

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: MYRTLE STREET CONSERVATION VILLAGE PROPOSED
COMPREHENSIVE PLAN TEXT AMENDMENT

DEPARTMENT: Planning & Development **DIVISION:** Planning Division

AUTHORIZED BY: Donald S. Fisher **CONTACT:** Tony Walter **EXT.** 7375

Agenda Date <u>02/24/04</u> Regular <input type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input checked="" type="checkbox"/>

MOTION/RECOMMENDATION:

1. TRANSMIT the proposed text amendments to the Seminole County Vision 2020 Comprehensive Plan to the Florida Department of Community Affairs (DCA) to set the maximum density, identify incentive bonus criteria, and identify the Myrtle Street Conservation Village Area, with staff findings: or
2. DO NOT TRANSMIT the proposed text amendments to the Seminole County Vision 2020 Comprehensive Plan to set the maximum density, identify incentive bonus criteria, and identify the Myrtle Street Conservation Village Area; or.
3. CONTINUE this item to a date and time certain.

District 5 – Commissioner McLain Tony Walter, Assistant Planning Manager

BACKGROUND:

In August 2003 the Board of County Commissioners adopted Policy FLU 9.3 Myrtle Street Study Area Conservation Village Design Concept to facilitate implementation of a low impact development concept in Sub Area - 1. The proposed text amendments will further identify the area by adding a map exhibit, set the maximum density, and identify the incentive bonus criteria.

Staff is also seeking direction from the Board regarding the major elements of Land Development Code language being drafted and summarized in the attached matrix.

STAFF RECOMMENDATION:

TRANSMIT the proposed text amendments to the Seminole County Vision 2020 Comprehensive Plan to the Florida Department of Community Affairs (DCA) to set the maximum density, identify

Reviewed by: <u>KCC</u> Co Atty: <u>KCC</u> DFS: _____ Other: <u>MW</u> DCM: <u>SS</u> CM: <u>166</u> File No. <u>PH700PDP01</u>

incentive bonus criteria, and identify the Myrtle Street Conservation Village Area, with the following staff findings:

- That an incentive bonus of 1.0 dwelling units per buildable acre (du/ac) be allowed, with a total density not to exceed 2.0 du/ac, if the applicant chooses the conservation village design concept and complies with the four minimum criteria by:
 - Preserving at least 50% of the site as preserved open space (Greenway Land) in addition to wetlands, floodplains, and other elements protected from development, and
 - Connecting to central water and sewer, and
 - Providing enhanced stormwater volume reduction and water quality treatment, and
 - Development and implementation of a restoration and management plan for the Greenway Land.
- That a Greenway Land Ownership and Management Plan be provided to insure the preserved open space will be adequately maintained, will be prohibited from future development and define a range of permitted activities.

LPA/P&Z RECOMMENDATION:

At the January 7, 2004 public hearing, the LPA/P&Z voted:

- To draft an amendment to the Vision 2020 Comprehensive Plan to create an overlay district for Sub Area – 1 of the Myrtle Street Study area,
- To create a map and legal description of Sub Area – 1 of the Myrtle Street Study area as an overlay district to include in the Future Land Use Element of the Comprehensive Plan,
- To cap the density in Sub Area – 1 of the Myrtle Street Study area at 2 units per acre including 1 unit per acre permitted under the current land use and zoning and 1 unit per acre as an incentive bonus,
- To finalize the draft Land Development Code language in ordinance form for consideration for adoption, and
- To the extent possible, simplify the development regulations to facilitate creativity through the four-step development process.

The proposed text amendments and map will be presented to the LPA/P&Z February 18, 2004 and their recommendation will be brought to the meeting.

Attachments: Current Policy FLU 9.3 Myrtle Street Study Area Conservation Village
Development Concept Text
Proposed Policy FLU 9.3 Myrtle Street Study Area Conservation Village
Development Concept Text Amendments
Proposed Exhibit FLU: Myrtle Street Conservation Village Area
Conservation Village Definitions
Conservation Village Land Development Code Matrix
January 7, 2004 LPA/P&Z Minutes
Myrtle Street Special Area Study Phase III Staff Report

CONSERVATION VILLAGE TEXT AMENDMENTS

OBJECTIVE FLU SPECIFIC AREA PLANS

Amendment 03F.TXT03.1 New Policy

Policy FLU 9.3 Myrtle Street Study Area Conservation Village Development Concept

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

- A Maximize preservation of conservation areas and unique features of the site;
- B Encourage creative design by clustering homes into "villages" surrounded by natural open spaces;
- C Incorporate trail and pedestrian opportunities;
- D Promote enhanced street systems resulting in reduced infrastructure and impervious surfaces;
- E Provide for storm water conveyance and retention that exceeds on-site requirements; and
- F Provide for an opportunity to apply for density bonuses to encourage developments with significant public benefit as they relate to roads, water, sewer and storm water infrastructure, preservation of upland open areas, and quality of life in Seminole County.

CONSERVATION VILLAGE POLICIES FOR SPRING 2004 AMENDMENT CYCLE

OBJECTIVE FLU SPECIFIC AREA PLANS

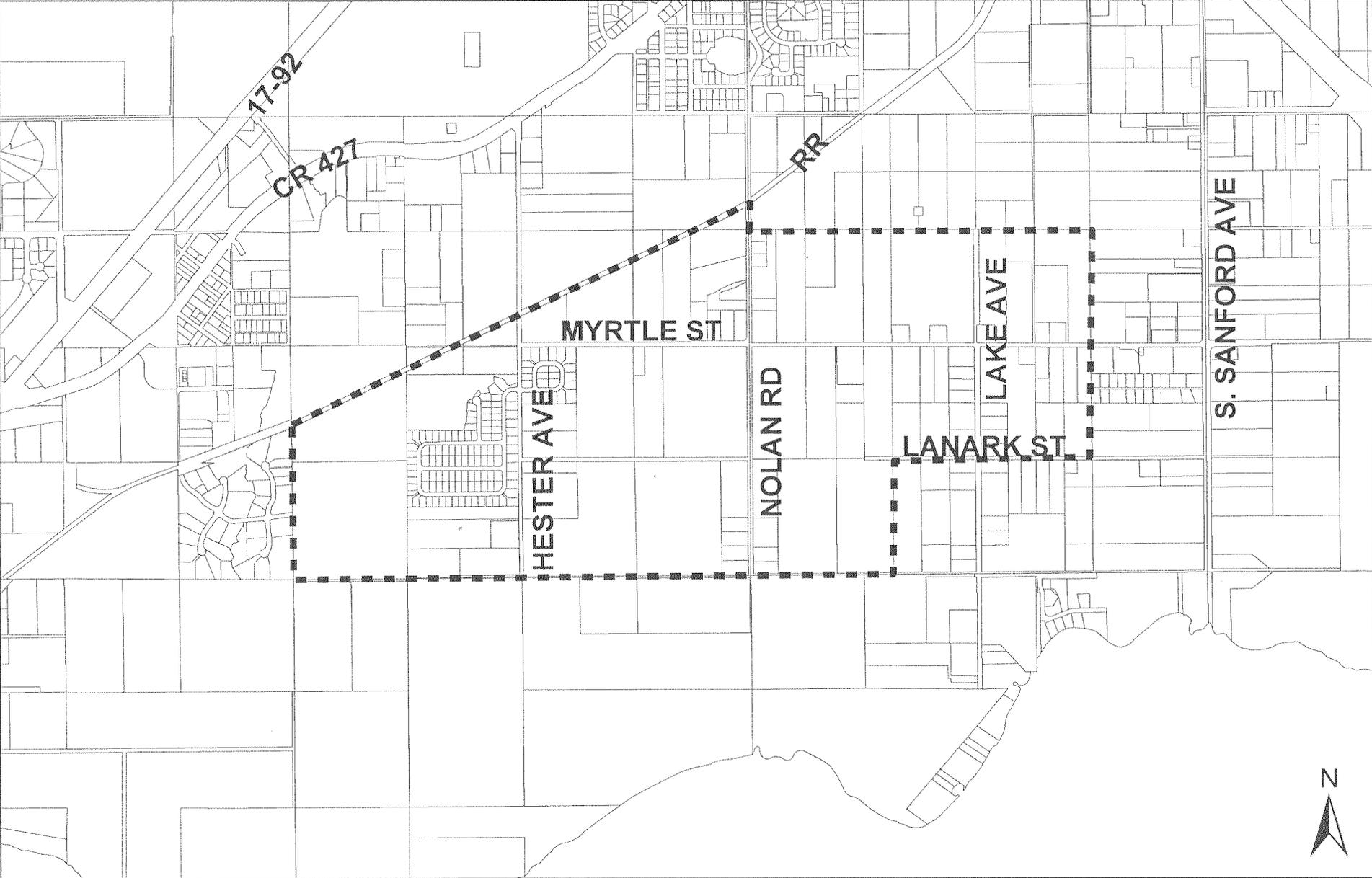
Proposed Policy Amendment

Policy FLU 9.3 Myrtle Street Study Area Conservation Village Development Concept

The County shall provide for creative design concepts focused on preservation of natural open spaces, sensitive lands and area character ~~within planned unit developments~~ in the Myrtle Street Special Study area, **as depicted in Exhibit FLU: Myrtle Street Conservation Village Area**, to:

- A Maximize preservation of conservation areas and unique features of the site;
- B Encourage creative design by clustering homes into "villages" surrounded by natural open spaces;
- C Incorporate trail and pedestrian opportunities;
- D Promote enhanced street systems resulting in reduced infrastructure and impervious surfaces;
- E Provide for storm water conveyance and retention that exceeds on-site requirements; and
- F Allow for the ability to add density, **up to an additional 1.0 dwelling unit per buildable acre, not to exceed a total of 2.0 dwelling units per buildable acre. To qualify for the additional density, at least 50% of the site must be preserved as common open space exclusive of wetlands, floodplains, and other elements protected from development. Further the applicant must connect to central water and sewer, shall provide an enhanced stormwater volume reduction and water quality treatment system, and shall develop and implement a restoration and management plan for the preserved** open space.

MYRTLE STREET CONSERVATION VILLAGE AREA



DRAFT CONSERVATION VILLAGE DEFINITIONS

Existing Resources and Site Analysis Plan: A plan which identifies significant environmental features including Primary and Secondary Conservation Areas, soils classification, topography, other natural features, floodplains, prominent views as well as utilities and easements.

Four Step Design Process: An iterative design process which shall include sketch(es) demonstrating the following features of the proposed conservation village plan:

- Greenway Lands/Open Space
- House Sites including architectural concepts
- Streets and Trails
- Lot Lines

Greenway Land: Includes Primary and Secondary Conservation Areas and common open space that may include the following uses: neighborhood open space (village greens, picnic areas, community gardens, trails, low impact passive uses, un-lit playing fields, playgrounds, tennis courts, trails, community pools), and stormwater detention and retention (if amenitized).

Greenway Land Ownership and Management Plan: A plan detailing the entities responsible for maintaining various elements of the property, and describing fiscal and physical management objectives and techniques for each part of the property, which at a minimum shall include:

- A description of all lands and facilities and a map of the proposed conservation village highlighting the precise location of those lands and facilities.
- A copy of the Existing Resources and Site Analysis Map.

Maintenance Endowment: A method where by the developer/owner creates a trust or other endowment sufficient to fund perpetual maintenance of the conservation Greenway Land/Open.

Preliminary Resource Impact and Conservation Plan: A plan to address impacts of proposed land development alternations on the conservation village plan critical resources as indicated on the Existing Resources and Site Analysis Map. Such plan must clearly demonstrate how resource disturbances shall be minimized to the greatest extent practicable. Shall include proposed grading, fill, streets, buildings, utilities and stormwater detention/retention facilities.

Primary Conservation Area: The wetlands, floodplains and other lands protected by current state, local & federal regulations (including historic buildings & sites) shall be described in the Existing Resources and Site Plan.

Secondary Conservation Area: Includes natural or unique features such as woodlots, veiwsheds and culturally significant sites not already protected from development and shall be described in the Existing Resources and Site Analysis Plan.

Sketch Plan: A sketch plan outlines the overall development concept. The sketch plan may be a tracing paper overlay placed over the existing resources and site analysis map; an aerial map; or a bubble map showing proposed areas for development, conservation, stormwater treatment areas, and access points.

CONSERVATION VILLAGE LAND DEVELOPMENT CODE MATRIX

	Staff Recommendation	Group A Recommendation	Group B Recommendation	LPA/P&Z Recommendation	BCC Recommendation
LAND DEVELOPMENT CODE - ZONING					
1	Greenway Land/ Open Space minimum required - 50% calculated after Primary Conservation Areas are deducted	Concur	Option-1: If site has significant vegetative communities (oak hammock, xeric oak, scrub oak, etc. as agreed to by County) Greenway Land/Open space - 20%. Option-2: If site has no significant vegetative communities Greenway Land/Open Space - 10%. Stormwater areas not included in Greenway Land/Open Space for both options.	Concur with Staff	
2	Primary Conservation Areas to include wetlands, floodplains and other areas protected by current state, local & federal regulations. (historic sites, etc)	Concur	Allow for mitigation for impacting poor quality wetlands and providing compensating storage in floodplains.	Concur with Staff	
3	Secondary Conservation Areas to include natural or unique features such as woodlots, viewsheds & culturally significant sites not already protected.	Concur	Include secondary conservation areas as part of Greenway Land/ Open Space requirement.	Concur with Staff	
4	Permanent Conservation Easement required for Greenway Land/ Open Space prohibiting future development and defining range of permitted activities.	Concur	Concur	Concur with Staff	
5	Maintenance Endowment for Greenway Land/ Open Space to provide for fiscal support of maintenance and cost. Keep endowment as an option but not a requirement.	Concur with concept	Prefer the traditional HOA methodology for common area maintenance.	Prefer the traditional HOA methodology for common area maintenance.	

CONSERVATION VILLAGE LAND DEVELOPMENT CODE MATRIX

	Staff Recommendation	Group A Recommendation	Group B Recommendation	LPA/P&Z Recommendation	BCC Recommendation
6	HOA shall provide an annual report on the condition of the Greenway Land/ Open Space prepared by a qualified individual or firm. The content of the report will be determined as part of the Greenway Land/ Open Space design and maintenance plan development. This may include water quality analysis of storm water treatment infrastructure, wetlands evaluation, arbor evaluation, etc. Include the requirement that a licensed/certified professional of the appropriate discipline will provide the design and maintenance plan for the Greenway Land/ Open Space areas.	Concur	Concur	No Comment	
7	Require Existing Resources and Site Analysis Plan that demonstrates how the Primary Conservation Areas, Greenway Lands/ Open Space and Secondary Conservation Areas will be protected, how they will function and relate internally. (Ref. No. 6 above.)	Concur	Concur	No Comment	
8	Determination of Density calculated by utilizing process in Sec. 30.159 that extracts Primary Conservation Areas and anticipated space required for infrastructure. Determination of density is part of the 4-step design process and is final when a preliminary plan is completed.	Concur	Density to be calculated by taking gross land area less wetlands. Concur with elimination of 80/20 method provided density will not exceed 3.0 du/ac.	Concur with Staff	

CONSERVATION VILLAGE LAND DEVELOPMENT CODE MATRIX

	Staff Recommendation	Group A Recommendation	Group B Recommendation	LPA/P&Z Recommendation	BCC Recommendation
9	Eliminate 80/20 if CV concept is selected.	Concur	Density to be calculated by taking gross land area less wetlands. Concur with elimination of 80/20 method provided density will not exceed 3.0 du/ac.	Concur with Staff	
10	Eliminate minimum lot size and width. Direct developer to place building pads in the most appropriate location providing for off street parking of 4 vehicles and meeting building and safety code requirements.	Concur	Concur	Concur with Staff	
11	Eliminate set backs. Direct developer to place building pads in the most appropriate location meeting building and safety code requirements.	Concur	Concur	Concur With Staff	
12	Permitted Greenway Uses - Conservation (woodlot, wetland, managed meadow); pastureland (horses for recreation, equestrian facilities); forestry; neighborhood open space (village greens, picnic areas, community gardens, trails, low impact passive recreational uses); active non-commercial recreation areas without lighting (playing fields, playgrounds, courts, bikeways); water supply, stormwater detention (if landscaped); easements (drainage, access, sewer or water lines)	Concur with concern about excessive intensity of non- commercial recreation.	Concur.	No Comment	

CONSERVATION VILLAGE LAND DEVELOPMENT CODE MATRIX

	Staff Recommendation	Group A Recommendation	Group B Recommendation	LPA/P&Z Recommendation	BCC Recommendation
13	Greenway Design Standards - lands to be layed out to ensure that an interconnected network of open space is provided. Connection to adjacent strongly encouraged. 150' buffers if adjoins active public parkland, 50' if adjoins passive parkland.	Concur	Eliminate requirement and handle on a case by case/site basis.	Recommend buffers and setback be part of the iterative design process	
14	Myrtle Street setback to be 140' from center line. Set back from all other roadways is 50' from right of way line.	Concur	Eliminate all setback requirements, establish a blanket 50' buffer along all property boundaries, and buffer to count toward Greenway Land/ Open Space requirement.	Recommend buffers and setback be part of the iterative design process	
15	At least 60% of lots shall directly abut or face greenway/ open space across a street.	Concur but would like 75%	Eliminate requirement completely.	Eliminate, developer will maximize the number of premium lots	
16	One unpaved stabilized access point to each Greenway Lands/ Open Space/ Common Area 25' wide shall be provided. Total number of access points to be determined during iterative design through DRC.	Concur	Concur.	No Comment	
17	Ownership and maintenance options to be structured in such a way that no one entity may cause the Greenway Lands/ Open Space to be developed to any use other that what it was originally intended.	Concur	Prefer the traditional HOA methodology for common area maintenance.	Prefer the traditional HOA methodology for common area maintenance.	

CONSERVATION VILLAGE LAND DEVELOPMENT CODE MATRIX

	Staff Recommendation	Group A Recommendation	Group B Recommendation	LPA/P&Z Recommendation	BCC Recommendation
DENSITY INCENTIVE BONUSES					
18	Incentive bonus not exceed 1.0 du/ac. Total density not to exceed 2.0 du/ac.	Bonuses are not required. Documentation indicates an overall cost savings with the concept. Would consider 1/2 du/ac bonus.	Need 2.5 du/ac or more to make projects cost feasible.	Recommend 1.0 du/ac additional incentive bonus	
19	Mandatory connection to County water and sewer.	Concur	Eliminate density bonuses & create tiered density cap as follows: If property has central water & sewer - 4.0 du/ac; central water & septic - 3.0 du/ac; well water & septic - 2.0 du/ac.	Concur with Staff	
20	Mandatory stormwater volume reduction by retaining on-site the difference between pre and post development for a 25 year/24 hour storm event. Recovery of 75 % of volume shall occur within 72 hours of the storm event.	Concur	Applicant to commit to providing additional water quality and an increase in stormwater attenuation above and beyond current requirements, to be determined on a case by case basis.	Concur with Staff	
21	Mandatory stormwater quality treatment through an offline stormwater management system that requires sediment forbays equal to 1/2 of the water quality volume as required by SJRWMD to be located upstream of water quality treatments.	Concur	Applicant to commit to providing additional water quality and an increase in stormwater attenuation above and beyond current requirements, to be determined on a case by case basis.	Concur with Staff	
22	Mandatory develop and implement a restoration plan to be part of the Ownership and Management Plan which defines practical management methods and landscape materials for expanding and conserving ecological resources. (such as oak hammocks, pre-agricultural natural lands, pastures, meadows, etc.)	Concur	Eliminate completely.	Concur with Staff with reservation to minimize requirement, developers will maximize to their benefit	

**Minutes for the Seminole County
LPA / P & Z Commission
January 7, 2004**

Members present: Richard Harris, Chris Dorworth, Ben Tucker, Thomas Mahoney, Walt Eismann, Dudley Bates

Member absent: Alan Peltz

Also present: Matt West, Planning Manager; Tony Walter, Assistant Planning Manager; Karen Consalo, Assistant County Attorney; Jim Potter, Engineer, Development Review; Dick Boyer, Senior Planner; Tina Deater, Senior Planner; Candace Lindlaw-Hudson, Senior Staff Assistant.

E. Myrtle Street Phase III - Conservation Village Concept Implementation; approximately 620 acres abutting Myrtle Street east of Hester Avenue also described as Sub Area - I in the Myrtle Street Special Area Study. Review and comment on Phase III of the study and recommend proposed implementation language for the Seminole County Land Development Code.

Commissioner McLain - District 5
Tony Walter, Assistant Planning Manager

Mr. Walter reviewed the character of the area involved in the study. The area is varied, with wetlands, conservation areas, and agricultural fields, Autumn Chase subdivision, and light industrial areas. Currently land use is Low Density Residential (LDR) north and west of the railroad. Zoning is consistent with the future land use. The majority is zoned A-1.

The study was conducted in three phases. After an overview was taken, it was determined to concentrate on what was called sub area one, because it is more developable. This is at the corner of Hester and Myrtle Streets. Roads in the area are at "Level A." The adopted level of service is "E." With a build out level of an estimated 2 units per acre, roads in the area would remain at Level of Service "C" or better. The County is conducting a structural analysis of the area roads. The substratum of the road is being examined. This section is rural, with 24 foot rights of way and drainage swales. Probable costs of drainage improvements are estimated to be 1.7 million dollars, with \$67,000.00 for the roadway improvements in sub area one. Public Works has removed a 70 acre pond.

The concept of density bonuses has not been resolved at this time. All of the other concepts have been addressed.

Project goals include protecting the residential villages, keeping the rural character of the area, including the ability to raise animals. Commercial livestock is not feasible there, but recreational livestock would be. Another goal is protecting and utilizing wetlands, providing open spaces, trails, and providing wildlife corridors. Minimizing water consumption by clustering homes and having smaller lots, while developing amenities to keep quality of life for the residents, and maintaining property values also were target goals. Infrastructure costs will be limited, with narrower rights of way and pavement.

Mr. Walter stated that incentive bonuses to developers can be approached. There will be additional costs with enhanced stormwater treatment and retention. With clustering and with smaller lot sizes costs can be contained.

A recommendation on the amount of greenway and open space is at 50 percent.

Density and open space, buffers and setbacks with incentive bonuses are the key issues.

Mr. Walter said that he will come back with a recommendation which will incorporate LPA/P&Z comments.

Commissioner Tucker stated that this concept will apply specifically to this area alone, not as a general zoning category for the County.

Mr. Walter agreed. He said that this process is being watched by other groups elsewhere. Here there are significant drainage issues due to the rural character of the area. Elsewhere in the County there are other issues.

Commissioner Tucker stated that the underlying concept is suburban estates in this area.

Mr. Walter stated that the concept would build around amenities and conservation areas. This may become an overlay district for this area only. The option will be to develop as originally intentioned, as suburban estates. 50 percent open space could work here.

Danny DeCiryán of 1581 Silk Tree Circle, Sanford, is the President of the North Lake Jesup Community, Inc. He has participated in the study from the beginning. He stated that he appreciated the patience with the staff. Density and incentive bonuses are complicated by drainage issues. Also, builders should not be penalized for building in this area.

Mr. DeCiryán reviewed the overall concepts for the study previously presented by Mr. Walter. He stated that in researching for the study, he found that the concepts discussed are not new ones. There are several approaches to this, each seeking to conserve and minimize impacts to the environment, with good economic sense.

Mr. Deciryman cited several studies which were outlined on his slides which showed enhancements such as parks and protected lands bringing up property values. These studies also looked at infrastructure costs in providing conservation village patterns rather than traditional street pattern layouts. The environment was protected by clustering and providing favorably for filtration and minimal stormwater runoff into lakes and streams. Trees and natural vegetation are better preserved.

Mr. Deciryman stated that the County needs to put together some training and development programs for architects and builders in the area to provide solutions to questions they may have in doing their local and regional development.

These principals can be shown to be agents of change that can save money as well as the environment. Partnering with local universities will bring out the potential as well. These concepts may be applied to commercial development as well.

An extensive bibliography was provided.

Commissioner Tucker asked if Mr. DeCiryman if he concurred with the comments in the staff report.

Mr. DeCiryman said that he did not have a copy of the report, but he did state that one of the basic goals established by his study group was limiting density to 1.5 units per net buildable acre.

Commissioner Harris said that the area was a collection of many independent parcels. What was a good minimum parcel size to start with to implement this concept.

Mr. DeCiryman stated that it depends on the site. Depending on who you ask, the concept can be implemented on any size parcel if one knows how to do it. If builders are shown that the concept can lead the builders to save money, they would do it.

Commissioner Harris pointed out savings demonstrated in various studies from 12 to 66 percent, depending on the size of the parcel. Opportunities for creative alternatives rise with the size of the parcel. In the study area there is a mosaic of small parcels. This will be difficult to do this in area.

Mr. DeCiryman stated that this is not a cure-all for everything. What drove this study was looking for a way to allow developers to develop their properties without sacrificing stormwater priorities and other issues. He wants to find ways to say, "I can," rather than "I cannot."

Commissioner Tucker pointed out pg. 7, item 17 of the planning matrix. "Density (Bonuses) incentives are not required."

Mr. Walter stated that in some cases that may be true. Group A felt that a bonus of up to ½ unit per acre may be necessary to counteract the increased costs for developers.

Commissioner Tucker said that the entire study was based on the concept that there were going to be incentives provided in order to save the land.

Mr. DeCiryran said that the key issue was to provide alternative ways of doing things.

Robert Jasmine of 1153 Myrtle Street stated that the reason the study was conducted was to preserve the suburban estates area. The study shows ways to have savings, therefore profit for the developers. There should be an ethic of "Why can't I do this?" in terms of using new strategies in development. Mr. Jasmine cited water problems in Autumn Chase, Rose Hill, and Baker's Crossing. He asked if the County wanted to continue with more such problems.

Sandy Bierly of Acorn Development and CAC Development stated that she is working on the Esterson site. She has been unable to make a viable plan for the project with a 50 percent open space level. She stated that the plan has been put to paper and that CPH Engineering said that the approach will not work on a 25 to 30 acre parcel. She stated that she would like to use the Conservation Village approach, but 1.7 units per acre will not carry putting in water and sewer. Ms. Bierly stated that she does not have 100 acres to work with. A density of 2.5 units per acre would work on her project. This would cover the costs of water and sewer installation. One site is 55 acres and another is 20 acres. She did not want to run 50 foot lots.

Anne Esterson of 1235 Myrtle Street, Sanford, said that it is difficult being the social experiment of the County. Her land has been farmed for 60 years. She would like to see 2.5 units per acre developed on her land. Ms. Esterson stated that her land is in an urban service area. The developer must bring water and sewer service down Myrtle Street. Plans cannot eliminate sidewalks and curbs. Safety for children must be considered. 50 percent green space will not work.

Ms. Esterson said that a compromise can be reached. She is not against the concepts presented, but her engineering consultants, CPH Engineering, say that the concepts will not work on her parcels. Narrow roads are dangerous to children. Preservation of natural lands is good, but a major concern is public use of green areas.

Commissioner Mahoney made a motion to recommend approval with staff conditions #1,2,3, and 4, and to incorporate "minimizing standards."

Commissioner Harris seconded the motion.

The motion passed unanimously (5 – 0). Commissioner Dorworth was absent for the vote.

Myrtle Street Special Area Study Phase III Staff Report

REQUEST	Recommend that staff implement the Conservation Village Design Concept with an opportunity to apply for density bonuses in Sub Area – 1 of the Myrtle Street Special Area Study.
APPLICANT	Seminole County
PLAN AMENDMENT	Create Conservation Village Overlay District
REZONING	Create Conservation Village Zoning Overlay District
APPROXIMATE GROSS ACRES	620 acres
LOCATION	Abutting Myrtle Street east of Hester Avenue (See Map) also known as Sub Area – 1 of the Myrtle Street Special Area Study
BCC DISTRICT	District 5 – Commissioner McLain

STAFF ANALYSIS & FINDINGS

Development Trends: Development in this area is characterized by inactive agricultural, single-family residential on 1-acre or larger lots and low-density single-family development. Adjacent areas to the north and west are developing with low densities up to 4 units per acre. Within the western portion of Sub Area – 1, Autumn Chase has built out at 144 units and a density slightly over 3 units per acre. A development just east of Autumn Chase has been approved for 116 units and a density of 2.16 units per acre. Just north of Sub Area – 1 on the west side of Hester Avenue a single family development has been approved for 40 units and a density of 2.35 units per acre.

Finally, an application to change the Future Land Use from Suburban Estates to Low Density Residential has been submitted on approximately 60 acres within Sub Area – 1.

Summary of Phase III

The first task of Phase III was to review the Comprehensive Plan and Land Development Code to identify appropriate amendments to facilitate implementation of the Conservation Village Concept. Both the Comprehensive Plan and the Land Development Code already support characteristics of Conservation Village such as; preservation of character and open space, cluster development, conservation criteria, flexible lot requirements, creative design process, conservation easements, and incentives. However, Comprehensive Plan and Land Development Code changes

specific to the Myrtle Street Sub Area – 1 and the Conservation Village Design Concept were required.

The public and stakeholder involvement process is the heart of Phase III. It is designed to continue involvement of residents and property owners within the study area and to inform and seek input from the development community and regulatory agencies. The Community Task Force that was established in Phase II of the study serves to review and comment on all aspects of the study. The focus groups, their purpose, members and input to date are presented below.

Member Description	Purpose	Input
<p>“Development Community” – a small group of individuals involved in local land development activities, including developers, professional services (engineers, land planners, attorneys), real estate, etc.</p>	<p>The purpose of this session was to obtain feedback on conservation design approaches and potential implementing policies or regulations, potential opportunities and constraints to such development in the area, potential infrastructure cost savings, and the potential effectiveness of incentives to encourage such practices.</p>	<p>Solid concept with significant potential and benefit. Issues of concern:</p> <ul style="list-style-type: none"> • Open space maintenance • Density & clustering reducing costs? • Incentives needed to entice and improve feasibility • Swales/ditches developed in segments may be inconsistent with a larger system <p>Myrtle Street related comments:</p> <ul style="list-style-type: none"> • Groundwater level impacts cost of infrastructure and streets • Minimum 2.5 to 3.0 DU/AC needed in area to be feasible with improvements <p>Enjoyed and appreciated opportunity for input</p>
<p>“Interagency Focus Group” a small group of individuals representing Seminole County departments and other area agencies with potential interest in conservation-oriented development (St John’s River</p>	<p>The purpose of this session was to obtain feedback on conservation design approaches and potential opportunities and constraints to such development in the area, in terms of particular</p>	<p>Drainage should focus on volume, diversion and water quality. Countywide vs. Myrtle Street</p> <ul style="list-style-type: none"> • Desirable as a “test balloon” for the rest

<p>Water Management District, state/federal environmental resource agencies) etc.</p>	<p>agency programs, requirements or concerns and potential infrastructure cost savings.</p>	<p>of the county</p> <ul style="list-style-type: none"> Increased size of developable area improves chances of success <p>Primary and Secondary Conservation standards should follow current requirements. Determination of density should follow current format. Development of conservation villages by right (instead of PUD) sounds more effective. Maintenance endowment a MUST to maintain conservation areas.</p>
<p>“Community Task Force” property owners and residents as well as interested attendees from the Phase II study effort.</p>	<p>The purpose of these sessions was to obtain feedback on all aspects of the study.</p>	<p>The attached matrix reflects in input of the Task Force to date. Participants would like to present additional comments at the meeting.</p>
<p>“Land Planning Agency/ Planning & Zoning Commission”</p>	<p>Prior to the BCC public hearing staff will brief the LPA/ P&Z members on the proposed Comprehensive Plan Amendment(s) and other recommendations resulting from Phase III of the study.</p>	<p>Thought the concept is innovative and doable if the “bottom line” works. Liked the idea that the developer would have to “earn” additional density over 1.0 du/ac. Recommended additional bonus options to be explored to create more flexibility. This concept could be used successfully in other areas of the County. Thought “Endowment” fund unnecessary and a burden on developer. HOA could maintain</p>

		Conservation Open Space lands.
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With this information staff has been conducting meetings with the Community Task Force to develop implementation language for the Land Development Code. The Task Force has evolved into two sub-groups with differing opinions on several issues. The attached matrix summarizes the general implementation issues, staffs recommendation and both groups' positions on each issue.

Conservation Village Design Process

Two elements are critical in Conservation Village Design: existing resources and site analysis map and a sketch plan.

First the existing resources and site analysis map identifies the site's undevelopable areas and those buildable lands containing features that merit conservation. Those features may range from diverse woodlands to scenic views into and out of the site. Primary and Secondary Conservation Areas are identified during this phase of the process.

The site analysis map is the most important document in the design process, as it provides the factual basis upon which all design decisions are made. Even with the map, however, it is difficult to judge the appropriateness of proposed subdivision layouts without a site visit. With the map in hand Planning and Development staff should walk the property and offer suggestions about which of the features should be saved.

Second a sketch plan and an aerial of the site outlining the overall concept is the next most important document. It may be as simple as a bubble map showing proposed areas for development and for conservation.

The sketch plan could be prepared as a tracing paper overlay placed over the existing resources and site analysis map. This method illustrates how well the proposed layout avoids the most important potential conservation lands. Ideally, the proposed development footprint shown on the sketch plan should dovetail with the most significant resources documented on the site analysis map.

This initial, broad design stage should occur before applicants spend large sums on highly engineered "preliminary" plans. Only after agreement is reached on the sketch plan should the applicant move on to the preliminary plan.

Third the number of house lots must be determined. Utilizing the process in Sec. Co.159 of the Land Development Code a simple yield plan showing the number of lots that could be created using a conventional layout. This method must realistically reflect site constraints such as wetlands and floodplains. If the applicant desires to increase the density above 1 unit per acre he must demonstrate how the requirements to achieve density bonuses will be met.

Fourth the house sites are arranged so that homeowners will be assured maximum open space views. The sites are then connected by streets and trails and the lot lines are drawn in. This approach reverses the usual sequence of steps in subdivision design.

Finally the applicant will prepare an ownership and management plan for the Greenway Land/Open Space that is set aside in a conservation easement. This plan shall identify how the Greenway Land/Open Space areas will be developed and what measures are needed to maintain it. The plan will also include estimated annual cost for maintenance and detail the proposed type of ownership of the property to insure the Greenway Land/Open Space is not used for anything other than what it is intended for.

At this point the preliminary plan is complete and ready for review and approval.

Density Bonuses

Most literature about conservation subdivision design which is called Conservation Village Design in this study indicates that development costs can vary but tend to be no greater than and in many cases less than traditional development costs. Each potential development site in Sub Area – 1 is unique to the geographic area and site conditions of each proposal. Therefore the relative development costs of Conservation Village Design compared to traditional design is also different and hard to quantify from a cost basis. However, it is reasonable to assume that the basic elements of Conservation Village Design, clustering of home sites, relaxed design standards for internal roadways and neighborhood design standard, should cost no more than traditional development in Sub Area – 1 of the Myrtle Street area.

In Phase I and II of the Myrtle Street Study nine issues were identified that can be summed up as preservation of open space, protection of natural resources and improving existing deficiencies. The Conservation Village Design Concept is to address these issues in a manner that:

- (a) protects surrounding residential development;
- (b) maintains rural character, including the ability to raise animals, as appropriate;
- (c) protects floodplain and wildlife habitats;
- (d) improves drainage, including runoff and control of pollutants;
- (e) promotes reduced infrastructure through clustering and design practices;
- (f) protects unique or attractive “viewsheds”;
- (g) minimizes water consumption;
- (h) incorporates amenities and facilities with consideration given to the surrounding environment; and,
- (i) maintains area quality of life.

For this reason staff recommended in the Conservation Village Text Amendment to the Vision 2020 Comprehensive Plan FLU 9.3 Myrtle Street Study Area Conservation Village Development Concept that “an opportunity to apply for density bonuses to encourage developments with significant public benefit as they relate to roads, water, sewer, and storm water infrastructure preservation to upland open areas and quality of life in Seminole County” be provided. The purpose of a density bonus is to offset development costs that would normally not occur. Those additional costs relate to the design and construction of water and sewer lines which are not required at the current density of 1 unit per acre, stormwater volume reduction, water quality treatment of stormwater, and restoration of natural lands.

Similar to determining the comparative costs and benefits of Conservation Village Design and traditional development, the benefits of the four incentive bonus items as related to the costs is difficult at best and is unique to the geographic area and site conditions of each proposal. Staff believes that the additional costs for design and construction of enhanced stormwater retention and water quality facilities, the elimination of septic tank impacts on the environment, and restoration of the Greenway Land/ Open Space to wetlands, wildlife habitat, or other natural state can be off-set by allowing a density incentive bonus of 1 unit per acre. The 1 unit per acre density incentive bonus should be all or nothing as would be the four development enhancements described above.

Comprehensive Plan Consistency

Plan Programs: Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction. Each application for a land use designation amendment will include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved.

The proposed implementation of Conservation Village Design would not alter the options or long-range strategies for facility improvements or capacity additions included in the Vision 2020 Plan. The request would not be in conflict with the Metroplan Orlando Transportation Plan or the Florida Department of Transportation’s 5-Year Work Plan.

- A. Traffic Circulation – Consistency with Future Land Use Elements: *In terms of all development proposals, the County shall impose a linkage between the Future Land Use Element and the Transportation Element and all land development activities shall be consistent with the adopted Future Land Use Element (Transportation Policy 2.1).*

Myrtle Street and Hester Avenue provide access to the subject area. The roads have an average pavement width of 20 feet and the roadways are placed in substandard right of way widths averaging 50 feet. The lack of adequate drainage

facilities, substandard rights of way and pavement widths and lack of shoulders are safety concerns, not capacity issues.

The existing Level of Service (LOS) on these roads is “A”, based on daily traffic volume. The adopted LOS standard for these roads is “E”. At a build out density of 2.0 units per acre in Sub Area - 1 the estimated LOS is acceptable.

There is a need to bring these roadways up to County roadway standards for a 2 land rural roadway with swale drainage and retention pond(s), increased roadway width and acceptable quality of paving and sub-base. The estimated cost to improve Myrtle Street and Hester Avenue is approximately \$2.3 million based on the Phase I Study information. A traffic signal at the intersection of Hester Avenue and Ronald Regan Blvd. may also be warranted. Future developers would be responsible for participating in the cost of the traffic signal and to bring these roadways up to County standards.

Myrtle Street and Hester Avenue do not qualify as impact fee roadways. For that reason funding improvements to these roadways is problematic. Possible funding approaches County staff is reviewing include using funds from the latest sales tax initiative to address the safety issues in combination with participation from future development.

B. Water and Sewer Service – Adopted Potable Water and Sanitary Sewer Service Area Maps: *Figure 11.1 and Figure 14.1 area the water and sewer service area maps for Seminole County.*

The property is served by Seminole County water and sewer service. Future developers would be responsible for bringing these services to their respective sites if the development is at a density greater than 1 unit per acre.

C. Public Safety – Adopted Level of Service: *The County shall maintain adopted levels of service for fire protection and rescue...as an average response time of five minutes (Public Safety Policy 12.2.2).*

The property is served by the Seminole County EMS/Fire Rescue Five Points Station (Station #35). Response time to the sites is less than 5 minutes, which meets the County’s average response time standard of 5 minutes.

Regulations: The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan, but are not applied in detail at this stage.

A. Preliminary Development Orders: Capacity Determination: *For preliminary development orders and for final development orders under which no development activity impacting public facilities may ensue, the capacity of Category I and Category III public facilities shall be determined as follows...No rights to obtain final development orders under permits, nor any other rights to develop the subject property shall be deemed to have been granted or implied by the County’s approval of the development*

order without a determination having previously been made that the capacity of public facilities will be available in accordance with law (Implementation Policy 1.2.3).

Should utility lines be extended from Hester Avenue and roadways, i.e., Myrtle Street and Hester Avenue be brought up to acceptable standards, then there would be adequate facilities to serve the subject area at densities greater than one dwelling unit per acre.

- B. Flood Plain and Wetlands Areas - Flood Plain Protection and Wetlands Protection: *The County shall implement the Conservation land use designation through the regulation of development consistent with the Flood Prone (FP-1) and Wetlands (W-1) Overlay Zoning classifications....(Future Land Use Policies 1.1, 1.2, 1.3).*

Wetlands are estimated to be approximately 29 percent of Sub Area – 1. Development of property will require wetlands to be delineated and field verified by staff from the St. Johns River Water Management District. Mitigation plans within the Lake Jesup Drainage Basin (as required by Conservation Policy 7.9) will be required for any proposed wetland impacts. It should be noted that lands within the Lake Jesup Drainage Basin have been designated by the St. Johns River Water Management District as a basin of “special status” which is reflected in the direction given in Conservation Policy 3.4 advising revisions to the Land Development Code for protection of wetlands in this basin.

The concept behind Conservation Village Design is to protect natural resources and conserve open space. Requiring significant amounts of open space and restoration of idle agricultural land and low quality wetlands to higher quality wetlands and wildlife habitat is consistent with the policies and intent of the Comprehensive Plan.

- C. Protection of Endangered and Threatened Wildlife: *The County shall continue to require, as part of the Development Review Process, that prior to development approval, proposed development to coordinate with all appropriate agencies and comply with the US Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission Rules as well as other applicable Federal and State Laws regarding protection of endangered and threatened wildlife. (Conservation Policy 3.13)*

The concept behind Conservation Village Design is to protect natural resources and conserve open space. Requiring significant amounts of open space and restoration of idle agricultural land and low quality wetlands to higher quality wetlands and wildlife habitat is consistent with the policies and intent of the Comprehensive Plan.

Development Polices: Additional criteria and standards are also included in the Plan that describes when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the use, intensity, location and timing of the proposed amendment.

- A. **Compatibility:** Based upon an initial evaluation, the proposed implementation of the Conservation Village Design Concept is compatible with the surrounding land uses.

The proposed concept maximizes preservation of conservation areas and unique features of the area, encourages creative design, incorporates trail and pedestrian opportunities, promotes reduced infrastructure and impervious surfaces, and provides for stormwater infrastructure that exceeds current requirements consistent with Policy FLU 9.3 Myrtle Street Study Area Conservation Village Development Concept in the Plan.

The proposed density of 2 units per acre is slightly less than the existing and proposed developments in the western portion of Sub Area – 1 and the property to the north. This serves as a transition in density on larger open tracts of idle agricultural land to the smaller properties to the east of Sub Area – 1 which are essentially developed at 1 unit per acre.

- 1. Transitional Land Uses:** *The County shall evaluate Plan amendments to ensure that transitional land uses are provided as a buffer between residential and non-residential uses, between varying intensities of residential...Exhibit Future Land Use: Appropriate Transitional Land Uses is to be used in determining appropriate transitional uses.*

Sub Area – 1 is surrounded by residential land uses or conservation areas. The extreme southwestern portion of the area is zoned industrial but is mostly undevelopable and serves as a buffer to an industrial development beyond the boundaries of the area.

The proposed density of 2 units per acre is slightly less than the existing and proposed developments in the western portion of Sub Area – 1 and the property to the north. This serves as a transition in density on larger open tracts of idle agricultural land to the smaller properties to the east of Sub Area – 1 which are essentially developed at 1 unit per acre.

- 2. Consistency with Future Land Use Element:** *Definition of Suburban Estates from the Future Land Use Element...This land use is established to allow the development of large lot single family estates as a desired final land use; act as a transitional use between urban development and general rural uses; and to allow existing agricultural operations to continue until developed for other uses.*

Provide homeowners and homebuyers reasonable assurance of the intensity of development to be expected in the future for surrounding parcels of property. (Future Land Use Policy 2.10B)

The definition of Suburban Estates states that this land use category is not a holding category awaiting urbanization but one that allows for the development of large lot single family estates as a desired final land use as well as act as a transitional use between urban development and general rural uses. The Conservation Village Concept when developed at no greater than 1 unit per acre is consistent with the Future Land Use Element. If the opportunity to increase the density to more than 1 unit per acre is implemented, a Comprehensive Plan amendment will need to be processed. The proposed amendment would be to create a Conservation Village Overlay District and

add a map to the Future Land Use Element describing Sub Area – 1 as the boundaries of that district.

- B. **Concurrency Review - Application to New Development:** *For purposes of approving new development subsequent to adoption of this Comprehensive Plan, all adopted public safety level of service standards and schedules of capital improvements...shall be applied and evaluated...consistent with policies of the Implementation Element...(Capital Improvements Policy 3.2)*

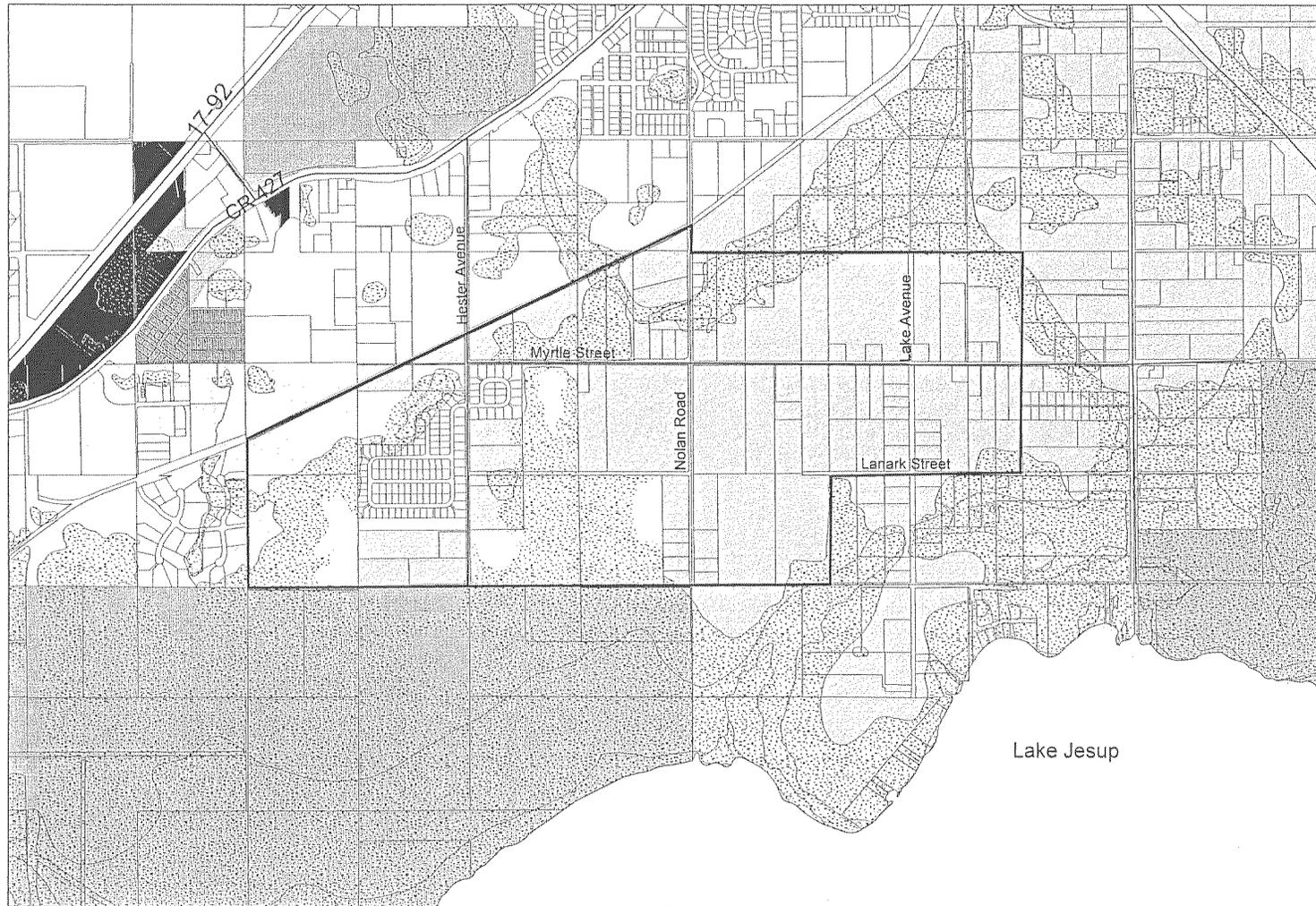
This policy provides for the adoption of level of service (LOS) standards for public facilities and requires that final development orders be issued if public facilities meeting the adopted LOS are available or will be available concurrent with the development. Additionally, preliminary development orders shall only be issued with the condition that no rights to obtain final development orders or development permits, or any other rights to develop the subject property are granted or implied by the County's approval of the preliminary development order.

Coordination: Each application for a land use designation amendment will be evaluated to assess how and to what extent any additional intergovernmental coordination activities should be addressed.

- A. **Plan Coordination:** *The County shall continue to coordinate its comprehensive planning activities with the plans and programs of the School Board, major utilities, quasi-public agencies and other local governments providing services but not having regulatory authority over the use of land (Intergovernmental Coordination Policy 8.2.12). Seminole County shall coordinate its comprehensive planning activities with the plans and programs of regional, State and Federal agencies ...as the County is now a charter County (Intergovernmental Coordination Policy 8.3.3)*

The Conservation Village Design Concept was adopted as a text amendment into the Vision 2020 Plan on December 9, 2003. All future amendments to the Plan related to implementation of Conservation Village Design will comply with all regional, state and federal agencies policies and processes.

MYRTLE STREET SMALL AREA STUDY - PHASE III Sub-Area 1 - Future Land Use

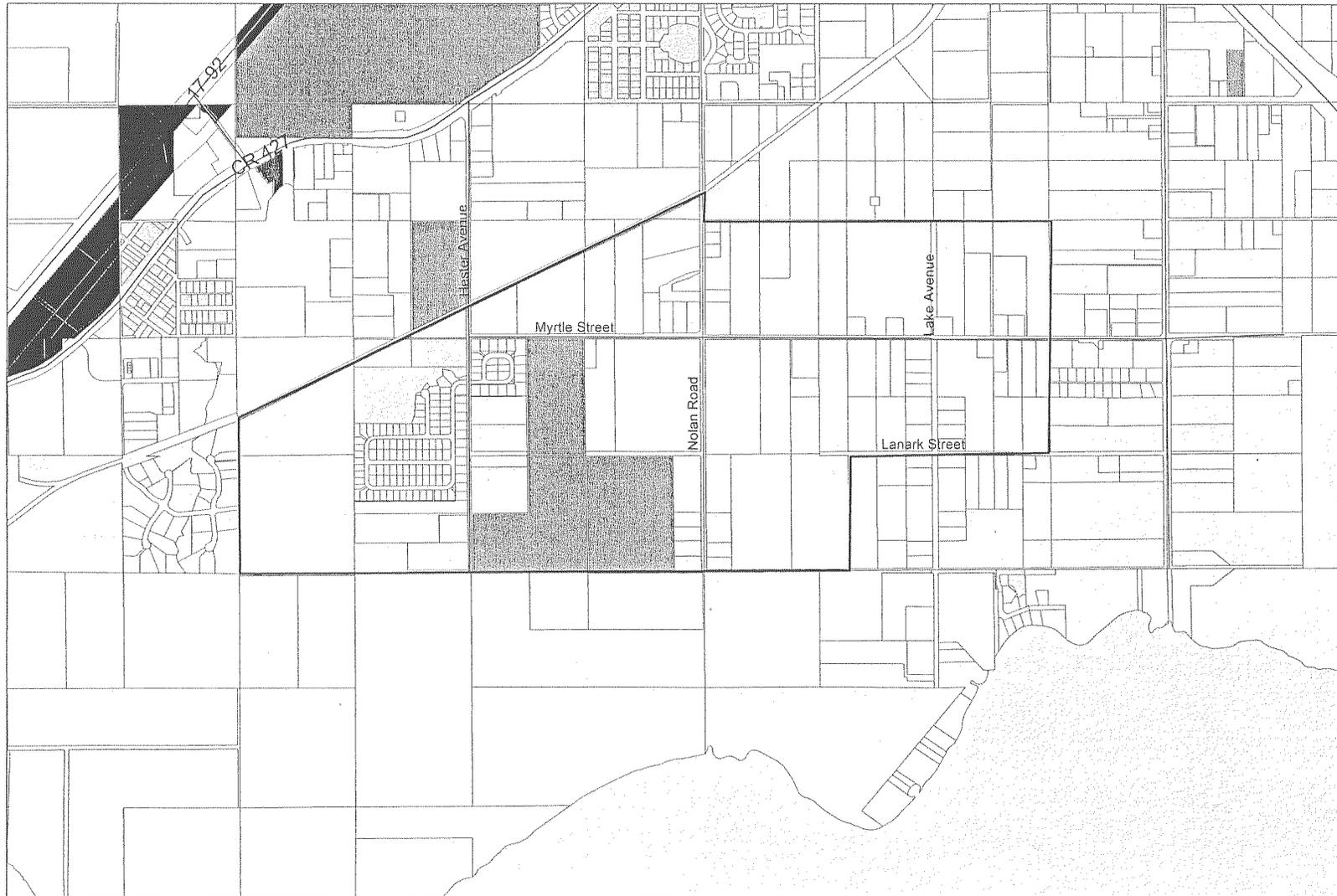


Legend

- Myrtle Street - Area 1
- parcel
- REC
- PUB
- SE
- LDR
- MDR
- PD
- OFF
- COM
- IND
- WATER
- CONS

MYRTLE STREET SMALL AREA STUDY - PHASE III

Sub-Area 1 - Zoning



Legend

- Myrtle Street-Area 1
- parcel
- A-1 Agricultural-1Ac
- RC-1
- R-1AAA Single Fam-13500
- R-1AA Single Fam-11700
- R-1A Single Fam-9000
- R-1 Single Fam-6400
- RM-1 Single-fam Mobile Home-7000
- C-2 Retail Commercial
- M-1A Very Light Industry
- M-1 Industrial
- PUD Planned Unit Dev.
- PCD Planned Commercial Dist.
- PLI Public Land & Institutions
- County Boundry
- pclwater polygon



MYRTLE STREET
SMALL AREA STUDY - PHASE III

Sub-Area 1 - Aerial

