the existing Wetlands Ordinance (see Policy 2.1.3).
 - Purchasing properties, when appropriate, with funds from the Natural Lands Program and other Federal, State, and regional programs.
 - Preparing an overlay protection ordinance creating standards similar to the "Econlockhatchee River Protection Ordinance" that will be enacted by the County by April 1993.

Policy 2.11. 16 Code Enforcement and Implementation

The County shall:

- o Develop, enact and enforce Rural Subdivision Standards by April 1992, as necessary, designed to meet the unique needs of the Rural Area.
- o Complete a study by April 1993 to determine the most effective method of providing improved inspection and code enforcement services in East Seminole County.
- o Pursue a Joint Planning Agreement with the City of Oviedo for the purpose of achieving Objective 2.11.
- o Consider that lots originally recorded or platted as 5 acres and/or 10 acres in size in the old Black Hammock Plat that have been reduced in size by the amount of land dedicated to public road rights-of-way, shall be considered as 5-acre and/or 10-acre lots for purposes of land use consistency and dwelling unit yield



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Policy 2.11.10 Methods of Providing Potable Water Outside of the Adopted Service Area (East Seminole County)

The County shall:

- o Continue to rely primarily upon individual wells as the method of providing potable water to the residents and other occupants of East Seminole County.
- o 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 them from expanding their service areas.
- o Amend the appropriate resolution to re-align the County Water Service Area such that its eastward-most boundary south of the City of Oviedo is the Econlockhatchee River.
- o New development outside adopted central service areas shall not be designed nor constructed with central water and/or sewer systems. Public and private central systems may be permitted in the future if it is clearly and convincingly demonstrated by the proponents of the system expansion that a health problem exists in a built but unserved area for which there is no other feasible solution. In such cases, the service area expansion plans will be updated concurrent with an area-wide administrative land use update (Plan amendment).

Policy 2.11.11 Methods of Providing Sanitary Sewer Outside of the Adopted Service Area (East Seminole County).

The County shall:

- o Continue to rely primarily upon individual septic tank systems as the method of disposal of wastewater in East Seminole County.
- o 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. The County shall discourage the expansion of service areas.

- o Amend the appropriate resolution to re-align the County Sewer Service Area such that its eastward-most boundary south of the City of Oviedo is the Econlockhatchee River.
- o New development outside adopted central service areas shall not be designed nor constructed with central water and/or sewer systems. Public and private central systems may be permitted in the future if it is clearly and convincingly demonstrated by the proponents of the system expansion that a health problem exists in a built but unserved area for which there is no other feasible solution. In such cases, the service area expansion plans will be updated concurrent with an area-wide administrative land use update (Plan amendment).

Policy 2.11.12 Methods of Managing Stormwater

The County shall:

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

Policy 2.11.13 Methods of Collecting and Disposing of Solid Wastes

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 2.11.14 Recreation System Plan

The County shall prepare a Recreation System Plan for East Seminole County by 1993 that maximizes the collective advantages of the several parks and trails in East Seminole County.

Policy 2.11.15 Protection of Natural Resources

The County shall:



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Policy 2.11.6 Landscaping and Maintenance Standards for Rural Roadways

By December 1996, the County will prepare corridor evaluations and establish landscaping/maintenance standards for roadways in rural and transitioning areas (SR 434 and Florida Avenue). These standards shall include: (Amendment: 95F.TXT 3.2)

- o access management
- o trees and landscaping
- o accommodation of bike/pedestrian movement
- o speed limits, signage, markings and other operational devices
- o drainage
- o maintenance
- o utilities.

Policy 2.11.7 Prohibit Future Connection of Florida Avenue with Stone Street

In order to preserve the rural area of East Seminole County and maintain the rural character of the entrance roadways into the rural area, any future connection of Florida Avenue with Stone Street shall be prohibited. (Amendment: 95F.TXT 3.5)

Policy 2.11.8 Roadway Corridor Overlay District for the Minor Roadways in East Seminole County

The County shall develop and enact, by April 1992, a Rural Roadway Corridor Overlay Zoning Classification for the minor roads in East Seminole County in order to regulate land development along the 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 reinforces 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:

- o land use types and frequencies
- o preservation of existing canopy trees
- o planting of new canopy trees
- o landscaping requirements
- o clearing setbacks and restrictions
- o building character, setbacks and locations
- o location of parking
- o location of equipment storage
- o walls, fences, entrance features and similar structures
- o location and design of retention ponds
- o access management
- o the number of travel lanes
- o the number and location of traffic signals
- o the absence or presence of overhead powerlines or their presence on only one side of the street with lateral crossings underground
- o the location and design of signage
- o the location and design of street lights
- o 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 Rd., Lake Mills Rd./Brumley Rd. that "loops" Lake Mills, the proposed Chuluota By-Pass, Lake Geneva Road., 1st Street, Lake Harney Rd., Old Mims Rd./Jungle Rd. south of SR 46, Osceola Rd., and Mullet Lake Park Rd.

Policy 2.11.9 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 (2L) facilities. CR 419 west of the proposed Chuluota By-Pass 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 Rural Roadway Corridor Overlay zoning classification requirements.

AMENDMENT 95F.TXT 3.2, ORDINANCE 95-14 (12/12/95)
AMENDMENT 95F.TXT 3.5, ORDINANCE 95-14 (12/12/95)

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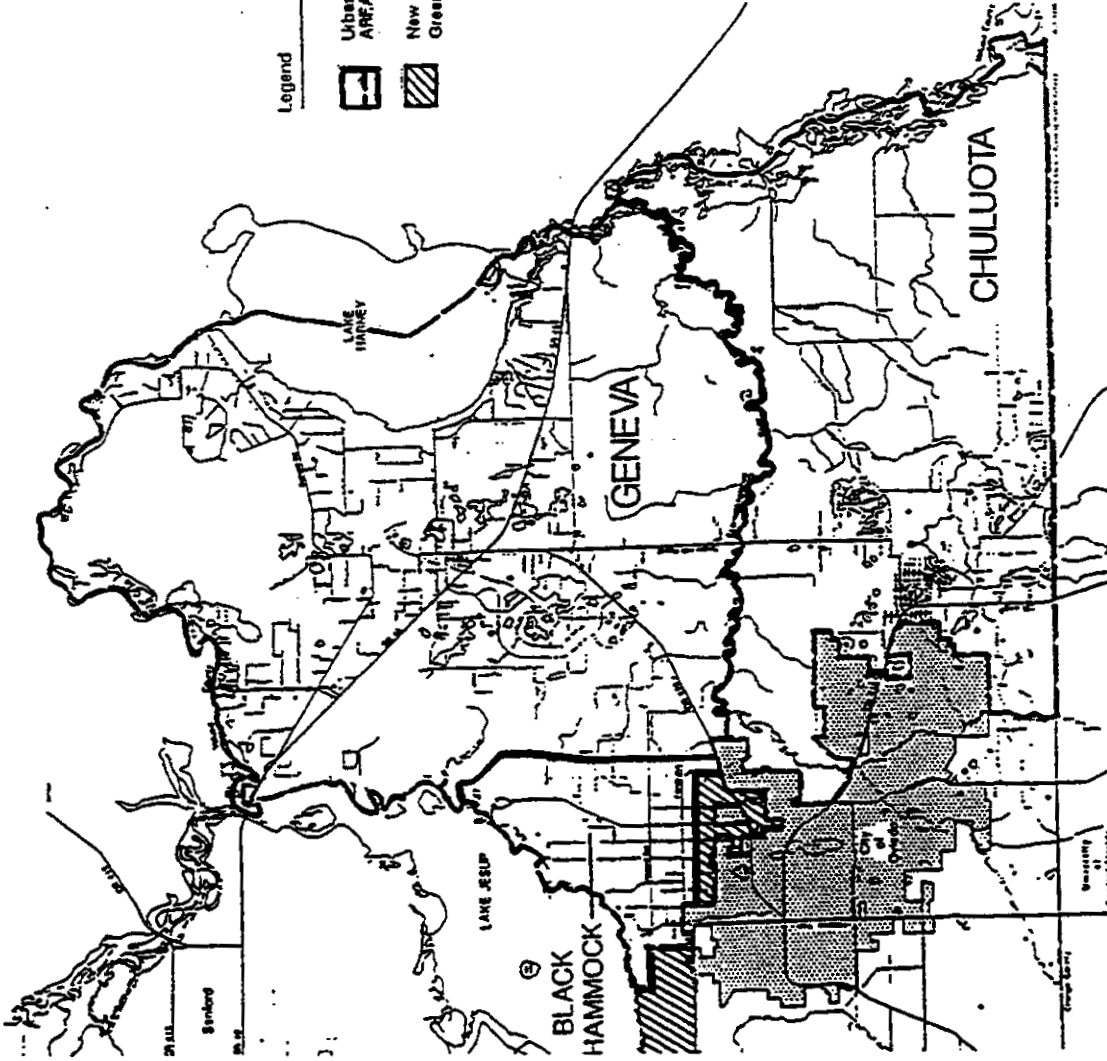
EAST SEMINOLE COUNTY

RURAL AREA PLAN

Figure 2.9
EAST SEMINOLE COUNTY
URBAN/RURAL
BOUNDARY

GLATTING LOPEZ KENCHER ANGLIN, INC
SEMON, LAISEN & PURDY
August 1991
AMENDED 12/13/94
ADOPTED 12/12/95,
AMENDMENT 95F.FLU11

- Legend
-  Urban/Rural AREA BOUNDARY
 -  New Urban Area created by Greenway/S.R. 434 Smart Area Study



AMENDMENT 94S.2, ORDINANCE 94-12 (12/123/94)

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Table 2.3

Future Land Use Densities/Intensities Designation Requirements, Permitted Zoning Districts And Special Provisions

FUTURE LAND USE ^{1,2}	NET RESIDENTIAL DENSITY AND FLOOR AREA RATIOS ³				PERMITTED ZONING DISTRICTS ^{4,7}	SPECIAL PROVISIONS ⁴		
Conservation	Overlay land use designation consisting of protected wetland and flood prone areas.				A-1	The exact boundary of Conservation areas is determined at the time of development order or permit approval. All development must comply with W-1 and FP-1 Zoning Classification requirements.		
Rural 10	Maximum 1 DU/10AC or 1 DU/SAC if units are sited specifically on 1 acre lots.				PL1, PUD, A-10	PUD Zoning is permitted only within the Econlockhatchee River Basin where a Transfer of Density is to be used in accordance with the provisions of the Econlockhatchee Protection Ordinance.		
Rural 5	Maximum 1 DU/5AC				PL1, PUD, A-5, A-10	PUD Zoning is permitted only within the Econlockhatchee River Basin where a Transfer of Density is to be used in accordance with the Provisions of the Econlockhatchee Protection Ordinance.		
Rural 3	Maximum 1 DU/3AC				PL1, PUD, A-3, A-5, A-10	PUD Zoning is permitted only within the Econlockhatchee River Basin where a Transfer of Density is to be used in accordance with the Provisions of the Econlockhatchee Protection Ordinance.		
Suburban Estates	Maximum 1 DU/AC				A-1, RC-1, PL1, PUD, RM-3 ⁸	PUD Zoning is permitted only within the Econlockhatchee River Basin where a Transfer of Density is to be used in accordance with the Provisions of the Econlockhatchee Protection Ordinance.		
Low Density Residential	Maximum 4 DU/AC Maximum 7 DU/AC				R-1, R-1A, R-1AA, R-1AAA, R-1AAAA, A-1, RC-1, PL1, PUD PUD, R-AH	See Future Land Use Policy 2.10.1 - Affordable Housing Density Bonuses. Rezoning within this future land use designation will be subject to the method for determining residential zoning compatibility required by the Land Development Code of Seminole County (Amendment 98S.TXT2).		
Medium Density Residential	Maximum 10 DU/AC				RM-1, RM-2, R-2, R3-A, R-1B, R-1BB, RP, All Low Density Residential Zonings			
High Density Residential	Greater than 10 DU/AC				R-3, R-4, All Medium Density Residential Zonings			
Planned Development	Determined at the time of Plan Amendment				PUD, PCD	Planned Development Land Use Designations are made through applicant requested amendments to the Future Land Use Map. Plan Amendments to PD must be accompanied by a rezoning application including preliminary master/site plan. See Future Land Use Policies 2.5.5, 2.5.8, 2.5.9, 2.5.10, 2.5.11, 2.5.12, 2.5.14, 2.5.16 and Figures 2.0.1, 2.3, 2.4, 2.5, 2.6, 2.7; Table 2.2 and 2.2a (Amendment 97S.TXT 1.5).		
Higher Intensity Planned Development	CORE		TRANSITIONAL	TARGET INDUSTRY		AIRPORT	PUD, PCD, PL1, TI (HIP-TI area only) (Amendment 97S.TXT 1.4) (Deletion) (Amendment 97S.TXT 1.6) (Deletion)	Parcels of land currently used for agricultural purposes, developed parcels or parcels which have 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. Core minimum intensities are based on the ability to phase into the standards (see Future Land Use Policy 2.5.9 b).
	Minimum	Maximum	Maximum	Tract Abutting Residential Districts	All other Development Tracts	Maximum		
	Residential (DU/AC)	20	50	20	20	50		
Non-Residential (FAR)	0.5	1.0	0.35	0.35	1.0	1.0		
Office	0.35 FAR				OP, RP, A-1, PUD, PL1			
Commercial	(Conventional)	0.35 FAR				CN, CS, C-1, C-2, A-1, PUD, PCD, PL1, OP, RP	Commercial land use designations may be developed as Mixed Commercial/Residential Planned Developments (see Future Land Use Policy 2.5.2).	
	(Mixed Use)	0.35 FAR Medium to High Density Residential						
Industrial	0.65 FAR				C-3, C-1, C-2, M-1A, M-1, M-2 (Amendment 97S.TXT 2.4) A-1, OP, PUD, PCD, PL1			
Public/Quasi Public	Facility density/intensity established at the time of use approval.				PL1, A-1			
Recreation	Density/intensity established at the time of recreation approval.				PL1, A-1, PUD, A-3, A-5, A-10 (Amendment 96S.TXT 2) ⁹			

DU/AC - Dwelling Unit Acre; FAR - Floor Area Ratio

¹ See Future Land Use Policy 2.1.7 for all parcels located within the Wekiva River Protection Area. See Future Land Use Policy 2.1.8 for all parcels located within the Econlockhatchee River Protection Area.

² See Future Land Use Element Appendix for more specific land use definitions and requirements.

³ Net residential density is the number of dwelling units per net buildable acre. Net buildable acreage is the number of acres within the boundary of a development excluding areas devoted to road rights-of-way, transmission power line easements, lakes and wetland or flood prone areas.

⁴ For all Special Provisions relating to land use and zoning, see Future Land Use Element and Land Development Code.

⁵ Existing sites (as of September 11, 1991) are permitted per Policy 2.10.4. No new sites within Suburban Estates will be permitted.

⁶ 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. The Permitted Zoning Districts indicated for each land use category in Table 2.3 may be allowed, but are not guaranteed. The appropriateness of a requested zoning district within a land use category will be determined based on availability of public facilities and services, impacts on natural resources, compatibility with surrounding zonings and uses and requirements of the Land Development Code. Other generally acceptable planning issues may also affect the appropriateness of assigning a particular zoning classification or approving a particular land use with regard to a particular parcel of property.

⁷ Rezoning to PUD, PCD, OP, RP, R-4, R-3, R3A, RM-3 and RM-2 require an accompanying master/site plan.

⁸ The PUD, A-3, A-5, and A-10 zoning classifications provide for properties designated for recreation/preservation use to be amended to the Recreation future land use designation without the need to undergo rezoning. The purpose of permitting these zoning classifications on the properties assigned the Recreation land use designation is to recognize existing zoning classification assignments and not to permit development within publicly owned property assigned the Recreation land use designation. (Amendment 96S.TXT 2, ORDINANCE 96-4 (06/11/96))

⁹ Prior Amendment(s): Amendment 95F.TXT 6.9 Ordinance 95-14 (12/12/95); Amendment 96S.TXT 2, Ordinance 96-4 (6/11/96); Amendment 97S.TXT 1.4, 1.5, 1.6, and 2.4, Ordinance 97-23 (06/10/97); Amendment 98S.TXT 2, Ordinance 98-46 (10/13/98)



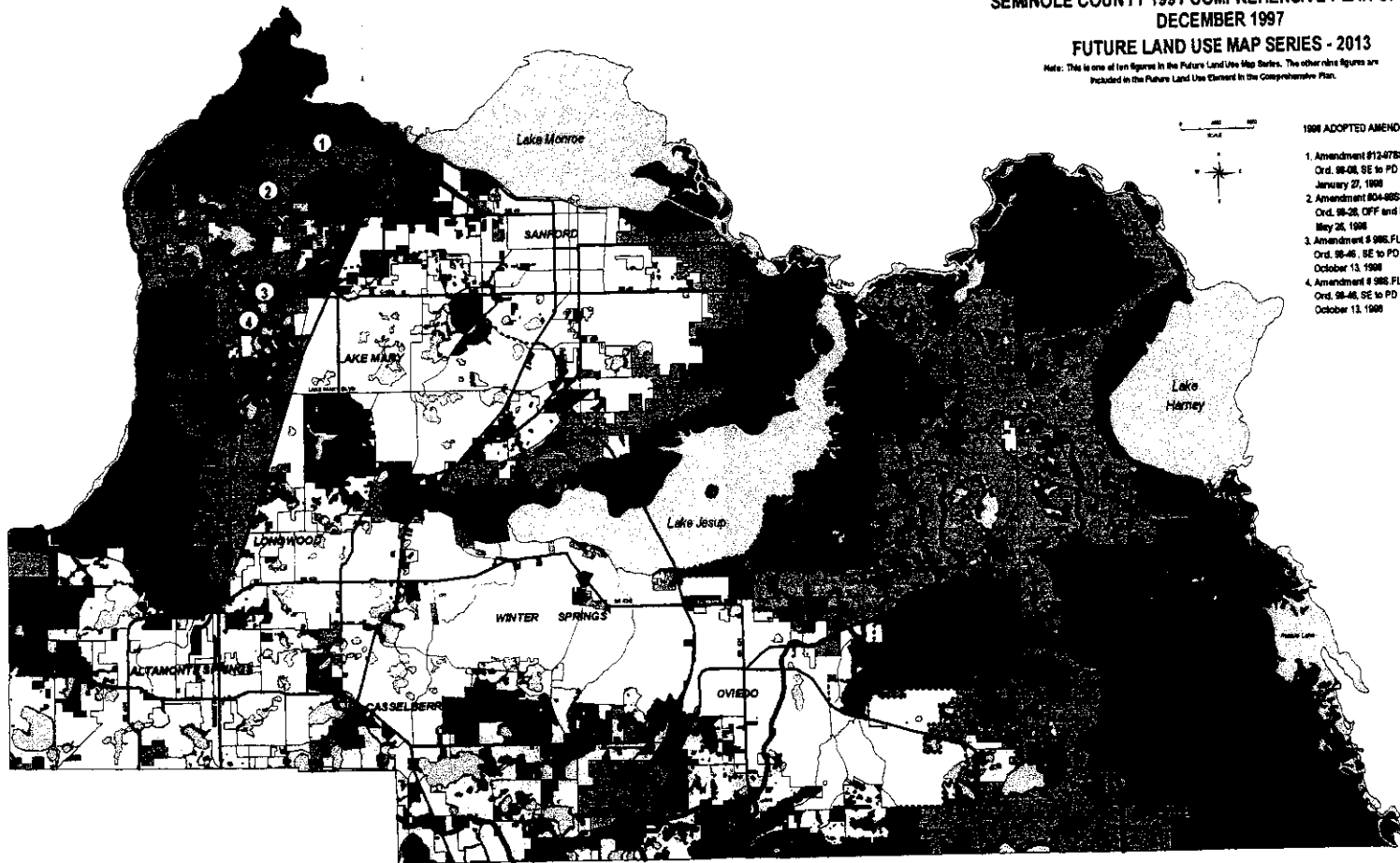
Figure 2.0.1
**SEMINOLE COUNTY 1991 COMPREHENSIVE PLAN UPDATE -
 DECEMBER 1997**
FUTURE LAND USE MAP SERIES - 2013

Note: This is one of ten figures in the Future Land Use Map Series. The other nine figures are included in the Future Land Use Element in the Comprehensive Plan.



1998 ADOPTED AMENDMENTS

1. Amendment #112-0778S.1
Ord. 98-08, SE to PD
January 27, 1998
2. Amendment #04-865S.2
Ord. 98-26, OFF and LDR to COM
May 26, 1998
3. Amendment # 98S.FLUS
Ord. 98-46, SE to PD
October 13, 1998
4. Amendment # 98S.FLUS
Ord. 98-46, SE to PD
October 13, 1998



LEGEND:

- HIGH DENSITY PLANNED DEVELOPMENT
- INDUSTRIAL
- COMMERCIAL
- OFFICE
- F.B.C. OUBA/RUC
- PLANNED DEVELOPMENT
- HIGH DENSITY RESIDENTIAL MAX 10 DUPLEX AC
- MEDIUM DENSITY RESIDENTIAL MAX 10 DUPER AC
- LOW DENSITY RESIDENTIAL MAX 10 DUPER AC
- SUBURBAN/ESTATE MAX 1 DUPER AC
- RURAL-3 MAX 10 DUPER 3 AC
- RURAL-5 MAX 1 DUPER 5 AC
- RURAL-10 MAX 1 DUPER 10 AC
- RECREATION
- CONSERVATION
- UNINCORPORATED BOUNDARY
- WETLAND PROTECTION AREA
- ECZAL QUA/T/D RE HABER PROTECTION USE

See Figures 2.0.2 through 2.0.7 for land use service designations

The land use information illustrated on this map is a generalized representation. The Conservation Future Land Use Designation is an overlay consisting of wetland areas (as delineated on the Seminole County Wetlands Map) and 100 year floodplain areas (as delineated on the U.S.G.S. or Flood Insurance Rate Maps). The presence of any wetlands and/or flood prone areas is determined on a site by site basis. Future Land Use Maps are subject to amendment from time to time. Amendments are recorded on the Future Land Use Maps located in the Seminole County Comprehensive Planning Division Office, Sanford, Florida.

Revised Jan 4, 1999