

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: Text Amendments to the Future Land Use and Transportation Elements of the Seminole County Comprehensive Plan relating to the Higher Intensity Planned Development-Airport Area and vicinity

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

AUTHORIZED BY: Dan Matthys **CONTACT:** Tony Matthews **EXT.** 7936

Agenda Date 05/10/05 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

1. Enact an ordinance that includes the proposed text amendments to the Future Land Use and Transportation Elements of the Seminole County Comprehensive Plan to ensure compatibility between permitted uses within the Higher Intensity Planned Development-Airport Area and vicinity, and the operations and expansion of the Orlando Sanford International Airport, **Attachment A, with staff findings (1); or**
2. Deny the proposed text amendments to the Future Land Use and Transportation Elements of the Seminole County Comprehensive Plan; or
3. Continue this item to a time and date certain.

(1) For the record: A motion to adopt a plan amendment by ordinance will be enacted through a single ordinance presented to the Board as a separate agenda item following the conclusion of this large scale amendment cycle. The ordinance will contain a listing of all the amendments adopted by the Board as part of the cycle.

(Unincorporated Seminole County) (Tony Matthews, Principal Planner)

BACKGROUND:

The proposed text amendments to the Future Land Use and Transportation Elements of the Seminole County Comprehensive Plan (SCCP) are intended to ensure compatibility between permitted uses within the Higher Intensity Planned Development-Airport Area and vicinity and the operations and expansion of the Orlando Sanford International Airport (see following page for additional background and findings).

STAFF RECOMMENDATION:

Staff recommends the Board enact an ordinance that includes the proposed text amendments to the Future Land Use and Transportation Elements of the Seminole County Comprehensive Plan to ensure compatibility between permitted uses within the Higher Intensity Planned Development-Airport

Reviewed by: SA
Co Atty: SA
DFS: SA
Other: SA
DCM: SA
CM: SA
File No. ph130pdp07

Area and vicinity and the operations and expansion of the Orlando Sanford International Airport, with staff findings.

COMMENTS FROM COUNTY ATTORNEY'S OFFICE/MEETINGS WITH SAA:

Due to several legal issues raised by the County Attorney's Office, representatives from the County and SAA met on April 27, 2005. As a result staff reworded the proposed text amendments. The final recommended wording is shown **in Attachment A. Attachment B is the document transmitted to the Department of Community Affairs (DCA) with areas of change highlighted for reference.** The Department of Community Affairs has been notified of the changes made to the language from the transmitted text.

LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION RECOMMENDATION (01/19/05):

On January 19, 2005, the LPA/P&Z voted 4-0 to recommend approval of the attached text amendments (Attachment B), with staff findings.

BOARD OF COUNTY COMMISSIONERS ACTION (02/8/05):

On February 8, 2005, the BCC approved transmittal to the Department of Community Affairs for review and comment, the proposed text amendments (Attachment B), with staff findings, with a 5-0 vote. The Board also approved for transmittal, Attachment H, Orlando Sanford International Airport Day-Night Noise Level Contour (DNL) and Avigation Easement Boundary.

INTERLOCAL NOTIFICATION:

The Cities of Lake Mary, Oviedo, Sanford, Winter Springs, and the Sanford Airport Authority have been notified of the May 10, 2005, public hearing.

ADDITIONAL BACKGROUND AND FINDINGS:

In 1997 Seminole County adopted the Higher Intensity Planned Development-Airport (HIP-Airport) Future Land Use Designation to create a target area that would provide for higher intensity uses compatible with the operations and expansion of the Orlando Sanford International Airport (OSIA).

In 2003, the County adopted amendments to Future Land Use Element Policy FLU 9.1 (Orlando Sanford International Airport) in response to the Federal Aviation Administration's approval of the Noise Compatibility Program for the OSIA Master Plan. These amendments will accomplish the following: (1) reduce existing incompatible land uses around the OSIA; (2) prevent the introduction of additional incompatible land uses; and (3) provide long-term noise compatibility between neighboring land uses and aircraft activity at the OSIA (see Attachment A).

Future Land Use Element Policy FLU 5.8 [Higher Intensity Planned Development-Airport (HIP-Airport) Permitted Uses and Locational Standards] and the Higher Intensity Planned Development-Airport Future Land Use Definition, currently allow for medium and high density residential uses and public schools in close proximity to the OSIA. In

addition, the policy also provides for an area wide composite land use mix within the HIP-Airport area.

Purpose of Proposed Amendments

The purpose of the proposed amendments to Policy FLU 5.8, 9.1, the HIP-Airport Definition, and Policy TRA 5.17 is to: (1) establish consistency among Plan policies; (2) continue to allow for educational facilities; (3) continue to allow for residential development, except within the 60 DNL noise contour, with conditions; (4) recommend the Sanford Airport Authority purchase lands where noise contours are 65 and greater DNL, consistent with the FAA Part 150 OSIA Noise and Land Use Compatibility Program approved by the Federal Aviation Administration; and (5) support development that is compatible with the operations and expansion of the OSIA (Attachment A).

The Seminole County Home Rule Charter provides that an Economic Impact Statement be prepared as a prerequisite to any legislative action that may have an economic impact to the public or taxpayers of Seminole County. The Seminole County Comprehensive Plan provides that all land development regulations shall be evaluated prior to their enactment to determine the extent and scope of their impact upon private property rights. These amendments, if adopted by the Board, will result in future changes to the Land Development Code which may have an impact on the public or taxpayers of Seminole County. Staff has prepared an Economic Impact Statement and Private Property Rights Analysis found in Attachments C and D.

Attachments:

- A. Proposed amendments to Future Land Use and Transportation Elements.
- B. Transmitted text amendments to the Future Land Use and Transportation Elements.
- C. Economic Impact Statement.
- D. Private Property Rights Analysis.
- E. Notice of Amendment Ordinance.
- F. February 8, 2005, BCC Minutes.
- G. January 19, 2005, LPA/P&Z Minutes.
- H. 2006 Orlando Sanford International Airport Day-Night Noise Level Contour (DNL) and Avigation Easement Boundary.

ATTACHMENT A

Amendment 05S.TXT01.1 to Future Land Use Element

- Policy FLU 5.8 Higher Intensity Planned Development-Airport (HIP-Airport) Permitted Uses and Locational Standards

A Uses

The HIP-Airport area is designed to provide for higher intensity mixed use development that is compatible with the operation and expansion of the Orlando Sanford International Airport (see *Exhibit FLU: HIP Airport Development Area*). To provide for a variety of residential and nonresidential uses, the HIP-Airport area shall be comprised of the uses specified in the Higher Intensity Planned Development-Airport (HIP) - Definitions.

B Residential Compatibility Standards

1. Existing communities should be protected from the encroachment of airport related uses through the use of design standards to the maximum extent possible.
2. Due to noise and aircraft overflights, residential uses are deemed incompatible with airport operations. Accordingly, no new residential uses shall be authorized or approved within the areas covered by a noise contour of 65 DNL and higher, according to the noise contour map shown as Exhibit FLU Orlando Sanford International Airport Day-Night Noise Level Contour (DNL) and Avigation Easement Boundary. In any new residential development within the Avigation Easement Boundary, recorded notice shall be required to inform potential purchasers of the impact of aircraft overflights. If a new residential use of any kind is applied for and approved within the Avigation Easement Boundary, there shall be a rebuttable presumption that an avigation easement is required and that such an easement bears a rational nexus to the permitting of residential uses and that such an easement is roughly proportionate to the impact of the development. Said easement is to be recorded in the public records of Seminole County
3. Residential land uses and residential zonings shall be discouraged if within three hundred (300) feet of the centerline of the OSIA's new runway system east to the conservation area adjacent to Lake Jesup.
4. Residential land uses and residential zonings shall be discouraged in areas outside the 65 DNL contour and inside the 60 DNL contour with the exception of multi-family ~~transient~~ apartments.

5. Nothing in this Section shall apply to existing single-family residential units.

C Environmentally Sensitive Lands

1. Transitional land use zones and buffers must occur within HIP-Airport areas adjacent to preservation lands where applicable.
2. The County's Natural Lands Program will continue to pursue acquisition of environmentally sensitive lands along the Lake Jesup shoreline.

D Development Phasing

1. Services and Facilities

- a. HIP-Airport land use requires a full range of urban services and facilities (see *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications*).
- b. Development must be timed concurrent with the extension of central water and sewer to ensure the provision of adequate public services according to adopted standards and facility plans.
- c. Development must be timed concurrent with the construction of East Lake Mary Boulevard to ensure adequate transportation access.
- d. Development must be timed concurrent with the necessary drainage facility improvements prior to urban development within the HIP- Airport Area.
- e. In addition to development phasing concurrent with major public roadway improvements, the following provisions are required to maintain roadway capacity and minimize traffic congestion for area residents and through traffic:
 - 1) Internal access coordinated between and among individual parcels of land;
 - 2) Limited access points through cross access easements and joint use driveways;
 - 3) Dedication of necessary rights-of-way;
 - 4) Substantial private investment for the extension of water and sewer lines, intersection improvements,

signalization, deficit correction, and feeder road improvements; and

- 5) Use of pedestrian and mass transit facilities to reduce vehicle trips within interchange areas and trips along feeder routes.

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

Amendment 05S.TXT01.3 to Future Land Use Element

- Policy FLU 9.1 Orlando Sanford International Airport
The County shall ensure airport compatible land uses adjacent to the Orlando Sanford International Airport (OSIA) as follows:
 - A Allow the conversion of existing neighborhoods to airport compatible uses and minimize nonresidential impacts during the conversion process;
 - B Amend the 1991 Joint Planning Agreement, or its successor agreement, between the County and City of Sanford to ensure appropriate land use designations adjacent to the Airport and the availability of urban services to support higher intensity uses;
 - C Implement SCCP Policy FLU 5.8;
 - D Amend the Land Development Code to include the land uses specified in the Higher Intensity Planned Development-Airport (HIP) - Definitions as land uses compatible with airport operations. Also amend the LDC to:
 1. Implement SCCP Policy FLU 5.8; and
 2. ~~Residential land uses and residential zonings shall be discouraged if within three hundred (300) feet of the centerline of the OSIA's new runway system east to the Conservation area adjacent to Lake Jesup.~~
 - E Require aviation easements and recorded notice of aircraft noise and overflights in accordance with SCCP Policy FLU 5.8;
 - F Provide notice to the Sanford Airport Authority (SAA) of proposed County planning and zoning modifications, site plans, subdivision plans, meetings, hearings, changes to land development regulations, etc., that relate to unincorporated properties within the HIP-Airport Development Areas;

- G Advise property owners/developers/purchasers of property, by means of OSIA property acquisition map(s)/photo(s), that residential development, public educational facilities and/or other uses may be incompatible with OSIA expansion;
- H Direct inquiries from property owners, the development community and general public to the SAA regarding future airport acquisitions; and
- I Consider adoption of the Federal Aviation Administration FAR Part 150 Compatible Land Use Guidelines, as a guide for reviewing land use development activities adjacent to the OSIA;

(Added: Amendment 03F.TXT04.1; Ordinance 2003-63, 12/09/2003)

Amendment 05S.TXT01.2 to Future Land Use

- **HIGHER INTENSITY PLANNED DEVELOPMENT (HIP) – AIRPORT (DEFINITION)**
This land use is designated along major expressway, collector, and arterial roadway corridors, and interchange areas where location factors and higher land values tend to attract higher intensity development and services and facilities are programmed to accommodate a variety of residential and nonresidential uses. Medium to high density residential, office, commercial and industrial land uses are encouraged to:

- A. Expand industrial land use and zoning in areas where airport noise impacts are expected to prohibit residential development;
- B. Provide additional areas for mixed use development that would be compatible with airport operations;
- C. Develop overall ~~single family land use and zoning~~ residential area boundaries for a community that will be heavily impacted by airport expansion; and
- D. Eliminate random commercial development by confining to predetermined areas to preserve the existing residential areas by reducing encroachment of commercial activity and traffic in residential neighborhoods.

The ultimate land uses within these areas are subject to economic cycles and the timing of individual property owner(s) proposals and therefore should not be specifically designated on the *Exhibit FLU: Future Land Use Map*. Rather, these areas should remain flexible in terms of future land use while ensuring that the uses developed can meet particular standards for facility capacity and land use compatibility.

Uses

1. Industrial parks, corporate business parks, office complexes, commercial developments and attendant retail, service, and hotel uses;
2. Medium to high density residential;
3. Residential land uses and residential zonings shall be discouraged if within three hundred (300) feet of the centerline of the OSIA’s new runway system east to the conservation area adjacent to Lake Jesup; and
4. Public elementary schools, public middle schools and public high schools; however, new public educational facilities shall be prohibited if within three hundred (300) feet of the centerline of the OSIA’s new runway system east to the conservation area adjacent to Lake Jesup.

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

General Use	Minimum	Maximum
Medium – High Density Residential Uses	0%	0.50%*
Industrial Uses	50%	75.5%
Commercial Uses	25%	50%

*The 0.5% is for night watchman’s quarters or similar living quarters in support of and accessory to a non-residential use.

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

Zoning:

Zoning classifications allowed in this land use designation are presented in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications*.

Services and Facilities:

- A. This land use requires a full range of urban services and facilities (see *Exhibit FLU: Services and Facilities By Classification*).
- B. In addition to development phasing concurrent with major public roadway improvements, the following provisions are required to maintain roadway capacity and minimize traffic congestion for area residents and through travelers:

1. Dedication of necessary right-of-way and substantial private investment for interchange ramps, intersection improvements, signalization deficit correction, and feeder road improvements.
2. Use of pedestrian and mass transit facilities to reduce vehicle trips within interchange areas and trips along feeder roads.

Special Provisions:

- A. Future Land Use Designation Requires Rezoning: Plan amendments to Higher Intensity Planned Development must be accompanied by a rezoning request and preliminary master plan/site plan.
- B. Requirements for Parcels Approved Before December 8, 1987: For parcels of land which were developed or had site plan approval prior to December 8, 1987, under zoning classifications other than the permitted zonings shown in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications*, additions to existing structures shall be permitted without undergoing a rezoning. However, to adequately address impacts of development, the following procedures will be used:
 1. Development applications shall be forwarded to the appropriate staff for review and to propose conditions for infrastructure improvements (e.g., road, drainage, water and sewer plans) to adequately serve the project and conditions for Comprehensive Plan compliance.
 2. Conditions may be imposed as part of the permit approval. The Land Development Code shall include appeal procedures.
- C. Development Phasing: Development of the phases of a mixed use development must be timed concurrent with facility capacity to ensure the provision of adequate public services according to adopted standards (see *Exhibit FLU: Services and Facilities By Classification*) and facility plans. Each phase must be self-sufficient on a cumulative basis in case subsequent phases are delayed or abandoned.
- D. Access Within the Development: High intensity planned developments shall be designed to have safe and plentiful ways for vehicles, bicycles and pedestrians to travel between and among the several uses and activities if developed as a mixed use development. Sidewalks, cross access easements, connected parking lots, and other similar means of providing full internal access are typical components.
- E. Access to Adjacent Developments: If developed as a mixed use development, high intensity planned developments shall provide access for vehicles, bicycles and pedestrians from the mixed use development to adjacent activities and uses for ease of travel and reduction of trips on main thoroughfares. Access to residential neighborhoods shall be designed to

prevent cut-through traffic and intrusion of adverse impacts. Design concepts shall include a roadway design for mixed-use areas that does not adversely impact established residential areas.

- F. Shared Facilities: High intensity planned developments developed as mixed use developments are intended to offer advantages of integrated infrastructure (e.g., shared parking, stormwater facilities and signage, etc.) to reduce costs, reduce the provision of excess facilities and improve visual appearance.
- G. Special Services: Higher intensity development may require special services such as aerial fire equipment, transit facilities and effluent re-use to meet public safety needs and to offset facility capacity impacts.

Amendment 05S.TXT01.4 to Transportation Element

Policy TRA 5.17 Purchase of Noise Impacted Land

In order to minimize land use/noise conflicts, the County shall recommend that the Sanford Airport Authority purchase lands where noise contours are 65 and greater DNL consistent with the FAA Part 150 OSIA Noise and Land Use Compatibility Program approved by the Federal Aviation Administration. (*Revised: Amendment 03F.TXT04.4; Ordinance 2003-63; 12/09/2003*).

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ATTACHMENT B

Proposed Amendments shown in bold, strike-out and underline format
Proposed revisions from Sanford Airport Authority (12/28/04)
shown in UPPERCASE bold

Amendment 05S.TXT01.01 to Future Land Use Element

● **Policy FLU 5.8 Higher Intensity Planned Development-Airport (HIP-Airport) Permitted Uses and Locational Standards**

A Uses

The HIP-Airport area is designed to provide for higher intensity mixed use development that is compatible with the operation and expansion of the Orlando Sanford **International** Airport (see *Exhibit FLU: HIP Airport Development Area*). To provide for a variety of residential and nonresidential uses, the HIP-Airport area shall be comprised of the following uses:

- 1 Industrial parks;
- 2 Corporate business parks;
- 3 Office complexes;
- 4 Commercial developments;
- 5 Attendant retail;
- 6 Service and hotel uses; and
- 7 Medium to high density residential developments.

B Residential Compatibility Standards

1. Existing communities should be protected from the encroachment of airport related uses through the use of design standards to the maximum extent possible.

2. New residential land use designations, zoning classifications and residential development FOR FEE-SIMPLE HOME OWNERSHIP (SINGLE-FAMILY DETACHED, DUPLEXES, TOWNHOMES OR CONDOMINIUMS) shall be prohibited WHERE WITHIN NOISE CONTOURS ARE GREATER THAN the 60 DNL (Day-Night Noise Level) NOISE CONTOURS, consistent with the FAA PART 150 OSIA Noise AND LAND USE Compatibility Program approved by the Federal Aviation Administration. The location of future HIGH DENSITY TRANSIENT, RENTAL, MULTI-FAMILY residential developments shall comply with guidelines issued by the Federal Aviation Administration and Department of Transportation relating to airport compatible uses, AND WILL BE ALLOWED BETWEEN THE 60 AND OUTSIDE THE 65 DNL NOISE CONTOUR ONLY WITH AN AVIGATION EASEMENT AND ASSOCIATED DEVELOPMENT ORDER, AND MEET THE SOUNDPROOFING REGULATIONS

PURSUANT TO FEDERAL AVIATION ADMINISTRATION FAR PART 150 COMPATIBLE LAND USE GUIDELINES. The Orlando Sanford International Airport Avigation Easement Boundary is depicted in Exhibit FLU Orlando Sanford International Airport Day-Night Noise Level Contour (DNL) and Avigation Easement Boundary.

3. Residential land uses and residential zonings shall be prohibited east or south of the OSIA's new runway system to the Conservation area adjacent to Lake Jesup. If new residential land uses or residential zonings are permitted, an avigation easement and associated development order approval shall be required.

C Environmentally Sensitive Lands

- 1 Transitional land use zones and buffers must occur within HIP-Airport areas adjacent to preservation lands where applicable.
- 2 The County's Natural Lands Program will continue to pursue acquisition of environmentally sensitive lands along the Lake Jesup shoreline.

D Development Phasing

- 1 Services and Facilities
 - a. HIP-Airport land use requires a full range of urban services and facilities (see *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications*).
 - b. Development must be timed concurrent with the extension of central water and sewer to ensure the provision of adequate public services according to adopted standards and facility plans.
 - c. Development must be timed concurrent with the construction of East Lake Mary Boulevard to ensure adequate transportation access.
 - d. Development must be timed concurrent with the necessary drainage facility improvements prior to urban development within the HIP- Airport Area.
 - e. In addition to development phasing concurrent with major public roadway improvements, the following provisions are required to maintain roadway capacity and minimize traffic congestion for area residents and through traffic:
 - 1) Internal access coordinated between and among individual parcels of land;

- 2) Limited access points through cross access easements and joint use driveways;
- 3) Dedication of necessary rights-of-way;
- 4) Substantial private investment for the extension of water and sewer lines, intersection improvements, signalization, deficit correction, and feeder road improvements; and
- 5) Use of pedestrian and mass transit facilities to reduce vehicle trips within interchange areas and trips along feeder routes.

2. Special Services - High intensity development may require special services such as aerial fire equipment, transit facilities and effluent re-use to meet public safety needs and to offset facility capacity impacts. ~~(05S.TXT01.1)~~

Amendment 05S.TXT01.03 to Future Land Use Element

● **Policy FLU 9.1 Orlando Sanford International Airport**

The County shall ensure airport compatible land uses adjacent **TO** the Orlando Sanford International Airport (OSIA) as follows:

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

B Amending the 1991 Joint Planning Agreement, or its successor agreement, between the County and City of Sanford to ensure appropriate land use designations adjacent to the Airport and the availability of urban services to support higher intensity uses;

C Prohibit new **FEE-SIMPLE HOME OWNERSHIP** residential land use designations and zoning classifications **WITHIN ON PROPERTIES WHERE NOISE CONTOURS ARE GREATER THAN** the 60 DNL (Day-Night Noise Level) **NOISE CONTOUR**, consistent with the **FAA PART 150 OSIA Noise AND LAND USE** Compatibility Program approved by the Federal Aviation Administration; **and**

D Amend the Land Development Code to include the following land use measures contained in the OSIA Noise Compatibility Program for the purpose of reducing existing incompatible land uses, preventing the introduction of additional incompatible land uses,

and protecting long-term noise compatibility with aircraft activity at the OSIA:

- 1 Prohibit **NEW FEE-SIMPLE HOME OWNERSHIP** residential land uses **WITHIN ON PROPERTIES WHERE NOISE CONTOURS ARE GREATER THAN** the 60 DNL **NOISE CONTOUR, CONSISTENT WITH THE FAA PART 150 OSIA NOISE AND LAND USE COMPATIBILITY PROGRAM APPROVED BY THE FAA** ~~except as provided for in the Higher Intensity Planned Development-Airport Future Land Use designation;~~
- 2 Prohibit residential land uses and residential zonings, east or south of the OSIA's new runway system to the Conservation area adjacent to Lake Jesup. If new residential land uses or residential zonings **are** permitted, **an avigation easement and associated development order approval shall be required.** ~~then No mobile homes or home ownership shall be permitted within these developments;~~ and
- 3 Prohibit new public educational facilities in areas east and south of the OSIA's new runway system to the Conservation area adjacent to Lake Jesup.

E Require avigation easements **and associated development order approval** for **ALL** new residential construction/reconstruction or redevelopment **EAST AND SOUTH OF THE OSIA WITHIN THE HIP-AIRPORT DEVELOPMENT AREA IN ORDER** to advise property owners of noise exposure and overflight activity;

F Consider adoption of an overlay zoning if restrictions on residential uses and avigation easements cannot be achieved. Any overlay zone would be limited to those lands **WITHIN THE HIP AIRPORT DEVELOPMENT AREA SOUTH OF SR 46 AND EAST OF THE CURRENTLY ZONED INDUSTRIAL AREA LOCATED SOUTH OF RUNWAY 18-36 (EAST OF BRISSON AVENUE SOUTH) TO THE LAKE JESUP CONSERVATION AREA;**

G Provide notice to the Sanford Airport Authority (SAA) of proposed County planning and zoning modifications, site plans, subdivision plans, meetings, hearings, changes to land development regulations, etc., that relate to unincorporated properties **WITHIN THE HIP-AIRPORT DEVELOPMENT AREAS ADJACENT TO THE OSIA AIRPORT;**

H Advise property owners/developers/purchasers of property, by means of OSIA property acquisition map(s)/photo(s), that

residential development, public educational facilities and/or other uses may be incompatible with OSIA expansion;

- I Direct inquiries from property owners, the development community and general public to the SAA regarding future airport acquisitions;
- J Consider adoption of the Federal Aviation Administration FAR Part 150 Compatible Land Use Guidelines, as a guide for reviewing land use development activities adjacent to the OSIA; and
- K Regulate development/redevelopment within residential future land use designations and zoning classifications by means of the Federal Aviation Administration FAR Part 150 Compatible Land Use Guidelines.

(Added: Amendment 03F.TXT04.1; Ordinance 2003-63, 12/09/2003)
(05S.TXT01.3).

Amendment 05S.TXT01.02 to Future Land Use

● **HIGHER INTENSITY PLANNED DEVELOPMENT (HIP) – AIRPORT (DEFINITION)**

This land use is designated along major expressway, collector, and arterial roadway corridors, and interchange areas where location factors and higher land values tend to attract higher intensity development and services and facilities are programmed to accommodate a variety of residential and nonresidential uses. Medium to high density residential, office, commercial and industrial land uses are encouraged to:

- A Expand industrial land use and zoning in areas where airport noise impacts are expected to prohibit residential development;
- B Provide additional areas for mixed use development that would be compatible with airport operations;
- C Develop overall single family land use and zoning area boundaries for a community that will be heavily impacted by airport expansion; and
- D Eliminate random commercial development by confining to predetermined areas to preserve the existing residential areas by reducing encroachment of commercial activity and traffic in residential neighborhoods.

The ultimate land uses within these areas are subject to economic cycles and the timing of individual property owner(s) proposals and therefore should not be specifically designated on the *Exhibit FLU: Future Land Use Map*. Rather, these areas should remain flexible in terms of future land use while ensuring that the uses developed can meet particular standards for facility capacity and land use compatibility.

Uses:

- A Industrial parks, corporate business parks, office complexes, commercial developments and attendant retail, service, and hotel uses;

B Medium to high density TRANSIENT, RENTAL, MULTI-FAMILY residential developments BETWEEN OUTSIDE THE 60 AND 65 DNL, except that no FEE SIMPLE, HOME OWNERSHIP residential development shall be permitted WHERE NOISE CONTOURS ARE GREATER THAN WITHIN the 60 DNL (Day-Night Noise Level) NOISE CONTOUR, consistent with the FAA PART 150 OSIA Noise AND LAND USE Compatibility Program approved by the Federal Aviation Administration;

C Residential land uses and residential zonings shall be prohibited east or south of the OSIA's new runway system to the Conservation area adjacent to Lake Jesup. If new residential land uses or residential zonings are permitted, an avigation easement and associated development order approval shall be required; and

DC Public elementary schools, public middle schools and public high schools; however, new public educational facilities shall be prohibited in areas east and south of the OSIA's new runway system to the Conservation area adjacent to Lake Jesup.

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

General Use	Minimum	Maximum
Medium – High Density Residential Uses	30%	50%
Industrial Uses	7%	15%
Commercial Uses	63%	75%

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

Zoning:

Zoning classifications allowed in this land use designation are presented in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications*.

Services and Facilities:

A This land use requires a full range of urban services and facilities (see *Exhibit FLU: Services and Facilities By Classification*).

B In addition to development phasing concurrent with major public roadway improvements, the following provisions are required to maintain roadway capacity and minimize traffic congestion for area residents and through travelers:

- 1 Dedication of necessary right-of-way and substantial private investment for interchange ramps, intersection improvements, signalization deficit correction, and feeder road improvements.

- 2 Use of pedestrian and mass transit facilities to reduce vehicle trips within interchange areas and trips along feeder roads.

Special Provisions:

- A Future Land Use Designation Requires Rezoning: Plan amendments to Higher Intensity Planned Development must be accompanied by a rezoning request and preliminary master plan/site plan as provided for in the Land Development Code.
- B Requirements for Parcels Approved Before December 8, 1987: For parcels of land which were developed or had site plan approval prior to December 8, 1987, under zoning classifications other than the permitted zonings shown in *Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications*, additions to existing structures shall be permitted without undergoing a rezoning. However, to adequately address impacts of development, the following procedures will be used:
 - 1 Development applications shall be forwarded to the appropriate staff for review and to propose conditions for infrastructure improvements (e.g., road, drainage, water and sewer plans) to adequately serve the project and conditions for Comprehensive Plan compliance.
 - 2 Conditions may be imposed as part of the permit approval. Applicable Land Development Code appeal procedures are available.
- C Development Phasing: Development of the phases of a mixed use development must be timed concurrent with facility capacity to ensure the provision of adequate public services according to adopted standards (see *Exhibit FLU: Services and Facilities By Classification*) and facility plans. Each phase must be self-sufficient on a cumulative basis in case subsequent phases are delayed or abandoned.
- D Access Within the Development: High intensity planned developments shall be designed to have safe and plentiful ways for vehicles, bicycles and pedestrians to travel between and among the several uses and activities if developed as a mixed use development. Sidewalks, cross access easements, connected parking lots, and other similar means of providing full internal access are typical components.
- E Access to Adjacent Developments: If developed as a mixed use development, high intensity planned developments shall provide access for vehicles, bicycles and pedestrians from the mixed use development to adjacent activities and uses for ease of travel and reduction of trips on main thoroughfares. Access to residential neighborhoods shall be designed to prevent cut-through traffic and intrusion of adverse impacts. Design concepts shall include a roadway design for mixed-use areas that does not adversely impact established residential areas.
- F Shared Facilities: High intensity planned developments developed as mixed use developments are intended to offer advantages of integrated infrastructure (e.g.,

shared parking, stormwater facilities and signage, etc.) to reduce costs, reduce the provision of excess facilities and improve visual appearance.

- G Special Services: Higher intensity development may require special services such as aerial fire equipment, transit facilities and effluent re-use to meet public safety needs and to offset facility capacity impacts. ~~(05S.TXT01.2).~~

Amendment 05S.TXT01.4 to Transportation Element

Policy TRA 5.17 Purchase of Noise Impacted Land

In order to minimize land use/noise conflicts, the County shall recommend that the Sanford Airport Authority purchase lands **WHERE NOISE CONTOURS ARE THAT LIE WITHIN THE 60 65 AND GREATER DNL CONSISTENT WITH THE FAA PART 150 OSIA NOISE AND LAND USE COMPATIBILITY PROGRAM APPROVED BY THE FEDERAL AVIATION ADMINISTRATION NOISE CONTOUR** ~~for use as a buffer.~~ (Revised: Amendment 03F.TXT04.4; Ordinance 2003-63; 12/09/2003). ~~(05S.TXT01.4).~~

ATTACHMENT C

Seminole County ECONOMIC IMPACT STATEMENT

Date:	04/08/05	Department//Division:	Planning and Development- Planning Division
Contact:	Tony Matthews	Phone:	407-665-7396
Action:	Text Amendments to the Future Land Use and Transportation Elements of the Seminole County Comprehensive Plan relating to the Higher Intensity Planned Development-Airport Area and surrounding vicinity.		
Topic:	Compatibility between permitted uses within the Higher Intensity Planned Development-Airport Area and the operations and expansion of the Orlando Sanford International Airport (OSIA)		

Describe Project/Proposal

The County is proposing to amend the Seminole County Comprehensive Plan by amending existing policies of the Future Land Use and Transportation Elements relating to the Higher Intensity Planned Development-Airport Area.

In 2003, the County adopted amendments to Future Land Use Element Policy FLU 9.1 (Orlando Sanford International Airport) in response to the Federal Aviation Administration's approval of the Noise Compatibility Program for the OSIA.

The purpose of these current amendments to Policy FLU 5.8, 9.1, the HIP-Airport Definition, and Policy TRA 5.17 is to: (1) establish consistency among Plan policies; (2) continue to allow for educational facilities; (3) continue to allow for fee simple residential development, except within the 60 DNL noise contour, with conditions; (4) recommend that the Sanford Airport Authority purchase lands where noise contours are 65 and greater DNL, consistent with the FAA Part 150 OSIA Noise and Land Use Compatibility Program approved by the Federal Aviation Administration; and (5) support development that is compatible with the operations and expansion of the OSIA .

Describe the Direct Economic Impact of the Project/Proposal upon the Operation of the County

These amendments may have a direct affect upon the economic impact of County operations as it relates to the cost to the County in developing and implementing the proposed policies and any related governmental regulations, and from revenues generated from business and/or individuals to comply with new policies and related development regulations.

Describe the Direct Economic Impact of the Project/Proposal upon the Property Owners/Tax Payers/Citizens who are Expected to be Affected

New residential land use designations, zoning classifications and residential development for fee-simple home ownership (single-family detached, duplexes,

townhomes or condominiums) shall be prohibited within the 60 DNL (Day-Night Noise Level) noise contour, consistent with the Orlando Sanford International Airport Noise Compatibility Program approved by the Federal Aviation Administration. The location of future transient, rental, multi-family residential developments shall comply with guidelines issued by the Federal Aviation Administration and Department of Transportation relating to airport compatible uses, and will be allowed outside the 65 DNL, with an avigation easement and associated development order, and meet the soundproofing regulations pursuant to Federal Aviation Administration FAR Part 150 Compatible Land Use Guidelines.

A direct impact is anticipated to property owners as it relates to the impacts from the above policy provisions and regulations.

Identify and Potential Indirect Economic Impacts, Positive or Negative, Which Might Occur as a Result of the Adoption of the Ordinance

Indirect impacts may occur to citizens/tax payers as it relates to the costs incurred by local government to implement any new policies and land development regulations beyond fees generated by land development applications.

Citation

Seminole County Home Rule Charter.

See proposed amendments to Vision 2020 Plan (Amendments 05S.TXT01.1; 05S.TXT01.2; 05S.TXT01.3; 05S.TXT01.4; 05S.TXT01.5).

ATTACHMENT D

Seminole County PRIVATE PROPERTY RIGHTS ANALYSIS

Date:	04/08/05	Department/Division:	Planning and Development- Planning Division
Contact:	Tony Matthews	Phone:	407-665-7396
Action:	Text Amendments to the Future Land Use and Transportation Elements of the Seminole County Comprehensive Plan relating to the Higher Intensity Planned Development-Airport Area.		
Topic:	Compatibility between permitted uses within the Higher Intensity Planned Development-Airport Area and surrounding vicinity, and the operations and expansion of the Orlando Sanford International Airport (OSIA).		

Describe Project/Proposal

The County is proposing to amend the Seminole County Comprehensive Plan by amending existing policies of the Future Land Use and Transportation Elements relating to the Higher Intensity Planned Development-Airport Area.

In 2003, the County adopted amendments to Future Land Use Element Policy FLU 9.1 (Orlando Sanford International Airport) in response to the Federal Aviation Administration's approval of the Noise Compatibility Program for the OSIA.

The purpose of these current amendments to Policy FLU 5.8, 9.1, the HIP-Airport Definition, and Policy TRA 5.17 is to: (1) establish consistency among Plan policies; (2) continue to allow for educational facilities; (3) continue to allow for fee simple residential development, except within the 60 DNL noise contour, with conditions; (4) recommend that the Sanford Airport Authority purchase lands where noise contours are 65 and greater DNL, consistent with the FAA Part 150 OSIA Noise and Land Use Compatibility Program approved by the Federal Aviation Administration; and (5) support development that is compatible with the operations and expansion of the OSIA .

Estimated Economic Impact on Individuals, Businesses, or Government

Individuals and businesses may be impacted by these amendments as it relates to the types of uses that are permitted in proximity of the OSIA, in particular the locational criteria for rental and home ownership development and educational facilities. These amendments may have a direct affect upon the economic impact of County operations as it relates to the cost to the County in developing and implementing the proposed policies and any related governmental regulations, and from revenues generated from business and/or individuals to comply with new policies and related development regulations.

Anticipated New, Increased or Decreased Revenues

These amendments may affect revenues relating to the cost to local government in implementing new/amended policies and revenues generated from business and/or individuals to comply with new/amended policies.

Method Used in Determining Analysis

The method of analysis involved the potential impacts from adopting of the proposed amendments to the Seminole County Comprehensive Plan (Vision 2020 Plan) and professional expertise.

Citation

Seminole County Comprehensive Plan (Vision 2020 Plan).

See proposed amendments to Vision 2020 Plan (Amendments 05S.TXT01.1; 05S.TXT01.2; 05S.TXT01.3; 05S.TXT01.4; 05S.TXT01.5).

ATTACHMENT E

NOTICE OF AMENDMENT ORDINANCE

Adoption of the 2005 Spring Cycle Large Scale Amendment Ordinance

Should the Board of County Commissioners (the " Board") move to adopt an amendment ordinance for this hearing item, a single ordinance will be presented to the Board for enactment following the last large scale amendment hearing of this cycle. The ordinance presented to the Board for enactment will include all the previously approved hearing items, if any, for this large scale amendment cycle. The proposed ordinance title is:

AN ORDINANCE AMENDING THE VISION 2020 SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP DESIGNATIONS OF CERTAIN PROPERTIES BY VIRTUE OF LARGE SCALE DEVELOPMENT AMENDMENTS; AMENDING THE TEXT OF THE FUTURE LAND USE AND TRANSPORTATION ELEMENTS OF THE COMPREHENSIVE PLAN; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

ATTACHMENT F

BOARD OF COUNTY COMMISSIONERS

SEMINOLE COUNTY, FLORIDA

FEBRUARY 8, 2005

The following is a non-verbatim transcript of the
**BOARD OF COUNTY COMMISSIONERS MEETING OF SEMINOLE COUNTY,
FLORIDA**, held at 9:30 a.m., on Tuesday, February 8, 2005,
in the **SEMINOLE COUNTY SERVICES BUILDING** at **SANFORD,
FLORIDA**, the usual place of meeting of said Board.

Present:

Chairman Carlton Henley (District 4)
Vice Chairman Brenda Carey (District 5)
Commissioner Bob Dallari (District 1)
Commissioner Randy Morris (District 2) (Late)
Commissioner Dick Van Der Weide (District 3)
County Manager Kevin Grace
County Attorney Robert McMillan
Deputy Clerk Sandy McCann

TEXT AMENDMENT TO THE FUTURE LAND
USE AND TRANSPORTATION ELEMENT

Proof of publication, as shown on page _____, calling for a public hearing to consider proposed Text Amendments to the Future Land Use and Transportation Elements of the Seminole County Comprehensive Plan to ensure compatibility between permitted uses within the Higher Intensity Planned Development-Airport Area and the operations and expansion of the Orlando Sanford International Airport, received and filed.

Tony Walter, Planning Manager, addressed the Board to present the request as outlined in the Agenda Memorandum. He stated comments from the Airport Authority are included in Attachment A. Staff has reviewed those comments and they have no objections. The City of Sanford approves the proposed changes submitted by the Airport Authority. He stated Page 5, Section B.3., Page 7, Section D.1., and Page 9, Section C under Uses, refer to prohibition of residential land uses. The text currently reads "In new residential land uses and residential zonings, if they may be permitted", it is recommended that it be changed to "if they are permitted". Also, an avigation easement and associated development order would be included. He stated staff is recommending that "No mobile homes or home

ownership shall be permitted within these developments", be deleted from those sections. It was suggested to include an area larger than what was described in the text to delineate areas around the airport where aviation easements would be required. The purpose of this is to notify people when they are building homes or developments that they are living near an airport and there may be some noise issues. He displayed a map (not received and filed) defining that. He reviewed the night noise level contour indicated on the map. He stated staff is recommending transmittal of the text amendment shown in Attachment A, with the changes as discussed.

Upon inquiry by Commissioner Dallari, Mr. Walter advised this is addressing the airport's future expansion.

Larry Dale, CEO Orlando Sanford International Airport, addressed the Board to state he has worked with staff, the City of Sanford and P&Z and this is a culmination of many years worth of work. He stated he concurs with the text amendments shown and he believes the Board will get the same response from the City of Sanford.

Antonio Jurie, Principal Planner, City of Sanford, addressed the Board to advise the City concurs with the changes and they will be amending their Comprehensive Plan next month to be consistent with this.

No one else spoke in support or in opposition.

Motion by Commissioner Van Der Weide, seconded by Commissioner Dallari to transmit to the DCA the proposed Text Amendments to the Future Land Use and Transportation Elements of the Seminole County Comprehensive Plan to ensure compatibility between permitted uses within the Higher Intensity Planned Development-Airport Area and the operations and expansion of the Orlando Sanford International Airport, as described in the proof of publication, with staff findings.

Under discussion and upon inquiry by Commissioner Carey, Commissioner Van Der Weide advised the motion includes the amendments and map.

Districts 1, 2, 3, 4 and 5 voted AYE.

I:\pd\committees\airport related\bcc minutes_2_8_05.doc

ATTACHMENT G

MINUTES FOR THE SEMINOLE COUNTY LAND PLANNING AGENCY/PLANNING & ZONING COMMISSION SPECIAL MEETING JANUARY 19, 2005

Members present: Matt Brown, Ben Tucker, Dudley Bates, and Walt Eismann

Members absent: Beth Hattaway, Richard Harris, Chris Dorworth

Also present: Alice Gilmartin, Principal Coordinator; Matt West, Planning Manager; Tony Matthews, Principal Planner; Tony Walter, Assistant Planning Manager; April Boswell, Senior Planner; Cathleen Consoli, Senior Planner; Dick Boyer, Senior Planner; Michael Rumer, Planner; Jeffrey Hopper, Senior Planner; and Candace Lindlaw-Hudson, Senior Staff Assistant

In the absence of the Chairman and Vice – Chairman, Commissioner Tucker served as Chairman for this meeting.

A. Higher Intensity Planned Development-Airport Text Amendments; Seminole County; Applicant; Text Amendments to the Future Land Use and Transportation Elements of the SCCP relating to the Higher Intensity Planned Development-Airport Area. (05STXT01.1 through 05STXT01.4).

Countywide
Tony Matthews, Principal Planner

Mr. Matthews stated that in August 2003 the LPA recommended adoption of text amendments to Future Land Use Element Policy FLU 9.1, known as Orlando Sanford International Airport, for the purpose of ensuring compatibility between neighboring land uses and aircraft activity at the Orlando Sanford International Airport. Those amendments were subsequently approved by the Board of County Commissioners in December 2003.

The 2 primary reasons for these current amendments to Policy 5.8, HIP-Airport Permitted Uses and Locational Standards, Policy 9.1 and the HIP Airport Definition is to: 1) establish consistency among Plan policies of the County comprehensive plan adopted in 2003 and 2) continue to support development that is compatible with the operations and expansion of the airport.

Future Land Use Element Policy FLU 5.8 [Higher Intensity Planned Development-Airport (HIP-Airport) Permitted Uses and Locational Standards] and the Higher Intensity Planned Development-Airport Future Land Use Definition, currently allow for medium and high density residential uses and public schools in close proximity to the OSIA. In addition, the policy also provides for an area wide composite land use mix within the HIP-Airport area.

The staff recommendation was for approval of proposed text amendments, shown in Attachment A, to the Future Land Use Element of the Seminole County Comprehensive Plan, with findings found in "Additional Background and Findings".

Mr. Matthews stated that there were several persons present from the Airport and the City of Sanford.

Larry Dale, CEO of Orlando Sanford International Airport stated that in 1987 the County recommended a tri-party agreement between the City, the County, and the Airport, adopting a master plan for the airport and surrounding area. These plans were reviewed by the Department of Community Affairs. The text amendments presented tonight bring things into line.

Russ Gibson, Director of Planning and Development for the City of Sanford stated that the City has reviewed these amendments and concurs with them.

There was no further comment from the floor.

Commissioner Bates asked for an explanation of the word "avigation."

Larry Dale stated that it was a term for development within the traffic pattern of an airport. It puts people on notice that they live within the traffic pattern of the airport.

Commissioner Tucker, referring to page 4, section C-2, stated that he was a member of the Natural Lands Committee and was unaware of anything being done on Lake Jesup. In section D1-C, development must be timed with the extension of East Lake Mary Boulevard.

Mr. Matthews stated that the purpose of tonight's item was to support efforts for land purchases.

Larry Dale stated that the construction contract on the East Lake Mary Boulevard extension from 415 to Brissom Avenue has been bid on and a bid will be accepted on January 24 by the BCC. Construction begins in March and runs for 20 months.

Commissioner Tucker asked about section De(3). To whom were you referring to in dedicating the right of way?

Mr. Matthews stated that the reference was to the developer.

Commissioner Tucker reviewed section 5, stating that this section referred to any future development that goes on there.

Tony Matthews said that this section refers to mixed use development which was started in 1995 and adopted in 1997. Until the Lake Mary Boulevard extension is completed, no development will occur.

Commissioner Tucker asked about the aerial fire equipment, not related to the airport.

Mr. Matthews said that this is an urban service for the HIP area. In relationship with the JPA, an agreement was executed last year and approved.

Larry Dale said that the proposed language says that the cooperation and support will continue to be a tri-party agreement.

Commissioner Eismann made a motion to recommend transmittal of this item.

Commissioner Brown seconded the motion.

The motion passed 4 – 0.

Respectfully submitted,

Candace Lindlaw-Hudson

