

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Future development within the Orlando Sanford International Airport, Airport Layout Plan Area

DEPARTMENT: Planning and Development **DIVISION:** Planning

AUTHORIZED BY: Donald S. Fisher **CONTACT:** Tony Matthews **EXT.** 7373

Agenda Date 03/09/04 **Regular** **Consent** **Work Session** **Briefing**
Public Hearing – 1:30 **Public Hearing – 7:00**

MOTION/RECOMMENDATION:

Staff is requesting Board direction regarding future development within the Orlando Sanford International Airport, Airport Layout Plan Area, as shown in attached Exhibit A.

(District 5–Commissioner McLain)

(Tony Matthews, Principal Planner)

BACKGROUND:

- In September 2003, the City of Sanford incorporated the Orlando Sanford International Airport (OSIA) Master Plan Update into its comprehensive plan.
- In November 2003, the Florida Department of Community Affairs issued a Notice stating that should the City wish to exempt the OSIA from compliance with provisions of the development of regional impact program(as allowed by statute) that:
 1. The County must adopt the OSIA master plan into its comprehensive plan; or
 2. The City and County must enter into a joint planning agreement, pursuant to Section 163.3171, Florida Statutes, for the City to obtain planning authority over those portions of the OSIA Airport Layout Plan that are within the County (see letter from the Department dated November 11, 2003).

At the briefing, there will be a presentation regarding the number of affected properties, total number of affected properties and total acreage of land affected. There will also be a general discussion of the meaning and intent of the term “planning authority” as referenced in the attached letter from the Department of Community Affairs.

STAFF REQUEST:

Staff is requesting Board direction regarding the two (2) options provided by the Department, or other instrument the Board may choose, for future development within the Orlando Sanford International Airport, Airport Layout Plan.

Exhibits:

- A- Letter from Department of Community Affairs.
- B-OSIA Airport Layout Plan.

Reviewed by:
Co Atty: _____
DFS: _____
Other: _____
DCM: <u>DF</u>
CM: <u>DF</u>
File No. <u>bpdp03</u>



STATE OF FLORIDA
 DEPARTMENT OF COMMUNITY AFFAIRS
 "Dedicated to making Florida a better place to call home"

JEB BUSH
 Governor

COLLEEN CASTILLE
 Secretary

November 11, 2003

RECEIVED

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SANFORD AIRPORT AUTHORITY
 OFFICE OF THE PRESIDENT

The Honorable Brady Lessard
 Mayor, City of Sanford
 300 North Park Avenue
 Sanford, Florida 32772

Dear Mayor Lessard:

The Department has reviewed the adopted Comprehensive Plan Amendment for the City of Sanford (DCA No. 03-1), adopted by Ordinance No. 3781 on September 8, 2003, and has determined that it meets the requirements of Chapter 163, Part II, Florida Statutes (F.S.), for compliance, as defined in Subsection 163.3184(1)(b), F.S. The Department is therefore issuing a Notice of Intent to find the plan amendment in compliance. The Notice of Intent has been sent to the Seminole Herald for publication on November 12, 2003.

The Department supports the goal of the City, the Airport Authority, and Seminole County to enhance and expand the airport. We believe the airport is ideally situated to serve as a leader and catalyst in generating new economic development opportunities. We are approving this amendment with the understanding that the follow-up actions which have been determined necessary, and agreed to by the City and Airport, will be addressed in the next available comprehensive plan amendment cycle. These actions are identified in the attached commitment letter from the Sanford City Manager and the Orlando-Sanford International Airport President and CEO. We also wish to take this opportunity to reiterate that if the City wishes the Airport to be exempt from review under the Development of Regional Impact program as provided for at Subsection 163.3177(6)(k), F.S., there are two options: either (1) the County will also need to adopt the airport master plan and related policies into its comprehensive plan consistent with those adopted by the City, or (2) the City will need to enter into a Joint Planning Agreement with Seminole County pursuant to Section 163.3171, F.S., to obtain planning authority over those portions of the Airport Layout Plan that are within the County.

Please note that a copy of the City of Sanford adopted Comprehensive Plan Amendment and the Notice of Intent must be available for public inspection, Monday through Friday, except for legal holidays, during normal business hours, at the City of Sanford Planning Department, 300 North Park Avenue, Sanford, Florida 32771.

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.dca.state.fl.us>

CRITICAL STATE CONCERN FIELD OFFICE
 2796 Overseas Highway, Suite 212
 Marathon, FL 33050-2227
 (305) 289-2402

COMMUNITY PLANNING
 2555 Shumard Oak Boulevard
 Tallahassee, FL 32399-2100
 (850) 488-2356

EMERGENCY MANAGEMENT
 2555 Shumard Oak Boulevard
 Tallahassee, FL 32399-2100
 (850) 413-9969

HOUSING & COMMUNITY DEVELOPMENT
 2555 Shumard Oak Boulevard
 Tallahassee, FL 32399-2100
 (850) 488-7956

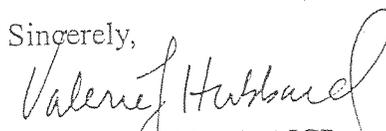
The Honorable Brady Lessard
November 11, 2003
Page Two

The Department's Notice of Intent to find the plan amendment in compliance shall be deemed to be a final order if no timely petition challenging the plan amendment is filed. Any affected person may file a petition with the agency within 21 days after the publication of the Notice of Intent pursuant to Section 163.3184(9), F.S. No development orders or permits for a development, dependent on the plan, may be issued or commence before the plan takes effect. Please be advised that Section 163.3184(8)(c)2, F.S., requires a local government that has an internet site to post a copy of the Department's Notice of Intent on the site within 5 days after receipt of the mailed copy of the Department's Notice of Intent.

If this in compliance determination is challenged by an affected person, you will have the option of mediation pursuant to Subsection 163.3189(3)(a), F.S. If you choose to attempt to resolve this matter through mediation, you must file the request for mediation with the administrative law judge assigned by the Division of Administrative Hearings. The choice of mediation will not affect the right of any party to an administrative hearing.

If you have any question concerning this matter, please contact Mike McDaniel, State Planning Initiatives Administrator, at (850) 922-1806, or Joseph Addae-Mensa, Senior Planner, at (850) 922-1783.

Sincerely,



Valerie J. Hubbard, AICP
Director, Division of Community Planning

CG/mm

Enclosure: Notice of Intent

cc: Russell Gibson, AICP, Director of Planning & Community Development, City of Sanford
Sandra Glenn, Executive Director, East Central Florida Regional Planning Council
Donald Fisher, Director, Seminole County Planning and Development Department
Larry Dale, President and CEO, Sanford Airport Authority
Lena Juarez, President, JEI & Associates, Inc.

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
NOTICE OF INTENT TO FIND THE
CITY OF SANFORD
COMPREHENSIVE PLAN AMENDMENT
IN COMPLIANCE
DOCKET NO. 03-1-NOI-5907-(A)-(I)

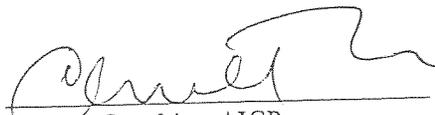
The Department gives notice of its intent to find the Amendment to the Comprehensive Plan for the City of Sanford, adopted by Ordinance No. 3781 on September 8, 2003, IN COMPLIANCE, pursuant to Sections 163.3184, 163.3187 and 163.3189, F.S.

The adopted City of Sanford Comprehensive Plan Amendment and the Department's Objections, Recommendations and Comments Report, (if any), are available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the City of Sanford Planning and Community Development Department, 300 North Park Avenue, Sanford, Florida 32771.

Any affected person, as defined in Section 163.3184, F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Amendment to the City of Sanford Comprehensive Plan is In Compliance, as defined in Subsection 163.3184(1), F.S. The petition must be filed within twenty-one (21) days after publication of this notice, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to the local government. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

After an administrative hearing petition is timely filed, mediation is available pursuant to Subsection 163.3189(3)(a), F.S., to any affected person who is made a party to the proceeding by filing that request with the administrative law judge assigned by the Division of Administrative Hearings. The choice of mediation shall not affect a party's right to an administrative hearing.

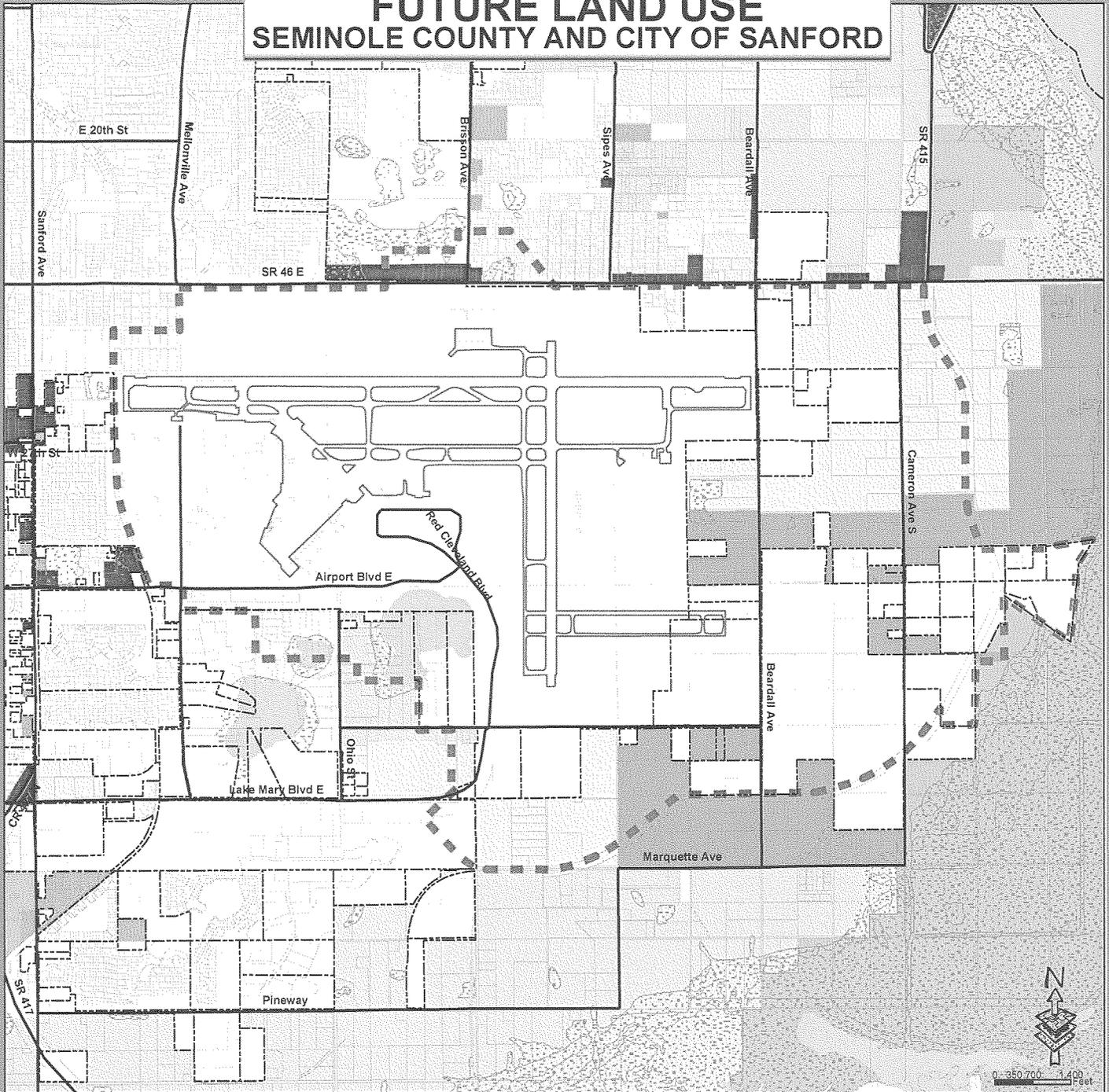


11/3/03

Charles Gauthier, AICP
Chief, Comprehensive Planning
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

EXHIBIT A

FUTURE LAND USE SEMINOLE COUNTY AND CITY OF SANFORD



Seminole County Community Resources/Cartographics

— Parcel	Legend			
— Orlando Sanford International Airport	City of Sanford	R3	HDR	IND
--- Airport Layout Plan	Future Land Use	SE	PD	HIP
— Major Roads	R10	LDR	OFF	PUB
— City Boundary	R5	MDR	COM	REC
	CONS			

The City Future Land Use designation within the Airport Layout Plan is AIC. The Airport Layout Plan boundary is a draft boundary.