

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: RURAL AREA STUDY REPORT

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Dan Matthys  CONTACT: April Boswell  EXT. 7339

Agenda Date 06/13/06 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

Staff seeks Board direction regarding implementation or pursuit of additional policies and regulations regarding the Rural Area.

District 1, 2, and 5

April Boswell, Assistant Planning Manager



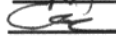
BACKGROUND:

On November 17, 2005 the Board of County Commissioners held a workshop to discuss preliminary findings of the Rural Area Study. The Board directed the consultant, Frances Chandler-Marino, of Glattig Jackson to research additional items before bringing the final report forward. A draft of the Study, the *2006 Rural Character Plan* was provided to Board members in March.

At a joint workshop of the Board and Winter Springs City Commission, the Board directed the Consultant to review and comment on the 2006 Winter Springs East Rural Area Property Owners Committee Report, as well as meet with the Committee Chair.

The Consultant completed these work efforts and held additional meetings with Rural Area large land owners and stakeholders. A memo from the Consultant is attached that details the additional review and analysis results addressed in the *2006 Rural Character Plan*, responses to citizen questions regarding the Plan, and the review of the Winter Springs East Rural Area Property Owner's Committee Report.

The Consultant will provide specific recommendations to the Board regarding implementation of additional policies and regulations regarding the Rural Area.

Reviewed by: 
Co Atty: _____
DFS: _____
Other: _____
DCM: 
CM: 
File No. rpdp02

STAFF RECOMMENDATION:

Staff seeks Board direction regarding implementation or pursuit of additional policies and regulations regarding the Rural Area.

Attachment: Memo from Glatting Jackson
Copy of Public Comments/Responses from Community Workshops
County Attorney's Office Transfer of Development Rights Research

MEMORANDUM

DATE: May 26, 2006

TO: April Boswell, Assistant Planning Manager

FROM: Frances Chandler-Marino, Director of Regional Planning

RE: Seminole County 2006 Rural Character Plan

1. Background

On November 17, 2005 the Board of County Commissioners conducted a workshop to discuss the preliminary findings of the Seminole County 2006 Rural Character Plan. At that time, the Commissioners raised several questions regarding the concepts and ideas presented in the Plan and requested that some additional research be conducted prior to finalizing that report.

2. Additional Research and Analysis

The additional materials and evaluation of issues raised included:

- Summary of Public Comments/Community Workshop Responses (see attached);
- Relationship of TMDLs to TDRs;
- Evaluation of the recent rural subdivision examples (Howland and Mills Cove);
- Follow-up discussions with Large Land Owners;
- Example of Monroe County TDRs. How are smaller tracts handled adjacent to development;
- Examples of TDRs – Problems and Constraints (> 100 acres; < 100 acres);
- Legal challenges that face TDRs (Washington State and Oregon);
- Rural Clustering. Models for subdivisions that have been sustained over time – 10 years;
- Oviedo JPA. The City is not on the “same page” as the County;

- Response to Dave Axel's questions;
- Questions about the rural lifestyle. Estate lots versus larger lots; and
- Need an executive summary in the final plan report.

In addition, the County Attorney's Office was requested to prepare research regarding legal issues associated with Transfer of Development Rights programs. (See attached).

The final 2006 Rural Character Plan has been revised to reflect the additional research as requested and related to the issues as follows.

- a. Research the current status of the state-legislated Total Maximum Daily Load program (TMDL) and potential impacts on recommendations for the Rural Area, with emphasis on possible interaction with a Transfer of Development Rights Program in the Black Hammock Area.** *A summary of the current status of the County's TMDL program was prepared to include a discussion and recommendation for how this program could interact with proposed transition options (including TDRs) for the Rural Area. See page 63 of the 2006 Rural Character Plan.*
- b. Provide an analysis of two existing rural subdivisions in Seminole County's Rural Area.** *A summary of the Mills Cove Subdivision and the Howland Subdivision was prepared and a discussion of the potentially useful design features in these developments is discussed in context of the goals of the Rural Lands Study, see page 74 of the 2006 Rural Character Plan.*
- c. Provide an overview of the application of Transfer of Development Rights programs and how it relates to options proposed in the Rural Lands Study.** *An overview summary of the concept of Transfer of Development Rights (TDRs) was prepared (see page 57 of the 2006 Rural Character Plan). This overview includes:*
 - a. A synopsis of Monroe County's TDR program, including the handling of small land tracts and their interaction from an adjacency perspective.*
 - b. A general overview of TDRs including a discussion of strengths and weaknesses.*

- c. *A compendium of examples of TDR programs including those greater and less than 100 acres in size.*
- d. Provide an overview of conservation subdivisions.** *A compendium of successful (older than 10 years) conservation subdivisions (clustering applications) was prepared which included a description of the development, its conservation goals, the application of land development regulations and site design standards, and, economics if available. See page 67 of the 2006 Rural Character Plan.*
- e. Provide written response to citizens' comments on the recommendations for the Rural Lands Study.** *We have prepared a written response to the comments received to date on the Rural Lands Study that is contained within this memo.*
- f. Prepare an executive summary for the Rural Lands Study.** *We have prepared an executive summary/overview for the Rural Lands Study that includes the issues identified from the public participation process and BCC workshops, along with the recommendations proposed for transitioning adjacencies found on page 7 of the 2006 Rural Character Plan.*

3. Additional Meetings with Rural Land Owners

The Commissioners requested that there be additional follow-up meetings with rural land owners regarding their concerns/issues related to the 2006 Rural Character Plan. Over the course of this study, we have met with the following land owners and/or representatives of land owners including: Imogene Yarborough and family; Rex Clonts and Rick Lee (4/17/06); Tom Minter (4/20/06); and land owner representative Duncan Bowman. An additional meeting was held on Thursday, April 27th to meet with additional land owners for the area, including Larry Jordan, George Martin, Arthur Evans, Sam Bowman, Mr. Wheeler, Don Weaver, and Rex Clonts.

I believe that the concerns of the landowners can be summarized into two policy issues:

1. *Concern that the 2006 Rural Character Plan would create additional restrictions/limitations on the use of property in the*

Rural Area. Many of the landowners today, or their families, have owned these properties over several generations and remember the 1991 East Rural Area Study and the resulting recommendations which amended the land use to Rural-3; Rural-5; and Rural-10 and rezoned property from A-1 to A-3; A-5; or A-10. They are concerned that this study in concept or actuality would result in additional Comprehensive Plan revisions, policies or regulations that would place further restrictions or limitations on the use of their property.

2. *Concern that the 2006 Rural Character Plan does not provide or promote alternatives within the Rural Area that provide for extension of the Urban Area Boundary in order to accommodate projected population growth over the County's planning horizon. Specific areas that we discussed included the western portion of the Black Hammock adjacent to Winter Springs and Oviedo and the property north of Willingham Road adjacent to the Sanctuary development in the City of Oviedo.*

To respond to these issues, it is important to recognize the goal and purpose of the 2006 Rural Character Plan.

"Rural Lands Study Purpose:

To review the effectiveness of current Rural Area Protection measures provided by Seminole County for Geneva, Black Hammock and Rural Chuluota communities.

1. *This will include a review of the Goals, Objectives, and Policies within the Seminole County Comprehensive Plan and regulations for rural development in the Land Development Code.*
2. *The study will also assess the need to maintain and strengthen the rural character and may propose changes to the Comprehensive Plan policies or regulations to implement these changes."*

In simple terms, the questions on the table for this study to answer included: "Is the County's Rural Area Plan Boundary working and will it serve to

protect the rural character of this area or not? If not, what new policies or provisions can make it work?"

In order to understand the fundamental issues at the heart of this discussion, we need to recognize that there is an important policy directed distinction between the recognition of a Rural Area as a final community form of rural neighborhoods and communities versus the recognition of a Rural Area that functions as a transitional or holding area of large tracts of vacant land that are awaiting urbanizing conditions to make more urban development feasible.

Since this study was requested on the heels of the approval of the Countywide Charter Amendment that established the Rural Area and preempted the municipal Comprehensive Land Use Authority within the Rural Area, the 2006 Rural Character Plan begins with the assumption that the County's desire is to continue to recognize the East Rural Area as provided in the adopted Comprehensive Plan, Policy FLU 11.1 *"The County shall continue to enforce Land Development Code provisions and land use strategies that recognize East Seminole County as an area with specific rural character rather than an area anticipated to be urbanized."* Thus, all of the recommendations of the Rural Character Plan were dedicated to the preservation of the rural character of this area and begin with an underlying assumption that any and all development form options that were to be recommended would necessarily be required to meet the test of preserving and/or enhancing the protection of the existing rural neighborhoods.

Notwithstanding the purpose and goals of the Rural Character Study, the questions and concerns raised by the landowners are legitimate questions for a county to assess during the Evaluation and Appraisal Report process of the Comprehensive Plan. This issue of accommodating population growth is discussed in the Introduction of the draft EAR as follows:

***Seminole County Evaluation and Appraisal Report
Introduction, page 14.***

Pressure to amend the Rural Area Boundary could intensify.
Seminole County is now approaching a level of maturity in the developed landscapes of the County where the most easily developed, sizable vacant parcels will have been either developed or committed during the planning horizon. Parcels which are smaller or more

difficult to develop (often called 'infill areas') still remain available for development. In addition, areas that had experienced a decline may now become of interest to developers who specialize in redevelopment and to policy makers who want to encourage revitalization.

The current policies of the County's Comprehensive Plan provide standards for amending the Urban/Rural Boundary based upon a "Demonstration of Need" in addition to a specific site location analysis. The demonstration of need provision requires that an applicant demonstrate that additional urban lands are needed to accommodate population, housing or employment projected for the horizon year of this Plan. Given that the County can now consider amendments to support redevelopment with the Urban Services area, pressure to accommodate population by revising the Urban/Rural Boundary can be reduced.

One of the issues that will be addressed in the assessment of the Land Use Element will be the need to re-evaluate the standards for amending the Urban/Rural Boundary to effectively address the long-term protection of the rural neighborhoods and communities in the East Rural Area through the horizon year of the Plan. The importance of analyzing proposed changes to ensure protection of the character of the Rural area will need to be emphasized.

Further review and assessment of this issue as well as the development of a recommended strategy should be developed during the EAR process.

4. Response to Dave Axel's Email Correspondence

On November 15, 2005, Dave Axel submitted comments to the County on the 2006 Rural Character Plan. We have provided a response to those comments as follows.

Comment: *"When the County comprehensive plan and land use maps were changed in 1991 creating the R-3, R-5, R-10 land uses and the corresponding A-3, A-5 and A-10 zoning districts rural land owners were promised a reform of the land development code as it related to rural subdivisions to facilitate development and mitigate the damage to property*

values caused by the downgrades in land use and zoning. Unfortunately, the opposite has been true. First, the County began calculated property size based upon gross acreage instead of net acreage, and then, the waiver to plat process was eliminated and replaced by the "Minor Plat" process. Anyone who has done a "Minor Plat" can tell you that it is anything but "minor" as far as cost or time."

Response: The Land Development Code was revised in 1992 to include Rural Subdivision Standards, and provisions for optional clustering of units within the rural zoning districts (A-3; A-5; and A-10). Seminole County has defined density within the Comprehensive Plan to be determined by net acres since the adoption of the Comprehensive Plan in 1977.

Comment: *"If the County wants to retain any rural character it is important to follow through on the promise it made in the 1991 process and facilitate development of rural projects. Anything less will just force property owners to seek higher intensities such as the map change that brought about the Trails subdivision near Chuluota. The County should make it easier, not harder, to develop rural subdivisions if it wants to successfully retain rural character."*

Response: The County's adopted Comprehensive Plan and Land Development Code permit the clustering of development within A-3; A-5; and A-10 zoning districts where all platted lots must contain a minimum of 1 net acre of buildable land. The maximum density of each zoning district is established by the associated adopted future land use designation. The 2006 Rural Character Plan does recommend revised rural cluster subdivision standards.

Comment: *"Minimum 50% open space requirement". "This is a purely arbitrary number that bears no relationship to the particular characteristics or proposed clustering scheme of a rural tract. There should be no numeric minimum, as a high percentage just forces a reduction in average lot size to accomplish more open space. For example, the Hilltop subdivision (now known as Estates at Lake Mills and Mills Cove) contained about 25% open space."*

Response: The land pattern alternatives discussed for the Rural Area included a discussion of Rural Cluster Subdivisions (also commonly referred

to as Conservation Subdivisions) and options for them to be constructed both with and without density incentives. The amount of open space required is a policy decision that should reflect the goals of the Rural Area and the purpose of creating an option for Rural Cluster Subdivisions. In this circumstance they are being proposed to reinforce the rural character of a rural area while still allowing all of the development rights of a property (plus the potential of a density bonus) to be used while providing open space lands that would potentially supplement the regional conservation strategy of the area by creating additional greenway connections and could also continue to be used for agricultural pursuits. The most common open space requirements for such development has ranged from 50% - 80% in the creation of conservation open space provisions across the country depending upon the amount of the density bonus provided.

Comment: *"Criteria to form open space to insure the creation or addition to a network of open spaces connected to regional open space". "Reading between the lines, this suggests that created open space areas provide public access. I would consider this to be a taking without compensation."*

Response: The purpose of these locational requirements for the siting of open space has nothing to do with public access and everything to do with context sensitive design.

Comment: *"Individual lots shall not be platted into the required open space". "This is simply wrong. If the open spaces areas are not platted into private lots, then who controls and maintains them, the County?, HOAs?. Land that is open space should be platted or commonly owned at the option of developers to fit the needs of a particular project. Creation of an open space easement limiting uses is sufficient to protect the public interest. Any further requirements are an unacceptable government intrusion."*

Response: While other jurisdictions typically require open space within such rural cluster subdivisions to be "common usable open space" we did not suggest this option for Seminole County since we wanted to preserve the opportunity for continued agricultural operations within the open space. The draft policy that is referenced was flexible regarding the form of future ownership and was not intended to function as development regulations, but rather as a statement of policy direction under the construction of a Comprehensive Plan. However, when jurisdictions choose to offer such a

development alternative, land development regulations that govern the development of such subdivision are required. When owners are provided an option for how to address the future ownership of the open space property (that is, common ownership is not mandated) this issue is required to be addressed as a part of a land management plan for the open space. The plan for the use and maintenance of the Open Space would typically be required to be submitted, as a part of the approval process and compliance with said plan would become a condition of the development order for the rezoning, where applicable, a condition of the subdivision approval and a condition of the perpetual open space conservation easement.

Comment: *"I also suggest that Seminole County consider: 1. Making estate size lots, i.e., 1 acre or larger, an acceptable use in rural areas."*

Response: Estate lots are acceptable within the rural area within the County's currently adopted cluster provisions.

Comment: *"Simplifying the split process in rural areas, i.e., bring back the waiver process and eliminate the host of requirements now dictated by the "Minor Plat" process."*

Response: We are not familiar with the administrative issues that may have arisen with regard to the Minor Plat process, however, this process applies to the entire County and not just within the Rural Area. If there is a procedural concern with the application of this process then I would suggest that the issue be reviewed by county staff and addressed through the County's Development Advisory Board.

Comment: *"Reforming of the subdivision regulations regarding rural and cluster subdivision, i.e., make it more cost effective to develop a rural project."*

Response: The Rural Character Study does recognize the creation of new Rural Cluster Subdivision Regulations as one of the development alternatives.

Comment: *"Making it easier to have multiple units on large tracts, i.e., "guest cottages" and family lot provisions that do not force the additional unit to be absent cooking facilities."*

Response: The County does have a special family subdivision process for the Rural Area, Section 35.72(e) of the Seminole County Land Development Code.

5. Subsequent Community Comments

April Boswell met with Deborah Schaffer, Robert King, Jim Logue, and Dick Creedon on May 16, 2006. In addition, Dick Creedon submitted written comments to the County on the 2006 Rural Character Plan in a memo dated May 16, 2006. In general, there were concerns that some of the limitations of the study recommendations that were expressed during the previous commission workshops and presentations were not adequately discussed in the written document and that there were some typos that needed to be addressed. We concur with this assessment; specifically, any final edits of the 2006 Rural Character Plan should further reflect the need for actual density incentives to be based upon a carrying capacity traffic impact assessment of the roadway network and the water supply for the entire Rural Area. In addition, all final edits to the 2006 Rural Character Plan will reflect comments related to the specific editing issues raised. Following are specific comments to Dick Creedon's memo, dated May 16, 2006.

Comment: *"Our areas of main concern are the sections pertaining to rural cluster subdivisions, an idea we conceptually believe could be of great help in preserving the rural quality of the area. It is our strongly held belief that NO density bonuses are required to make them economically feasible, except possibly in transition areas near the Rural Boundary. There is more than sufficient bonus in the savings in construction costs for roads and utilities. Unfortunately, the Plan does not address our objections which were discussed at the Community Meetings. On page 19 it is suggested that an increase in density to 1 du/3 ac be allowed as an incentive to cluster. Once the first such subdivision is approved, it would not be long before copycat development would effectively change all new development to 1 du/3 ac from 1 du/5ac. Under equity, it would be very difficult, if not impossible, to deny a rezoning application from 1 du/5 to 1du/3 ac for smaller parcels that are not using the clustering provisions. We just fought this very issue on Lake Harney Rd. so let's not open Pandora's Box so we have to do it again and again. If this is meant for transition areas only near the Rural Boundary, it should specifically state it in that manner."*

Response: Actually, it would be possible to deny a rezoning application under these conditions. Many governments prohibit density increases in rural areas that are not clustered. If the Board of County Commissioners wanted to consider increasing density in the Rural Area, we recommend the following:

1. A carrying capacity analysis should be conducted for the entire Rural Area;
2. A cluster development form would be required; and
3. Water quality issues with regard to the Geneva Lens should be evaluated as a part of the land use assessment.

Comment: *"On page 57 it gets even more confused and dangerous in that it says that "for the rural area not adjacent to the Boundary....allow for density increases to three dwelling units per acre, which would provide adequate incentives for creating a proper form". We believe that these are typographical errors or errors in context since elsewhere in the report it states that it is NOT the intent to increase residential densities. However, if they are not corrected and made unambiguous in the final accepted draft, they will create unbelievable mischief and mayhem in the build out of the Eastern Rural Area."*

Response: There are typographical errors or errors in context in the 2006 Rural Character Plan with regard to this issue.

Comment: *"Relative to page 55, Topic area 6, and on page 20, we believe that it would be best to have ONE set of non-residential design standards be uniform throughout the ENTIRE eastern rural area. Building DESIGN should also be included as this will help preserve the rural village feel of the area. An ugly, citified, commercial building can not be camouflaged by setbacks, site placement or landscaping alone since it is essential that this structure be adequately seen from the adjacent road in order to attract customers."*

Response: We agree.

Comment: *"On Page 47 it states that "transitioning of land use is ineffective in a rural area- more effective is an urban boundary". We believe that BOTH are essential to insure that the step down in as-built density*

would survive the demise or moving of any drawn boundary.”

Response: We agree.

6. Relationship of the Seminole County 2006 Rural Character Plan to the “East Rural Area Property Owner’s Committee Report” prepared for the City of Winter Springs

We were asked to meet with Tom Minter to discuss the recommendation of the East Rural Area Property Owner’s Committee Report to the Winter Springs City Commission. In review of the East Rural Area Property Owner’s Committee Report to the Winter Springs City Commission it appears that the premise of this study is that the lands within the current Rural Area Boundary are adjacent to the cities of Winter Springs and Oviedo are “transition” areas that should be anticipated to be urbanized because of this adjacency.

Although many of the ideas conceptualized in this study are similar to the recommendations of the 2006 Rural Character Plan, we make the following observations:

1. The recommended cluster options are not designed to create or promote the preservation of connected, contiguous open space that is specifically designed to create a permanent geographic separation between urban and rural neighborhoods because the options are permitted within small parcels of land and do not reinforce the protection of the Rural Area, although there may be some benefits for on-site clustering.
2. Just as we recognized with the 2006 Rural Character Plan, we cannot recommend final density (or in the case of the 2006 Rural Character Plan recommendation of a density incentive) for clustering in the area because a traffic impact assessment has not been conducted that determines the carrying capacity of the roadway network. This assessment is critical to assess and provide the foundation for recommendations of the appropriate land uses and zoning designations for the area.

7. Specific Recommendations of the 2006 Rural Character Plan

The overall recommendation for the 2006 Rural Character Plan is that the Rural Area should continue to be recognized as a long-term rural area, and that the area be planned and regulated as a rural area. Our specific recommendations are as follows:

- Define transitional areas and policies to protect the Rural Area;
- Create residential development standards for rural subdivisions (arrangement of lots, protection of rural viewshed);
- Develop a rural cluster subdivision provision (if the County would like to pursue an incentive program for rural cluster subdivisions, a carrying capacity assessment of the roadway network and water supply would need to be completed prior to the development of such a provision);
- Implement rural lighting and rural roadway standards;
- Explore the development of a transfer of development rights program for the Black Hammock Area;
- Create new policy to support protection of the Geneva Lens;
- Protect scenic viewsheds through new policy (for after-the-fact permits and/or mitigation for un-permitted tree removal);
- Promote partnerships to support the historic character of Geneva; and
- All final edits to the 2006 Rural Character Plan will reflect comments related to the specific editing/clarification issues raised during the study process.



**COUNTY ATTORNEY'S OFFICE
MEMORANDUM**

To: Robert McMillan, County Attorney
From: Kimberly Laucella, Assistant County Attorney, Ext. 7254
Date: January 5, 2006
Subject: Transfer of Development Rights Research

Introduction

The fundamental legal issue with Transfers of Development Rights (TDRs) is the claim that they constitute a taking without adequate compensation. The original purpose behind TDR was to mitigate the economic impact of extensive or total restrictions on the owner's use of land.¹ However, the existence of a TDR program does not always prevent takings claims, and the local government must be prepared to respond to such challenges.

Relevant Case Law

1. U.S. Supreme Court

Penn Central Transportation Co. v. City of New York 438 U.S. 104 (1978).

In *Penn Central Transportation Co. v. City of New York*, a landowner made a Takings Clause claim after his application to build a fifty-five-story office tower atop a historic train terminal was denied pursuant to New York City's historic landmark ordinance. The landmark ordinance provided that an owner of a landmark site could transfer development rights from a landmark parcel to other parcels owned by the same landowner.

The Court rejected the landowner's claim, and found the ordinance did not constitute a taking based, in part, on the ordinance's provision on TDRs. Specifically, the Court noted that the TDRs "made [plaintiff's rights] transferable to at least eight parcels in the vicinity of the Terminal, one or two of which have been found suitable for the construction of new office buildings. . . . While these rights may well not have constituted 'just compensation' if a 'taking' had occurred, the rights nevertheless undoubtedly mitigate whatever financial burdens the law

¹ Bredin, John B., *Transfer of Development Rights: Cases, Statutes, Examples, and a Model*. Available at: <http://www.asu.edu/caed/proceedings00/BREDIN/bredin.htm> (2000).

has imposed on [plaintiffs] and, for that reason, are to be taken into account in considering the impact of regulation.” *Penn Central Transportation Co.*, 438 U.S. at 694.

Note: Penn Central may no longer be relevant to most cases involving TDRs, based on Justice Scalia's concurrence in *Suitum v. Tahoe Regional Planning Agency*.

Suitum v. Tahoe Regional Planning Agency, 520 U.S. 725 (1997).²

The *Suitum* case involved the Tahoe Regional Planning Agency (“Agency”), which regulates land development for the ecologically sensitive Lake Tahoe region on the California/Nevada border. Every proposed development is subject to the Agency's Individual Parcel Evaluation System (IPES) before permission to develop is granted. In addition, all parcels in areas carrying runoff water into the Lake Tahoe watershed are off limits to development under IPES. To mitigate these impacts on property owners, development rights may be transferred to other parcels suitable for construction in the Lake Tahoe region, subject to approval by the Agency.

Ms. Suitum, the owner of a parcel in a runoff area, was denied the right to construct a residence on her parcel but was granted development rights for use elsewhere. She did not attempt to exercise these rights, but instead, brought suit against the Agency, claiming that it had effected a taking of her property without just compensation.

Ms. Suitum argued that she was denied all reasonable use of the parcel she owned, that the TDRs were of little or no value, and that her claim was ripe because it would be futile to try to transfer them. The Agency countered that the rights were of significant market value (and offered appraisals), that the value of the rights was relevant to the question of whether there was a taking, and that Ms. Suitum's claim was not ripe because she had not tried to collect or exercise her development rights.

The Court found that there was a final decision on the use of Ms. Suitum's property when the Agency declared under IPES that her parcel could not be developed. Also, there was no dispute as to exactly what rights she would receive from the Agency. The Supreme Court found that the value of the rights was not essential to determining whether there had been a taking, as the Agency had claimed. The Court found the case was ripe and remanded it for further proceedings. The concurrence, written by Justice Scalia and joined by Justice O'Connor, expressly stated what the majority implied—that TDRs were relevant

² Summary of *Suitum* case taken from Bredin, John B., *Transfer of Development Rights: Cases, Statutes, Examples, and a Model*. Available at: <http://www.asu.edu/caed/proceedings00/BREDIN/bredin.htm> (2000). I have reviewed the case and find this summary to be accurate and correct.

only in setting the amount of compensation, and not in determining whether there was a taking.

2. Florida Case law

Glisson v. Alachua County, 558 So.2d 1030 (1st DCA 1990).

Alachua County passed an ordinance that created a system for the transfer of development rights within an area with both ecological and historic significance. Under the ordinance, a property owner could transfer density in a restricted use zone to appropriate contiguous property under the same ownership or to appropriate adjoining property not under the same ownership if all the affected properties were presented for development as a planned unit development (PUD).

The Appellants, eighteen owners of real property in the area, contended that the county's land use regulations constituted an attempt to exercise the power of eminent domain, disguised as an exercise of the police power. The Court disagreed, holding that because the regulations permit most existing uses of the property, and provide a mechanism whereby individual landowners may obtain a variance or a transfer of development rights, the regulations on their face did not deny individual landowners all economically viable uses of their property. In addition, while the county conceded that the regulations diminished the value of appellants' property by restricting some of the more economically rewarding uses to which the property may have been put, the Court held that diminution in the value of the property is not the test. Rather, it was incumbent upon appellants to demonstrate that they were denied all or a substantial portion of the beneficial uses of their property, which they had failed to do.

In summary, the Court concluded that the challenged amendments and regulations were not facially unconstitutional, and that the amendments and regulations properly addressed conservation concerns, as mandated by section 163.3177 (6) (d), Florida Statutes. Furthermore, the restrictions on their face did not constitute a taking. However, since the restrictions were not applied to a specific land use proposal, the taking issue could not be determined as a factual matter.

Advantage West Palm Beach, Inc. v. West Palm Beach Community Redevelopment Agency, Inc., 728 So. 2d 755 (4th DCA 1998).

In this case, Appellants sought compensation from the city for the taking of certain "development rights." The issue in this case was whether appellants were entitled to compensation for these rights as part of a taking in eminent domain. The Court upheld the decision of the trial court, that "the DRI did not create a species of property known as transferable development rights." *Advantage West*

Palm Beach, 728 So.2d at 756. Moreover, the court found that unlike Palm Beach County, the City of West Palm Beach had never adopted a Transfer of Development Rights Ordinance. Therefore, neither the language of the DRI, nor the development process contemplated by the ordinance supported the conclusion that transferable development rights were created for which appellants were entitled to be compensated.

Gordon v. Flamingo Holding Partnership, 624 So2d 294, (3rd DCA 1993).

This case was an appeal from a foreclosure judgment arising from the sale and development of a parcel of real property. Mr. Gordon sold his Caribbean Towers property to an entity called Firewater, N.V., and took back a purchase money mortgage. At the time of the sale, Caribbean Towers was an apartment complex with 103 units, and had the right to develop an additional eighty units. Its rents were pledged as additional collateral for the mortgage debt. Florida East Coast Properties ("FECP") owned the adjacent parcel of land, known as the Flamingo property. Firewater subsequently conveyed Caribbean Towers to FECP, and executed a Unity of Title agreement with FECP to combine the Caribbean Towers property and the Flamingo property, and to develop the site jointly as a high-rise condominium. None of the parties notified Mr. Gordon of the Unity of Title agreement. When the City granted a permit for the unit to be built on the Flamingo property, it conditioned the permit upon an agreement between FECP and the City that FECP would close 14 units to residential use in Caribbean Towers, and transfer from Caribbean to Flamingo the right under the City's zoning code to build 80 additional units on the Caribbean property. Throughout this time, the Caribbean property remained the security for Mr. Gordon's property, but he was not given notice of any of these events or agreements.

Several years later, FECP conveyed only the Flamingo property, and not the Caribbean property, to Flamingo Holding Partnership ("FHP"). FHP took title to the property knowing that development rights had been transferred from the Caribbean parcel to the Flamingo parcel, and that both the Unity of Title agreement and the transfer of rights had been accomplished without the knowledge or consent of Mr. Gordon.

Later, when the Gordon mortgage on the Caribbean property went into default for failure to pay ad valorem taxes and the principal payment, Mr. Gordon filed this action for foreclosure and sought to impose an equitable lien as compensation for the degradation of the collateral caused by the closing of 14 units and the transfer of development rights to the Flamingo property.

This case presented a question of first impression: Whether the transfer of development rights belonging to a parcel of property held as collateral for a note and mortgage, accomplished without the knowledge or consent of the mortgagee, can support the creation of an equitable lien where that transfer had

significantly impaired the collateral's value, and where no remedy at law could compensate the mortgage for the loss of value." The Court held that it could, and found the trial court properly imposed an equitable lien on the Flamingo property in part because "as a result of the transfer of development rights the collateral for the Mortgage ha[d] been wasted, impaired, and diminished," . . . the value of the collateral was insufficient to satisfy the Gordon mortgage, and . . . a substantial deficiency would result from the foreclosure." Gordon, 624 So.2d at 297.

Palm Beach Polo, Inc. v. Village of Wellington, ___ So. 2d ___, 2005 WL 3116121 (4th DCA 2005).

In this case, the village brought a declaratory judgment action against a developer that purchased a large tract of land containing a forest. The development plan required the preservation and restoration of the forest located within the tract, and the developer counterclaimed for inverse condemnation. The lower court entered judgment in favor of the village, and the developer appealed. The Fourth District Court of Appeal held that the development plan was not a regulatory taking of the forest, even though the plan required the forest to be inundated and rendered unusable for development. The court's reasoning was partially based on the fact that the previous owners of the property, who bargained for and agreed to the development plan, had agreed to the preservation of the forest in exchange for higher development densities elsewhere on the property. This transfer of development rights compensated the owners of the property for the restrictions on use, and no taking had occurred.

Case Law From Other Jurisdictions

Aptos Seascap Corp. v. Santa Cruz County 138 Cal.App.3d 484, 496 (1st Dist. Ct. App. 1982).

In *Aptos Seascap Corp. v. Santa Cruz County*, California's First District Court of Appeals held that the transfer of development rights should be considered in the analysis of whether there has been a taking and could indeed "preclude a finding that an unconstitutional taking has occurred." 138 Cal.App.3d 484, 496 (1st Dist. Ct. App. 1982). *Aptos Seascap Corp.*, 138 Cal.App.3d at 496.

City of Redmond v. Central Puget Sound Growth Management Hearings Board, 136 Wash. 2d 38 (Wash. 1998).

Parcels located within the Urban Growth Area of the City of Redmond had been zoned agricultural for many years. Washington State statute required the City to enact "a program authorizing transfer of purchase of development rights" in order to designate lands within this area as agricultural. The Court held that because the City failed to have the required transfer or purchase of development

rights program in place when it designated the subject "agricultural lands", the City's designation of the parcels as agricultural failed. The Court reasoned that the owner's intended use is not determinative of whether the land is agricultural, rather, the question is whether the land is capable of being used for agriculture.

W.J.F. Realty Corp. v. State of New York, 672 N.Y.S.2d 1007 (NY Sup. Ct. 1998).

Landowners brought action challenging constitutionality of the Long Island Pine Barrens Protection Act. Court held that the Act did not effect unconstitutional taking and satisfied due process requirements and the need for tangible compensation subject to judicial review. The compensation provided under the act included a transfer of development rights, among other options.

French Investing Company, Inc., v. City of New York, (N.Y. Ct. App. 1976).

Plaintiff, purchase money mortgagee of Tudor City, a Manhattan residential complex, brought this action to declare unconstitutional a 1972 amendment to the New York City Zoning Resolution and sought compensation for 'inverse' taking by eminent domain. The amendment purported to create a 'Special Park District', and rezoned two private parks in the Tudor City complex exclusively as parks open to the public. It further provided for the granting to the defendant property owners of transferable development (air) rights usable elsewhere. These rights were severed from the real property and made transferable to another section of mid-Manhattan in the city, but not to any particular parcel or place. Therefore, they were floating development rights, which the court deemed "utterly unusable until they could be attached to some accommodating real property." The court found significant that the TDRs were mandatory under the amendment, and that they were the sole ameliorative measure offered to feeholders. Thus, the court held that the amendment destroyed the economic value of the property, and thus was a deprivation of property without due process of law.

COMMUNITY PARTICIPATION

During this study effort, the community participation process was designed to create an interactive and collaborative process within which residents, landowners, the County Commission, and County staff could work together to identify key issues facing the Rural Area of Seminole County. During 2005, the County conducted a series of four community meetings and stakeholder interviews to discuss issues and concerns of the rural area residents.

Stakeholder comments

Community Meeting Comments

At the November 30, 2004 community meeting/workshop residents identified issues such as the following:

- Policy makers must channel growth into efficient forms through preservation and rural boundaries.
- Communities are more than a “subdivision, a sidewalk, and a school.”
- Optimum rural characteristics include: lack of street lights, dirt roads, horses, privacy, quietness, sidewalks, large tracts of land, wildlife, and locally owned businesses.
- Development seems to be crowding in from all sides.
- There is still time to preserve the rural character; we are not too late.
- Code enforcement is lacking and response time is poor.
- Underground power lines preserve the visual character.
- Gated communities have no place in the rural landscape.
- Over-regulation is bad.
- There should be transition areas between rural and urban areas.

At the February 24, 2005 community meeting/workshop residents identified issues such as the following:

- The piece-meal development of high density housing in the rural area must be stopped.
- Transitional land uses should be used to preserve the rural boundary.
- Large land holdings such as farms have the greatest potential for development and therefore can ruin the rural character the fastest.
- Rural lighting standards are needed to keep light pollution down.
- The historic “flavor” of the rural areas.
- Widening County roads can negatively affect rural character.
-

The numerous community issues have been synthesized and are organized into seven major topic areas for ease of presentation and review. Each topic area addresses an integral element that is necessary to understand and maintain a rural lifestyle.

1. Urban Encroachment/Protect the Boundaries of the Rural Area
2. Water Supply
3. Existing Agriculture/Large Landholdings
4. Open Spaces, Viewsheds and Environmental Resource Protection
5. Residential Development
6. Non-Residential Uses
7. Rural Infrastructure

GROUP 2

Topic Area 1

Protect the Boundaries of the Rural Area

Issue

Maintain Current Rural Area Boundary

Strategy

1. Refine standards in the Comprehensive Plan regarding amending the urban/rural boundary. (Both Qualify and Quantify)
2. Require (SCFIAM) to amend the boundary.
3. Transitional Areas should be revised in Joint Planning Agreements (JPA) to create the "transition." In addition, specific Comprehensive Plan policies that are relevant to the treatment of transition areas should also be reflected in the JPAs (i.e., Policy FLU 11.7 prohibits the connection of Florida Avenue to Stone Street.)
4. Prepare and adopt a JPA with the City of Winter Springs.
5. JPAs should also include a clarification of future densities and intensities in the Transitional Area and adjacent areas including a procedure for resolution of conflicts and/or disputes, criteria for amending the urban/rural boundary and standards for cut through traffic.
6. The County should use the SCFIAM.

Issue

Protect and Create Edges

Strategy

1. Create a "Ruralbelt" that physically defines the rural area by requiring a specific depth/and opacity of a defined natural vegetative buffer to distinguish the Rural Area from the Urban Area.
2. Transitional Land Uses should be created to address specific edge concerns.
3. JPAs should include performance standards for the buffering of "edge properties" that include opacity standards. These standards should also be reflected in the County's LDC where appropriate to buffer rural uses from the Urban Area.

Issue

Land Use Density

Strategy

1. The basic structure of land use and zoning should be maintained.
2. The method of calculating net residential density should be maintained.
3. Super majority vote by Commissioners to change Rural Boundary

Topic Area 2
Water Supply

Issue

Geneva Lens

Strategy

Prepare a carrying capacity analysis and establish a consistent method to monitor the wells. Seek grants and/or participation from the SJRWMD or DEP for this detailed analysis of the Geneva Lens.

Issue

Black Hammock Water Service Area & Chuluota Rural

Strategy

1. Maintain and limit service to residential uses only.

Monitor salt water intrusion in all areas

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Topic Area 3

Existing Agricultural/ Large Land Holdings

Issue

Development Potential □ Large tracts of land that are currently undeveloped provide the most significant opportunities for future development and could potentially have a significant impact on the rural landscape.

Strategy

1. County should actively pursue (PDR) agreements with large agricultural land holdings which allow flexibility to protect the current agriculture production.

2. The County should continue to explore the possibility of creating mitigation banks not restricted to large land holding only is use 5 acre up in the Rural Area and efforts to acquire lands through the County's Natural Lands Program.

Issue

Water farming tax benefit

Protection of Existing Rights

Revisions to the Rural Area policies should not create undue hardship or negative economic impacts to the families that have been exceptional stewards of the land for generations.

Strategy

Rural Cluster Development --Refine rural subdivision standards for clustering and the protection of the agricultural lands to include additional tools and incentives for cluster development including the possibility of Transfer of Development Rights (TDR), Governmental agricultural leases, or some other incentive. Identify mechanisms to permit agritourism within open space/agricultural portion of a cluster development through the open space easement. (This mechanism may be a special exception for certain uses or may be permitted by easements for other uses.) (Tom Mazza (407-365-240, tommazza@bellsouth.net, Bill Holmes (407) 349-9618)

Topic Area 4
Open Space and Viewshed

Issue
Logging and Clearing

Strategy

1. Create additional corridor design standards that will further protect the open space and viewsheds for the Rural Area. (i.e., develop standards that allow for the clustering of lots which create additional protection standards for open space).
2. Review examples of other jurisdictions that impose a fine for land clearing, "after the fact", given certain specified conditions (i.e., Sarasota County). Use Caution!
3. Review / revise current rural overlay standards and scenic corridor overlay roadway standards to further protect the scenic vistas of these roadways. Ways to enforce?

Topic Area 5
Residential Development

Issue
Preserve Rural Character
Introduction of suburban residential amenities into the Rural Area is detracting from the character of the area. The amenities include: gates, walls, fencing, entrance features and formal recreational uses.

Strategy

1. Create design standards/ recommendations (Why?) for the location and design for all residential amenities and amenity structures to protect the rural viewshed of the road.
2. Develop rural lighting standards',

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3. Review (are they not working or being complied with) / revise current rural overlay standards and scenic corridor overlay roadways standards to further protect the scenic vistas of these roadways.

Issue

Code Enforcement

Balance government involvement, i.e. code enforcement.

Strategy

Maintain current efforts.

Topic Area 6

Non-Residential Uses

Issue

Design

1. Uses that are permitted by right and uses permitted by Special Exceptions
2. Historic Geneva

Strategy

1. Create performance standards for all non-residential uses and non-residential development, redevelopment; and additions to existing structures especially along SR 46 in Geneva. These standards should address those elements that are required for the protection of rural character.
2. Create regulations for rural lighting standards to achieve dark skies.
3. Create specialty design standards for infrastructure in Geneva to insure the protection of the historic flavor of the area, i.e., lighting fixtures, pavers, etc. based on the support of the community.
4. Adopt regulations to address the protection of historic structures in Geneva.

Issue

Uses

1. Agri-Tourism, i.e., Big Oaks Ranch
2. Existing restaurants and small retail uses. i.e., Black Hammock Fish Camp
3. New Uses
4. Conversion of nurseries to a more intensive future use

Strategy

1. Establish criteria for uses, i.e. agritourism, within the Rural Area and special exceptions by defining the appropriate scale and design for uses.
2. Develop incentives to protect the continuation of a variety of agricultural uses (including nurseries).

Topic Area 7
Rural Infrastructure

Issue

Major Roads

The Rural Area includes roads that function as a part of a regional network that includes SR 46. Potential widening of roads may affect the rural character.

Strategy

1. Maintain the current County policy to provide a rural level of service for all roadway infrastructure within the Rural Area.
2. Create cross-sections (more flexibility, need more study site specific situation for the roadways that are identified for improvement that will insure that they are designed to protect the rural character of the area.
3. Allow cross section of CR 419 to be designed as an urban section to accommodate the Flagler Trail.
4. Revise Policy FLU 11.9 Rural Roadway System Level of Service Standards to reflect this revision in policy to permit CR 419 to be expanded east/south of the Chuluota Bypass and the widening for SR 46.

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Issue

Local Roads

The paving of some unpaved roads within the Rural Area may have created an unintended consequence by providing local transportation options that affect driving habits and lead to increased traffic on these local streets.

Strategy

Re-evaluate the paving program for local roads within the Rural Area.

Issue

Stormwater

Implement the improvements identified in the Master Drainage Basin Plans that have been completed within the Rural Area.

Strategy

1. The County is to study the location and need for additional regional structures.
2. Implement control strategies required by SJRWMD for total maximum daily loads (TMDLs).

Issue

Trails

Support the establishment of a variety of types of trails within the rural area including pedestrian and equestrian facilities.Strategy

1. Continue to seek grants and to coordinate with other State and Federal agencies to supplement the County's trail building program.
2. Continue efforts to connect North Flagler Trail to South Flagler Trail.

Issue

Fire Protection

Strategy

(NO)

Deleted: Require large residential and non-residential structures to have a sprinkler system connected to a well for fire suppression.

GROUP 3

Topic Area 1

Protect the Boundaries of the Rural Area

Issue

Maintain Current Rural Area Boundary

Strategy

1. Refine standards in the Comprehensive Plan regarding amending the urban/rural boundary. (Both Qualify and Quantify)
2. Require (SCFIAM) to amend the boundary.
3. Transitional Areas should be revised in Joint Planning Agreements (JPA) to create the "transition." In addition, specific Comprehensive Plan policies that are relevant to the treatment of transition areas should also be reflected in the JPAs (i.e., Policy FLU 11.7 prohibits the connection of Florida Avenue to Stone Street.)
4. Prepare and adopt a JPA with the City of Winter Springs.
5. JPAs should also include a clarification of future densities and intensities in the Transitional Area and adjacent areas including a procedure for resolution of conflicts and/or disputes, criteria for amending the urban/rural boundary and standards for cut through traffic.
6. The County should use the SCFIAM.

Issue

Protect and Create Edges Restrict Urban encroachment/sprawl and ENFORCE this.

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Strategy

1. Create a "Ruralbelt" that physically defines the rural area by requiring a specific depth/and opacity of a defined natural vegetative buffer to distinguish the Rural Area from the Urban Area.
2. Transitional Land Uses should be created to address specific edge concerns.
3. JPAs should include performance standards for the buffering of "edge properties" that include opacity standards. These standards should also be reflected in the County's LDC where appropriate to buffer rural uses from the Urban Area.

Issue

Land Use Density (5 AL min.)

Strategy

1. The basic structure of land use and zoning should be maintained.
2. The method of calculating net residential density should be maintained.

Topic Area 2

Water Supply

Issue

Geneva Lens

Strategy

Prepare a carrying capacity analysis and establish a consistent method to monitor the wells. Seek grants and/or participation from the SJRWMD or DEP for this detailed analysis of the Geneva Lens.

Issue

Black Hammock Water Service Area

Strategy

- 1. Maintain and limit service to residential uses only.

Topic Area 3

Existing Agricultural/ Large Land Holdings

Issue

Development Potential □ Large tracts of land that are currently undeveloped provide the most significant opportunities for future development and could potentially have a significant impact on the rural landscape.

Strategy

- 1. County should actively pursue (PDR) agreements with large agricultural land holdings which allow flexibility to protect the current agriculture production.
- 2. The County should continue to explore the possibility of creating mitigation banks in the Rural Area and efforts to acquire lands through the County's Natural Lands Program.

Issue

Protection of Existing Rights

Revisions to the Rural Area policies should not create undue hardship or negative economic impacts to the families that have been exceptional stewards of the land for generations.

Strategy*

Rural Cluster Development --Refine rural subdivision standards for clustering and the protection of the agricultural lands to include additional tools and incentives for cluster development including the possibility of Transfer of Development Rights (TDR), Governmental agricultural leases, or some other incentive. Identify mechanisms to permit agritourism within open space/agricultural portion of a cluster development through the open space easement. (This mechanism may be a special exception for certain uses or may be permitted by easements for other uses.) (Encourage this.) protect biodiversity and aquifer recharge areas

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Topic Area 4
Open Space and Viewshed

Issue

Logging and Clearing - Protect landowners rights to harvest trees.

Strategy

1. Create additional corridor design standards that will further protect the open space and viewsheds for the Rural Area. (i.e., develop standards that allow for the clustering of lots which create additional protection standards for open space).
2. Review examples of other jurisdictions that impose a fine for land clearing, "after the fact", given certain specified conditions (i.e., Sarasota County).
2. Review / revise current rural overlay standards and scenic corridor overlay roadway standards to further protect the scenic vistas of these roadways.

By the Large Land Holdings map:

Preserve wildlife corridors.

Create a safe way for wildlife to cross busy streets in the future.(i.e., what was done in S.R. 46 was very effective, a crosswalk under the roads. These issues very important to many registered voters.

Jeff Gillett (407) 929-9622 Preserve habitat

Do not redevelop County Corp yard

Topic Area 5
Residential Development

Issue

Preserve Rural Character

Introduction of suburban residential amenities into the Rural Area is detracting from the character of the area. The amenities include: gates, walls, fencing, entrance features and formal recreational uses. (Maintain 5-acre minimums i.e., "Seminole Woods",

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Strategy

1. Create design standards/ recommendations for the location and design for all residential amenities and amenity structures to protect the rural viewshed of the road.
2. Develop rural lighting standards.
3. Review / revise current rural overlay standards and scenic corridor overlay roadway standards to further protect the scenic vistas of these roadways.

Issue

Code Enforcement
Balance government involvement, i.e. code enforcement.

Strategy

Maintain current efforts.

Topic Area 6
Non-Residential Uses

Issue

Design

1. Uses that are permitted by right and uses permitted by Special Exceptions
2. Historic Geneva

Strategy

1. Create performance standards for all non-residential uses and non-residential development, redevelopment; and additions to existing structures especially along SR 46 in Geneva. These standards should address those elements that are required for the protection of rural character.
2. Create regulations for rural lighting standards to achieve dark skies.
3. Create specialty design standards for infrastructure in Geneva to insure the protection of the historic flavor of the area, i.e., lighting fixtures, pavers, etc. based on the support of the community.
4. Adopt regulations to address the protection of historic structures in Geneva.

Issue

Uses

1. Agri-Tourism, i.e., Big Oaks Ranch
2. Existing restaurants and small retail uses. i.e., Black Hammock Fish Camp
3. New Uses
4. Conversion of nurseries to a more intensive future use

Strategy

1. Establish criteria for uses, i.e. agritourism, within the Rural Area and special exceptions by defining the appropriate scale and design for uses.
2. Develop incentives to protect the continuation of a variety of agricultural uses (including nurseries). (Protect existing wet areas.)

Topic Area 7
Rural Infrastructure

Issue

Major Roads

The Rural Area includes roads that function as a part of a regional network that includes SR 46. Potential widening of roads may affect the rural character.

Please maintain type when roads are widened – possibly require new plantings.

Strategy

1. Maintain the current County policy to provide a rural level of service for all roadway infrastructure within the Rural Area.
2. Create cross-sections for the roadways that are identified for improvement that will insure that they are designed to protect the rural character of the area.
3. Allow cross section of CR 419 to be designed as an urban section to accommodate the Flagler Trail.
4. Revise Policy FLU 11.9 Rural Roadway System Level of Service Standards to reflect this revision in policy to permit CR 419 to be expanded east/south of the Chuluota Bypass and the widening for SR 46.

Issue

Local Roads

The paving of some unpaved roads within the Rural Area may have created an unintended consequence by providing local transportation options that affect driving habits and lead to increased traffic on these local streets.

Strategy

Re-evaluate the paving program for local roads within the Rural Area.

Issue

Stormwater

Implement the improvements identified in the Master Drainage Basin Plans that have been completed within the Rural Area.

Strategy

1. The County is to study the location and need for additional regional structures.
2. Implement control strategies required by SJRWMD for total maximum daily loads (TMDLs).

Issue

Trails

Support the establishment of a variety of types of trails within the rural area including pedestrian and equestrian facilities.

- Strategy
1. Continue to seek grants and to coordinate with other State and Federal agencies to supplement the County's trail building program.
 2. Continue efforts to connect North Flagler Trail to South Flagler Trail.

Issue

Fire Protection

Strategy

Require large residential and non-residential structures to have a sprinkler system connected to a well for fire suppression.

GROUP 4

Topic Area 1

Bill Turman (407)359-8318, "Van" Van Swearingen (407)415-2018
Protect the Boundaries of the Rural Area

Issue

Maintain Current Rural Area Boundary

Strategy

1. Strengthen standards in the Comprehensive Plan regarding maintaining the urban/rural boundary. (Both Qualify and Quantify)
2. .
3. Transitional Areas should be revised in Joint Planning Agreements (JPA) to create the "transition." In addition, specific Comprehensive Plan policies that are relevant to the treatment of transition areas should also be reflected in the JPAs (i.e., Policy FLU 11.7 prohibits the connection of Florida Avenue to Stone Street.) Transitional areas are to occur within the urban portion, prior to the rural boundary.
4. Prepare and adopt a JPA with the City of Winter Springs, with a goal of protecting the current rural boundary.
5. JPAs should also include a clarification of future densities and intensities in the Transitional Area and adjacent areas including a procedure for resolution of conflicts and/or disputes, criteria for requesting an amendment change to the urban/rural boundary and standards for cut through traffic.
6. The County will use the SCFIAM to evaluate any possible amendments to the rural boundary.

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Issue

Protect and Create Edges

Strategy

1. Create a "Ruralbelt" that physically defines the rural area by requiring a specific depth/and opacity of a defined natural vegetative buffer to distinguish the Rural Area from the Urban Area.
2. Transitional Land Uses should be created to address specific edge concerns.
3. JPAs should include performance standards for the buffering of "edge properties" that include opacity standards. These standards should also be reflected in the County's LDC where appropriate to buffer rural uses from the Urban Area.

Issue

Land Use Density

Strategy

1. The basic structure of land use and zoning should be maintained.
2. The method of calculating net residential density should be maintained.

Topic Area 2
Water Supply

Issue

Geneva Lens

Strategy

Prepare a carrying capacity analysis and establish a consistent method to monitor the wells. Seek grants and/or participation from the SJRWMD or DEP for this detailed analysis of the Geneva Lens.

Issue

Black Hammock Water Service Area

Strategy

1. Maintain and limit service to residential customers only.

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Topic Area 3
Existing Agricultural/ Large Land Holdings

Issue

Development Potential □ Large tracts of land that are currently undeveloped provide the most significant opportunities for future development and could potentially have a significant impact on the rural landscape.

Strategy

1. County should actively pursue (PDR) agreements with large agricultural land holdings which allow flexibility to protect the current agriculture production.
2. The County should continue to explore the possibility of creating mitigation banks in the Rural Area and efforts to acquire lands through the County's Natural Lands Program.

Issue

Protection of Existing Rights

Revisions to the Rural Area policies should not create undue hardship or negative economic impacts to the families that have been exceptional stewards of the land for generations.

Strategy

Rural Cluster Development --Refine rural subdivision standards for clustering and the protection of the agricultural lands to include additional tools and incentives for cluster development including the possibility of Transfer of Development Rights (TDR), Governmental agricultural leases, or some other incentive. Identify mechanisms to permit agritourism within open space/agricultural portion of a cluster development through the open space easement. (This mechanism may be a special exception for certain uses or may be permitted by easements for other uses.)

Topic Area 4
Open Space and Viewshed

Issue
Logging and Clearing

Strategy

1. Create additional corridor design standards that will further protect the open space and viewsheds, within the Rural Area. (i.e., develop standards that allow for the clustering of lots which create additional protection standards for open space).
2. Review examples of other jurisdictions that impose a fine for land clearing, "after the fact", given certain specified conditions (i.e., Sarasota County) and implement a similar program.
3. Review / revise current rural overlay standards and scenic corridor overlay roadway standards to further protect the scenic vistas of these roadways.

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Topic Area 5
Residential Development

Issue
Preserve Rural Character
Introduction of suburban residential amenities into the Rural Area is detracting from the character of the area. The amenities include: gates, walls, fencing, entrance features and formal recreational uses.

Strategy

1. Create design standards/ recommendations for the location and design for all residential amenities and amenity structures to protect the rural viewshed of the road.
2. Develop rural lighting standards.
3. Review / revise current rural overlay standards and scenic corridor overlay roadway standards to further protect the scenic vistas of these roadways.

Issue

Code Enforcement

Balance government involvement, i.e. code enforcement.

Strategy

Maintain current efforts.

Topic Area 6*Non-Residential Uses***Issue**

Design

1. Uses that are permitted by right and uses permitted by Special Exceptions
2. Historic Geneva

Strategy

1. Create performance standards for all non-residential uses and non-residential development, redevelopment; and additions to existing structures especially along SR 46 in Geneva. These standards should address those elements that are required for the protection of rural character.
2. Create regulations for rural lighting standards to achieve dark skies.
3. Create specialty design standards for infrastructure in Geneva to insure the protection of the historic flavor of the area, i.e., lighting fixtures, pavers, etc. based on the support of the community.
4. Adopt regulations to address the protection of historic structures in Geneva.

Issue

Uses

1. Agri-Tourism, i.e., Big Oaks Ranch
2. Existing restaurants and small retail uses. i.e., Black Hammock Fish Camp
3. New Uses

Deleted: 4. Conversion of nurseries to a more intensive future use

Strategy

1. Establish criteria for uses, i.e. agritourism, within the Rural Area and special exceptions by defining the appropriate scale and design for uses.
2. Develop incentives to protect the continuation of a variety of agricultural uses (including nurseries).

Topic Area 7*Rural Infrastructure*

Issue

Major Roads

The Rural Area includes roads that function as a part of a regional network that includes SR 46. Potential widening of roads may affect the rural character.

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Strategy

1. Maintain the current County policy to provide a rural level of service for all roadway infrastructure within the Rural Area.
2. Create cross-sections for the roadways that are identified for improvement that will insure that they are designed to protect the rural character of the area.
3. Allow cross section of CR 419 to be designed as an urban section to accommodate the Flagler Trail.
4. Revise Policy FLU 11.9 Rural Roadway System Level of Service Standards to reflect this revision in policy to permit CR 419 to be expanded east/south of the Chuluota Bypass and the widening for SR 46. We don't know enough of this to agree or not???

Issue

Local Roads

The paving of some unpaved roads within the Rural Area may have created an unintended consequence by providing local transportation options that affect driving habits and lead to increased traffic on these local streets.

Strategy

Re-evaluate the paving program for local roads within the Rural Area.

Look into bike paths along major roads so people can get from one area to another.

Issue

Stormwater

Implement the improvements identified in the Master Drainage Basin Plans that have been completed within the Rural Area.

Strategy

1. The County is to study the location and need for additional regional structures.
2. Implement control strategies required by SJRWMD for total maximum daily loads (TMDLs).

Issue

Trails

Support the establishment of a variety of types of trails within the rural area including pedestrian and equestrian facilities.Strategy

1. Continue to seek grants and to coordinate with other State and Federal agencies to supplement the County's trail building program.
2. Continue efforts to connect North Flagler Trail to South Flagler Trail.

Issue

Fire Protection

Strategy

Require large residential (clarify?? Questions requiring sprinkler system or requiring it be from a well) and non-residential structures to have a sprinkler system connected to a well for fire suppression.

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GROUP 5

Topic Area 1

Protect the Boundaries of the Rural Area

Issue

Maintain Current Rural Area Boundary

Strategy

1. Refine standards in the Comprehensive Plan regarding amending the urban/rural boundary. (Both Qualify and Quantify)
2. Require (SCFIAM) John T. Public/ /Staff, Want is validity/How compare other similar county to amend the boundary.
3. Transitional Areas should be revised in Joint Planning Agreements (JPA) to create the "transition." In addition, specific Comprehensive Plan policies that are relevant to the treatment of transition areas should also be reflected in the JPAs (i.e., Policy FLU 11.7 prohibits the connection of Florida Avenue to Stone Street.)
4. Prepare and adopt a JPA with the City of Winter Springs.
5. JPAs should also include a clarification of future densities and intensities in the Transitional Area and adjacent areas including a procedure for resolution of conflicts and/or disputes, criteria for amending the urban/rural boundary and standards for cut through traffic.
6. The County should use the SCFIAM.

Issue

Protect and Create Edges

Strategy

1. Create a "Ruralbelt" (transitional zoning versus buffering - with pre-established buffers Bonds on buffer) that physically defines the rural area by requiring a specific depth/and opacity of a defined natural vegetative buffer to distinguish the Rural Area from the Urban Area.
2. Transitional Land Uses should be created to address specific edge concerns.
3. JPAs should include performance standards for the buffering of "edge properties" that include opacity standards. These standards should also be reflected in the County's LDC where appropriate to buffer rural uses from the Urban Area.

A strict \$\$ enforcement *blend/shave transitional

Issue

Land Use Density

Introduction of suburban residential amenities into the Rural Area is detracting from the character of the area. The amenities include: gates, walls, fencing, entrance features and formal recreational uses,

Amenities not limited to: What about on the boundary areas

Conservation (perimeters ?) surface

Tie to JPS's

Viewshed Reqs

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Strategy

1. Create design standards/ recommendations for the location and design for all residential amenities and amenity structures to protect the rural viewshed of the road.

2. Develop rural lighting standards.

Tie to HOA concerns - define and develop to achieve dark skys

3. Review / revise current rural overlay standards and scenic corridor overlay roadway standards (define develop tie to JPA) to further protect the scenic vistas of these roadways.

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Issue

Code Enforcement

Balance government involvement, i.e. code enforcement.

Randall Arend!

Conservation communities

Strategy

Maintain current efforts.

Topic Area 6

Non-Residential Uses

Issue

Design

1. Uses that are permitted by right and, implement and use design standards including churches, day cares, permitted by Special Exceptions

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2. Historic Geneva

Strategy

Strategy

1. The basic structure of land use and zoning should be maintained.
2. The method of calculating net residential density should be maintained.

What is update #1 hydrology study for use water surrounding the lens – Is it about protection or development money.

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Topic Area 2

Water Supply

Issue

Geneva Lens – #1 Salt water *wells being drilled. *monitoring, quality maintainig

Strategy

Prepare a carrying capacity analysis and establish a consistent method to monitor the wells. Seek grants and/or participation from the SJRWMD or DEP for this detailed analysis of the Geneva Lens.

Issue

Black Hammock Water Service Area

Strategy

1. Maintain and limit service to residential uses only.

Topic Area 3

Existing Agricultural/ Large Land Holdings

Issue

Development Potential*

Large tracts of land that are currently undeveloped provide the most significant opportunities for future development and could potentially have a significant impact on the rural landscape.

Strategy

1. County should actively pursue (PDR) agreements with large agricultural land holdings which allow flexibility to protect the current agriculture production.

2. The County should continue to explore the possibility of creating mitigation banks in the Rural Area and efforts to acquire lands through the County's Natural Lands Program.

Issue

Protection of Existing Rights

Revisions to the Rural Area policies should not create undue hardship or negative economic impacts to the families that have been exceptional stewards of the land for generations.

Strategy

Rural Cluster Development --Refine rural subdivision standards for clustering and the protection of the agricultural lands to include additional tools and incentives for cluster development including the possibility of Transfer of Development Rights (TDR), Governmental agricultural leases, or some other incentive. Identify mechanisms to permit agritourism within open space/agricultural portion of a cluster development through the open space easement. (This mechanism may be a special exception for certain uses or may be permitted by easements for other uses.) (Long term lease or natural lands reasonable fair use of land, rural sustainability.

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Topic Area 4

Open Space and Viewshed

Issue

Logging and Clearing - Using conservation design

Strategy

1. Create additional corridor design standards that will further protect the open space and viewsheds for the Rural Area. (i.e., develop standards that allow for the clustering of lots which create additional protection standards for open space).

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2. Review examples of other jurisdictions that impose a fine for land clearing, "after the fact", given certain specified conditions (i.e., Sarasota County) and implement.

3. Review / revise current rural overlay standards and scenic corridor overlay roadway standards to further protect the scenic vistas of these roadways.

Comments regarding "Large Land Holdings Map"

*access land/tree inventory

(non-invasive)

*selective

(wildlife corridors)

*replacement with "good" trees useful to environment /animals wildlife

Topic Area 5

Residential Development

Issue

Preserve Rural Character

1. Create performance standards for all non-residential uses and non-residential development, redevelopment; and additions to existing structures especially along SR 46 in Geneva. These standards should address those elements that are required for the protection of rural character.
2. Create regulations for rural lighting standards to achieve dark skies.
3. Create specialty design standards for infrastructure in Geneva to insure the protection of the historic flavor of the area, i.e., lighting fixtures, pavers, etc. based on the support of the community.
4. Adopt regulations to address the protection of historic structures in Geneva.

Issue

Uses

1. Agri entertainment, i.e., Big Oaks Ranch – No amplified music
2. Existing restaurants and small retail uses. i.e., Black Hammock Fish Camp
3. New Uses
4. Conversion of nurseries to a more intensive future use?

Deleted: Agri-Tourism

Strategy

1. Establish criteria for uses, i.e. agritourism, within the Rural Area and special exceptions by defining the appropriate scale and design for uses. YEAH!!!
2. Develop (define promote LONGTERM) incentives to protect the continuation of a variety of agricultural uses (including nurseries).

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Topic Area 7

Rural Infrastructure

Issue

Major Roads

The Rural Area includes roads that function as a part of a regional network that includes SR 46. Potential widening of roads may affect the rural character.

Strategy

1. Maintain the current County policy to provide a rural level of service for all roadway infrastructure within the Rural Area. (NO CURB GUTTER)
2. Create cross-sections for the roadways (design standards) that are identified for improvement that will insure that they are designed to protect the rural character of the area.
3. Allow cross section of CR 419 to be designed as an urban section to accommodate the Flagler Trail. (NO WAY)
4. Revise Policy FLU 11.9 Rural Roadway System Level of Service Standards to reflect this revision in policy to permit CR 419 to be expanded east/south of the Chuluota Bypass and the widening for SR 46. ?(DRAINAGE ISSUES – REGIONAL STORMWATER REVIEWS)

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Issue

Local Roads

The paving of some unpaved roads within the Rural Area may have created an unintended consequence by providing local transportation options that affect driving habits and lead to increased traffic on these local streets.

Strategy

Re-evaluate the paving program for local roads within the Rural Area.

Issue

Stormwater (Issues with roads and swales)

Implement the improvements identified in the Master Drainage Basin Plans that have been completed within the Rural Area.

Strategy

1. The County is to study the location and need for additional regional structures.
2. Implement control strategies required by SJRWMD for total maximum daily loads (TMDLs).

Issue

Trails

Support the establishment of a variety of types of trails within the rural area including pedestrian and equestrian facilities.Strategy

1. Continue to seek grants and to coordinate with other State and Federal agencies to supplement the County's trail building program.
2. Continue efforts to connect North Flagler Trail to South Flagler Trail. (Need to encourage

Issue

Fire Protection

Strategy

Require large residential and non-residential structures to have a sprinkler system connected to a well for fire suppression.

GROUP 6

Topic Area 1

Protect the Boundaries of the Rural Area

Issue

Maintain Current Rural Area Boundary

Strategy

1. Refine standards in the Comprehensive Plan regarding amending the urban/rural boundary. (Both Qualify and Quantify)
2. Require (SCFIAM) to amend the boundary.
3. Transitional Areas should be revised in Joint Planning Agreements (JPA) to create the "transition." In addition, specific Comprehensive Plan policies that are relevant to the treatment of transition areas should also be reflected in the JPAs (i.e., Policy FLU 11.7 prohibits the connection of Florida Avenue to Stone Street.)
4. Prepare and adopt a JPA with the City of Winter Springs.
5. JPAs should also include a clarification of future densities and intensities in the Transitional Area and adjacent areas including a procedure for resolution of conflicts and/or disputes, criteria for amending the urban/rural boundary and standards for cut through traffic.
6. The County should use the SCFIAM.

Issue

Protect and Create Edges

Strategy

1. Create a "Ruralbelt" that physically defines the rural area by requiring a specific depth/and opacity of a defined natural vegetative buffer to distinguish the Rural Area from the Urban Area. (On both side of boundry)
2. Transitional Land Uses should be created to address specific edge concerns. (On urban side of boundry)
3. JPAs should include performance standards for the buffering of "edge properties" that include opacity standards. These standards should also be reflected in the County's LDC where appropriate to buffer rural uses from the Urban Area.

Issue

Land Use Density

Strategy

1. The basic structure of land use and zoning should be maintained.
2. The method of calculating net residential density should be maintained.

Topic Area 2
Water Supply

Issue

Geneva Lens

Strategy

Prepare a carrying capacity analysis and establish a consistent method to monitor the wells. Seek grants and/or participation from the SJRWMD or DEP for this detailed analysis of the Geneva Lens.

Issue

Black Hammock Water Service Area

Strategy

1. Maintain and limit service to residential uses only.

Topic Area 3

Existing Agricultural/ Large Land Holdings

Issue

Development Potential □ Large tracts of land that are currently undeveloped provide the most significant opportunities for future development and could potentially have a significant impact on the rural landscape.

Strategy

1. County should actively pursue (PDR) agreements with large agricultural land holdings which allow flexibility to protect the current agriculture production.
2. The County should continue to explore the possibility of creating mitigation banks in the Rural Area and efforts to acquire lands through the County's Natural Lands Program.

Issue

Protection of Existing Rights

Revisions to the Rural Area policies should not create undue hardship or negative economic impacts to the families that have been exceptional stewards of the land for generations.

Strategy

Rural Cluster Development --Refine rural subdivision standards for clustering and the protection of the agricultural lands to include additional tools and incentives for cluster development including the possibility of Transfer of Development Rights (TDR), Governmental agricultural leases, or some other incentive. Identify mechanisms to permit agritourism within open space/agricultural portion of a cluster development through the

open space easement. (This mechanism may be a special exception for certain uses or may be permitted by easements for other uses.) (No net increase in units - No density bonus - No DGRD Restrictions or dedication on all open space/conservation.

Topic Area 4

Open Space and Viewshed and Environmental
Identify and create viable habitats environmental corridors

Issue

Logging and Clearing - Exemption from requirements - control light pollution - control/limit lighting in specific area (sp?) to retain community character

Strategy

1. Create additional corridor design standards that will further protect the open space and viewsheds for the Rural Area. (i.e., develop standards that allow for the clustering of lots which create additional protection standards for open space).
2. Review examples of other jurisdictions that impose a fine for land clearing, "after the fact", given certain specified conditions (i.e., Sarasota County).
3. Review / revise current rural overlay standards and scenic corridor overlay roadway standards to further protect the scenic vistas of these roadways.

Topic Area 5

Residential Development

Issue

Preserve Rural Character

Introduction of suburban residential amenities into the Rural Area is detracting from the character of the area. The amenities include: gates, walls, fencing, entrance features and formal recreational uses.

Strategy

1. Create design standards/ recommendations for the location and design for all residential amenities and amenity structures to protect the rural viewshed of the road.
2. Develop rural lighting standards.
3. Review / revise current rural overlay standards and scenic corridor overlay roadway standards to further protect the scenic vistas of these roadways.

Issue

Code Enforcement

Balance government involvement, i.e. code enforcement.

Strategy

Maintain current efforts.

Topic Area 6*Non-Residential Uses***Issue**

Design

1. Uses that are permitted by right and uses permitted by Special Exceptions
2. Historic Geneva

Strategy

1. Create performance standards for all non-residential uses and non-residential development, redevelopment; and additions to existing structures especially along SR 46 in Geneva. These standards should address those elements that are required for the protection of rural character.
2. Create regulations for rural lighting standards to achieve dark skies.
3. Create specialty design standards for infrastructure in Geneva to insure the protection of the historic flavor of the area, i.e., lighting fixtures, pavers, etc. based on the support of the community.
4. Adopt regulations to address the protection of historic structures in Geneva.

Issue

Uses

1. Agri-Tourism, i.e., Big Oaks Ranch
2. Existing restaurants and small retail uses. i.e., Black Hammock Fish Camp
3. New Uses
4. Conversion of nurseries to a more intensive future use
5. Communication towers - antenna - locate on power poles - incompatible with rural character.

Strategy

1. Establish criteria for uses, i.e. agritourism, within the Rural Area and special exceptions by defining the appropriate scale and design for uses (impact to surrounding area).
2. Develop incentives to protect the continuation of a variety of agricultural uses (including nurseries).

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Topic Area 7*Rural Infrastructure***Issue**

Major Roads

The Rural Area includes roads that function as a part of a regional network that includes SR 46. Potential widening of roads may affect the rural character.

Strategy

1. Maintain the current County policy to provide a rural level (limit speeds) of service for all roadway infrastructure within the Rural Area.
2. Create cross-sections for the roadways that are identified for improvement that will insure that they are designed to protect the rural character of the area.
3. Allow cross section of CR 419 (control posted speeds and LOS "B" or heighten to capacity increase needs to be offset to not allow road to be used as an excuse to destroy rural protections) be designed as an urban section to accommodate the Flagler Trail.
4. Revise Policy FLU 11.9 Rural Roadway System Level of Service Standards to reflect this revision in policy to permit CR 419 to be expanded east/south of the Chuluota Bypass and the widening for SR 46.

Issue

Local Roads

The paving of some unpaved roads within the Rural Area may have created an unintended consequence by providing local transportation options that affect driving habits and lead to increased traffic on these local streets.

Strategy

Re-evaluate the paving program (reassess old decisions – mitigate impacts) for local roads within the Rural Area.

Issue

Stormwater

Implement the improvements identified in the Master Drainage Basin Plans that have been completed within the Rural Area. (Treatment systems must be natural in appearance and functional plantings)

Strategy

1. The County is to study the location and need for additional regional structures.
2. Implement control strategies required by SJRWMD for total maximum daily loads (TMDLs).

Issue

Trails

Support the establishment of a variety of types of trails within the rural area including pedestrian and equestrian facilities.

Strategy

1. Continue to seek grants and to coordinate with other State and Federal agencies to supplement the County's trail building program.
2. Continue efforts to connect North Flagler Trail to South Flagler Trail.

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Issue

Fire Protection

Strategy

Require large residential and non-residential structures to have a sprinkler system connected to a well for fire suppression.

P:\18\18627 - Seminole County Rural Area Plan\Technical\results from workshops\Comments from Rural Land Study Workshop 2-24-05.doc

COMMUNITY INPUT FROM RURAL LANDS MEETING – 11/30/04

BLACK HAMMOCK AREA

Issues #1

1. Picturesque
2. Good drainage
3. Good neighbors
4. Privacy
5. Wildlife
6. Revitalize Lake Jesup
7. Mix of uses
8. Preserved open space
9. Maintain large lots
10. Limit regulations
11. Low cut thru traffic
12. People
13. Transition form urban to rural
14. Low density, large lots
15. Great diversity in lifestyle
16. Hold on to sense of history
17. Eco-diversity
18. Better climate (micro-climate)
19. Sense of place
20. Non-transient
21. Sense of family
22. Reverse evils of other community

Issues #2

1. Pick strawberries
2. Horses and horseback riding
3. Hiking in wilderness area
4. Airboat tours
5. Peace and quiet (enjoy same)
6. Tree canopy – Florida Avenue
7. Bird Island
8. Plant life
9. Hidden springs
10. Canoeing and kayak
11. Historic resources
12. Fishing
13. Wildlife observation
14. Fish camp

Issues #3

1. Hands off
2. Limit development
3. Develop good joint planning agreement between other cities
4. Fire hydrants
5. Potable water
6. Fix drainage (define what we need to fix)
7. Value wetlands
8. Restore tree canopy
9. Protect ground water
10. Wildflowers along roadways
11. Limit road building

Exercise #2

1. Open space and preservation and conservation
2. Passive and active recreation
3. Land use
 - a. Concern/industrial
 - b. Agriculture/primary
4. Fish camp-limit impacts
5. NO commercial
6. NO RV parks (campgrounds)
7. NO increase in density

Other

1. Enforce tree ordinance
2. Lack of code enforcement
3. Cottage industries
4. Limit population
5. Balancing rights of community
6. Growth of traffic pattern at airport
7. Groundwater mining
8. Growth of traffic
9. Adoption and maintenance of future land use map
10. Maintain and repair drainage
11. Acquisition of historical and natural resources – historical markers
12. Maintaining existing parks
13. Clearly identify boundaries of community
14. Identify rural roadway standards – enforce them
15. Natural land habitat
16. Educational program for sustainability community
17. Manage gator population
18. Purchasing development rights
19. Control exotic invasive species

20. Restoration of Lake Jesup
21. Truth in real estate
22. Clean out natural streams - remove storm debris
23. Maintain natural character

CHULUOTA AREA

Issues

1. Large lot residential
2. No street lights
3. Trees
4. Lakes for fishing
5. See stars at night
6. Community involvement
7. Quiet
8. Clean air
9. Less traffic congestion
10. Friendly people
11. Less development restrictions
12. Allows for animals
13. Need for horse trails
14. Agri-entertainment
15. Historic rural character/historic structures
16. Converted RR ROW to a trail
17. Multi-recreational uses
18. Lack of sidewalks
19. Wildlife corridors
20. Natural lands plus limited development
21. Bury power lines
22. Permanently urban/rural boundary defined
23. Easy to establish roots
24. Public safety
25. Wildlife of all kinds
26. Concern over urban-rural transition
27. Sounds of nature
28. No gated/walled development
29. Nonresidential design standards for future
30. Architecture fits community
31. Safety for long walks
32. Maintain fresh drinking water
33. Freedom from restrictions
34. Locally owned businesses
35. No chains (big boxes)
36. Use of wells over city water
37. Simple rural regulations
38. Maintain Comp Plan
39. No developer handouts
40. Code enforcement

CHULUOTA AREA CATEGORIES

Rural/Services	Detracts	Reinforces
<p>Infrastructure - no sidewalks. Transportation - less congestion. Wells - no sewer service. Underground power lines. EMT - response time is high level.</p>	<p>Semi trucks crossing road. Maintain CR 419 - debris not cleaned. Roads are not rural in character. Protect entranceways into community.</p>	<p>Maintain County roads. No sidewalks. Low speeds/small lanes. EMT maintain good response rate.</p>
Open Space	Detracts	Reinforces
<p>Wetlands protection. Recreation-trails, horses, and fishing. Trees. Agri-entertainment. Sewage dumping.</p>		<p>County enforce tree ordinance/replacement not being enforced.</p>
Strong Sense of Community	Detracts	Reinforces
<p>Safety. "Hometown businesses". Historic. Sounds of nature. Friendly.</p>		
Scenic Views	Detracts	Reinforces
<p>Dark skies-no lighting. Underground power lines. Wildlife. Trees.</p>	<p>Lack of standards. Oviedo development-light pollution.</p>	<p>Design standards for light pollution.</p>

CHULUOTA AREA CATEGORIES

Government	Detracts	Reinforces
Responsibility -city/county on sewage disposal (sludge). Freedom from restrictions. Simple regulations. Urban/rural boundary. Transitioning from city to county (transition on city side). Comp Plan - maintain open space.	Sewage affects wilderness area. No handouts for developers.	Amendment follow through. Develop "true" cluster development. Regulate adjacencies – city/county. Establish rural area. Stay true to Comp Plan. High quality roofing complements rural area.
Design	Detracts	Reinforces
Commercial No gates or walls. Historic elements. Nonresidential uses (lighting).		
Natural Resources	Detracts	Reinforces
Water quality. Protection of resources. Great water quality. Fresh air. Sewage disposal.		
Residential	Detracts	Reinforces
Large lot. Mix of animals. No gates or walls. Shared humans with wildlife – no boundaries. Lighting (sensors) on homes.		

GENEVA AREA

Exercise #1

1. Historic buildings
2. Lovely scenic water
3. Unique shopping (no strip mall)
4. Community spirit - we're together
5. Hiking trails
6. Wildlife
7. Peace and quiet
8. Good fishing
9. Open space
10. Alternate transit options
11. community activities
12. Home grown feeling
13. Community has control over land use, not cities
14. No high density residential
15. Nonresidential design standard for downtown
16. Trees
17. Great school
18. No high density commercial/industrial
19. No non agriculture industry
20. Not industrial level agriculture
21. Better roads to get home.
22. More equestrian trails
23. No more commercial wells into bubble
24. No direct drainage into bubble
25. Beautify borrow pit
26. No gated community and no HOAs
27. More dirt roads, not paved
28. "Model Rural Area"
29. No net loss of Rural Area
30. "Sidewalks" around schools
31. Equestrian access
32. Good code enforcement
33. Clean roads
34. Beautiful Park on Lake Harney
35. Sanford spray fields all natural lands
36. No airplanes
37. More natural lands by County
38. Close landfill and make into a park

Exercise #1

1. Open spaces
2. Preserve historic Geneva
3. Scenic natural places
4. Quantity of natural resources
5. Road access
6. Rural LOS

GENEVA AREA CATEGORIES

Natural Resources -Water

Carrying capacity of Geneva Lens.
Limited volume in lens – safety net standards addresses the quantity/quality of lens.

Traffic

Osceola Road – landfill.
Lockwood Road/bike path conflict.
SR 46 – bisects community.
Widen, if necessary, tastefully.
Cut thru traffic – Old Mims Road.
2nd Street speed.

Historic Character

Nonresidential design standards.
Design elements in the village.
Decorative street lighting, signs, entrance features.

Code Enforcement

Land clearing-logging.
Enforcement of Arbor Ordinance.
Keep densities down – nor more subdivisions- impacts on schools.
Enforce/police lake for airboats.
Maintain rural densities – 5/10 acre lots.
Truck traffic – trucks being brought home.
Access to bridle paths – trails – new fences put up.
Protection of easements.
Stay the way it is.
Agricultural incentives- stay rural/active agriculture.
Don't over regulate.
No new bridges over the St. Johns River.
No more reductions in density.
Net v Gross Density – “net buildable lot” - how the County calculates density.
Noise-Recreational Uses.

Scribe Note: Not sure all the above fall under Code Enforcement.

**SEMINOLE COUNTY
RURAL LAND STUDY
COMMENT FORM
February 24, 2005**

TOPIC AREA 1: Protect the Boundaries of the Rural Area

This is the most important topic. Seminole Co. government must stop the continual piecemeal high density housing development into the current Boundary of the Rural Area. (Eric Peterson 407.977.7783)

Transitional Zoning vs. Buffering
Pre-establishes standards
Bonds tied to buffers
Strict enforcement \$\$ fines not slap on the wrist

TOPIC AREA 2: Water Supply

The problem of water supply is directly linked to increased urban development. Water supply is currently adequate but as Orange County and Western Seminole County allow more dense urban development the water supply will be in serious jeopardy. (Eric Peterson 407.977.7783)

Wells monitoring
Update on Hydrology Study for areas feeding the LENS

TOPIC AREA 3: Existing Agriculture/Large Land Holdings

It would be nice to believe that Seminole County will not rezone the large land tracts to allow high density urban sprawl. (Eric Peterson 407.977.7783)

TOPIC AREA 4: Open Spaces and Viewsheds

TOPIC AREA 5: Residential Development *

Boundary areas tied
Use permeable services
Tie to JPAs
View shed Reqs
Conservation community design ADA Randall Arendt

TOPIC AREA 6: Non-Residential Uses

TOPIC AREA 7: Rural Infrastructure

**STAKEHOLDERS' QUESTIONS & RESPONSES
FEBRUARY 24, 2005**

1. **Where do you live in the Rural Area? How long have you lived there? Why did you choose to live there? Do you have pasture land or a working farm on your property?**

Stone Street
Florida & 426
Shared photos
Lockwood Estes – 75x90
210 homes on 72 buildable acres
Concerned about (Marsha Porkorney, 1270 Stone Street)

Comp Plan
Geneva, main street adjacent to elementary lives in the center of line (boundary?)
(Rocky Harrelson , Geneva)

Represents large land owners, individual property and develop single land
Building might impact development

Important

Expectations for future
Clients on water, speak to process and around system. Clear expectations (Melonie Chase, Attorney)

Taintsville boundary – Snowhill Rd., Chuluota
Next generation of standards – Chuluota design standards

Reasonable strict and expensive to develop
Make easy to friendly windows
Interpreting of code
1) Rural flower
2) Lighting
3) Signs
a. New daycare – 1 million dollars to design 50,008 sq. ft.

Rigid Standards

- o Parking
- o Non standards
- o Setbacks
- o Materials
- o Pondshave metal fencing (Deborah Schaffer “Chuluota”)

Comp Plan
Geneva, Main Street adjacent to elementary
Lives in the center of Lins (Rocky Harrelson, “Geneva”)

**STAKEHOLDERS' QUESTIONS & RESPONSES
FEBRUARY 24, 2005**

1880's
1956's Snowhill Road
4,000 acres under water
Agriculture
Cattle
Hunting lease
Timber
Sod
Hay

8410 acres

98' sold
3400 acres conservation NOD's no ditches
SJRWMD – sold development rights (Yarborough)

Letter Seminole Woods, Geneva
Rural area, integrity as a whole
Black Hammock & Chuluota more concerned to keep it together while identifying consequences
Bttanknock – Get good standards for whole area, non-residential standards, “village motif” in Geneva (Dick Creedon – Geneva)

Challenge – Find balance all % need to be fairly representative
Maintain rural area an equitable basis
Farms: cattle, sod farms, nursery's (Nick Whiting – large land holder/Geneva)

Not in rural area, Sweetwater Oaks
Code enforcement board
1. Violations of mobile homes, unauthorized to have mobile home (not only sewage) they could get access to wells and electricity.
2. Using as a dump site. (Bill Fahey)

LK Harney – after the hurricanes
Old Baptist, vault, depot, school
8 churches in Geneva
Methodist Church oldest (Darla Scoles, Mary Jo – Geneva Historical Society)

Foresters brought in to be told what should be brought in there.
Drive is pleasant, large lots, not on top of each other.
Wild pigs
Worked from home
Own little “oasis”
Preserve serenity (Linda Dieters- Seminole Woods '93)

**STAKEHOLDERS' QUESTIONS & RESPONSES
FEBRUARY 24, 2005**

25 years – 20 acres – Real Estate Business Association
Bought and sold over 100 acres – 20 acres he will not sell (Jim Logue – Presides Black Hammock)

Draw circles around development in Chuluota
Rural Boundary, better defined there is no clear transition. Buffer to be created.
(Commissioner Carey)

2. What is it about your area that you love most?

Ask County to abandon Section Stone Rd so it can't be pushed through. Ask commissioner for help.
Vacate roads,
Bob Wolfe, Tony Trippe
Floridave
Lockwood Avenue, expanded stone streets, it could create a bypass (Marsha Porkorney, 1270 Stone Street)

Piece of the woods
Fertilizer, destroy the area, septicides, developments
If we can project build out (2017) you should be able to manage building
(RockyHarrelson, Geneva)

How to address it all?

Not clear standards
Balance, create
Case by case basis
1) Jurisdictional waterways
2) Buildable/not buildable
(Melonie Chase, Attorney)

Cracker Barrel “feel”
Black Hammock developed rural area and feel
Downtown Geneva should be an overlay
How to draw the line
Paleochii 700 acres (Deborah Schaffer “Chuluota”)

Piece of the woods
Fertilizer; destroy the area, pesticides, developments
If we can project build out (2017) you should be able to manage buildings (Rocky Harrelson, “Geneva”)

River east boundary → creek

STAKEHOLDERS' QUESTIONS & RESPONSES
FEBRUARY 24, 2005

2 years they haven't done any sledge

Rural Development

Sunshine Heights, check land use zonings (Yarborough)

Institutional Uses

County Church

→ Light up

→ Stabilized unpaved parking lots

Equal enforcement

Lorraine Whiting

Wait to avoid

a. We don't want to look like Marathon gas station, do them tastefully

b. Ideas – grant issues, Geneva doesn't have any money or long term plan in stages, 1st step evaluate whole area. (Dick Creedon – Geneva)

1880's family came to the area

Way to address development and preservation

Recognize diverse interests and recognizes, address inclusive basis to share thoughts

Look at boundaries that are around wilderness or public lands. See how the density/acre transition from it.

Large Landholdings – Yarboroughs

Allow them to calculate density gross to yield more development establish large tracts of land. (Nick Whiting – large land holder/Geneva)

Junk cars, keeping landscape natural, not manicured

Successful code compliance

Rural Area Δ

1970's Sweetwater was rural with horses

Wildlife

Latitude in C.E. for Rural Area possible school in Geneva. (Nick Whiting – large land holder/Geneva)

3rd Saturday of the month – Bluegrass

Bus tours

Pancake Breakfast

All organizations meet

Geneva email – monthly, talks about comments events.

Henry Levy Mullet Park Δed to address stipulation

Transportation issue, 426 has become bigger traffic flow peak hours

Metroplan 2025 – SR 46 anticipated (Linda Dieters- Seminole Woods '93)

What is Black Hammock about? 6,000 acres

Everyone is neighborhoods – Marsha lives two miles apart but there is a sense of community.

STAKEHOLDERS' QUESTIONS & RESPONSES
FEBRUARY 24, 2005

Population is problem
He doesn't want commercial built, shopper center
Cluster homes – allow more residential need to make easements (Rocky Harrelson ,
Geneva)

Distinct entranceway to help indentify
Where you have arrived
Diversity of homes in character

JPA → Sanford transition has been lacking
Winter Springs Willingham & Snowhill Rd.
Oviedo PUD's are coming in next to 5-acre tracts
Transition should be at _____ (Deborah Schaffer "Chuluota")

Population is problem
He doesn't want commercial built shopping center
Cluster Homes – allow more residential need to make easements (Rocky Harrelson,
"Geneva")

Wants to see Geneva grow to a point uptown orange grove areas, in a trust
Ranchland is still under restriction
Oresking or Snowhill Road (Yarborough)

Don't lose sight of what the area is. Like being.....
Handyway
Frances Presentation end of February – things we heard you say –ways to address (Linda
Dieters- Seminole Woods '93)

Coop gardens grow radishes M5-acre lots
Create a place that is organic
Acres not being lived on
"Organic" Black Hammock
Need an identity ← protect and brand the area
Only area that has organic
David Rockefeller (← Who is this?) – wants to fund things like this (Jim Logue –
Presides Black Hammock)

Specialty lighting in Geneva – only if supported by the people
*Sketch out the range of develop:

- 1 du - visually show this to explain
- 3 du – acre - visually show this to explain
- 5 du – acre - visually show this to explain (Commissioner Carey)

STAKEHOLDERS' QUESTIONS & RESPONSES
FEBRUARY 24, 2005

5. Tell me what you think about the existing land use patterns in the Rural Area? i.e., the mix of large lot homes and agricultural uses.

Pursuing creation of watershed district

Met with 2 nurseries, landscape business to maintain it (Marsha Porkorney, 1270 Stone Street)

Sidewalks, street lights to match concept. Only if people support N/S sidewalks should be extended E/W. Balanced growth. Don't want to be a city. (Rocky Harrelson, Geneva)

Nursery's and redevelopment of the sites

No gates should be allowed

Chuluota, "estate" development (Deborah Schaffer "Chuluota")

Sidewalks, street lights to match concept. Only if people support N/S sidewalks should be extended E/W.

Balanced growth. Don't want to be a city. (Rocky Harrelson, "Geneva")

Preserve Geneva Bubble

Old Logan Store – Main St./2nd St.

Stewart House – 1st Black family/Old Geneva Rd.

Alexander – Lake Geneva/Jeneca Ct./Cypress shingles had out (Darla Scoles, Mary Jo – Geneva Historical Society)

Create business plan

Look at property

Identity ~ organic farm concept

Coop. Black Hammock world famous products that were raised one's that are profitable.

Mirco climate 10°. The lake warms the area good for agriculture never had orange grove freeze. (Jim Logue – Presides Black Hammock)

Look at where are they if they are going to expand? Private water companies.
(Commissioner Carey)

6. What do you think needs to be done to maintain a rural character?

Cambridge homes asked Black Hammock association to help design the development.

They did:

Fence setbacks from the road, planting trees in front.

Restore some of the natural water flows SWRMD, Water Park

STAKEHOLDERS' QUESTIONS & RESPONSES
FEBRUARY 24, 2005

Educate current land owners on conservation design. (Marsha Porkorney, 1270 Stone Street)

Water supply issues distilling desalination plants. Looking at 10-20 years technology built today. (Rocky Harrelson , Geneva)

Attorney
DEP & SJWMD is more of an issue
Δ standards

How does the County deal with clearly stating process & requirements from other jurisdictions (Melonie Chase, Attorney)

Would like to be considered together. Didn't want separation – fear is different standards for different areas. Come together, to look at as one area Rural area

Non-residential areas Chuluota design like basic ideas. Proactive and no relative
Know that eventually the standards should be in place

SR 46

Historic Geneva, different standards (Deborah Schaffer “Chuluota”)

Water supply issues distillery desalination plants. Looking at 10-20 years – technology built today.

Anything else to preserve
Buy land and make conservation lands.

Yarborough lands
Research the Yarbrough land and what if nay type of easements

Traffic is becoming an issue
If widening of 46 happens, what will happen to the north portion of rural area to the southern part of the rural area.....
Rural area should be designated. (Rocky Harrelson, “Geneva”)

- Be Ranch
- Betty Glusmeyer
- Yarborough's (Yarborough)

Bring Barrow Pit back, SR 46 by County Lands
Started
For sale now, needs to be fixed up

STAKEHOLDERS' QUESTIONS & RESPONSES
FEBRUARY 24, 2005

How long has it been since quit mining?
Several years

Landfill – more preventative measures to control flying debris. (County has taken action on this) tops are not being put on until trucks are entering landfill.
Trash is everywhere.

Signage to clear identify each are – Village of Geneva – Sandhill cranes
3 different ways to come into Geneva

Life old fashion area – lighting

Jeff Whiting

Installation costs need to have grants abundance of sod/St Augustine

How much to cost to run?

Currently Geneva pays \$8.00 a month for lighting. Research costs

www.seminolesheriff.org/lememorialseminolecountyawenforcementmemorialpark

426 Bicycle Lane, include in the are

10 ea – provisions for % allowed landscaped for residential properties – don't permit abundance of sod/St. Augustine

Unique – feel

Events all the time happen in:

1st Sunday – Ft. Lane Park – Bluegrass (Pickin' in the park)

3rd Saturday – Community Center (Darla Scoles, Mary Jo – Geneva Historical Society)

Design standards – need to look like “old Florida” flexibility is key! Not too detailed, but some standard top keep the flavor. Look at other areas that have done this same thing.

Rural Planning ~ Sarasota County

Non-residential standards

Look at the area, see if there is a need to include additional commercial (Commissioner Carey)

**SEMINOLE COUNTY
RURAL LANDS STUDY
COMMENT FORM
November 30, 2004**

Comments from Susan Kairys-Comedy, 237 Overlook Dr., Chuluota, FL 32766

Policy makers must embrace the idea of responsible growth by Channel growth 1) boundaries, 2) preservation areas and 3) ending hands outs to developers who strain resources, and infrastructure. Efficient growth saves tax dollars. This must be a top priority – Stop developing crap. Crap defined as: 1) Shopping Centers which decline in value instead of developing “Walkable” communities. Walmarts – but do developers know how to do this.

Why aren't we fixing ailing infrastructure to invigorate existing communities? Look at downtown Oviedo – is this what is in store for the rural areas?

Commissioners are infamous for using the “buzz words” but when ti comes down to a vision – none can walk the talk.

Live Oaks and The Sanctuary are examples of development → which strains infrastructure, and resources. Communities are more than a subdivision, sidewalks, and a school.

Communities involve a variety of life styles, both contemporary and traditional. Traditional rural lifestyles are in need of preservation. Traditional rural life styles are in need of preservation. These areas also include parks, conserving ranchland and working forests.

Rural characters include lack of street lights, sidewalks, dirt roads, privacy, wildlife, large spans of land.

Comments from Ms. Kathy Mellor, 2535 S. CR419, Chuluota, FL 32766

I would like Seminole County to formally designate land as rural (not to be re-zoned). Somewhere Seminole County (Commissioners?) got the idea that if they put land into public ownership then we, the rural area land owners – homeowners should be thankful and be satisfied with that effort (i.e.: that should be enough.)

I enjoy a more quiet way of life. I do not desire: lights that shine all night; a house next to mine (1/4 ac or smaller lots); a grocery store nearby, doctor's offices, shopping or other “things” that “city folks” think are a necessity. Chuluota used to be way out there – that's why I live there. But now everywhere else is crowding in!

Comments from Earl Watrous, PO Box 660398, Chuluota, FL 32766

Post notice for Chuluota at the Post Office (in Chuluota) and at the Grocery Store – you would get a lot more attendees.

419 needs to be widened
McColbuck Rd. cut thru to 419 (from UCF)
Address drainage issues

Comments from A. Zabek, 2030 Willingham Rd., Oviedo, FL 32766

I think it is very good that the County is taking steps to preserve the rural character while there is still time. Coming from Northern Virginia, I have seen suburban creep turn into urban disaster.

I also think it is very good that the County is soliciting community input.

However, I think it would also be good for the County to send experts in issues such as environmental impact. I heard some residents making questionable assertions on some topics and it would be nice to have the debates with facts in hand.

All in all – great job!

Comments from Kathy Corbett, 118 E 8th St., Chuluota, FL 32766

This is a great way to air our concerns for the present and future. I just hope that this isn't just a smoke screen. I really hope that this study is really looked at.

Comments from Mr. & Mrs. William Powell, 1711 Stone St., Oviedo, FL 32765

Thank you.

We would like to maintain the rural/urban boundary established in 1991! Please maintain this to offer the next generation:

- *5-10 acre lots are perfect!
- *Hope cities can offer transitional neighborhoods
(We have lived in Black Hammock since 1/83.)
- *Can have horses

Della Creedon
349-7266

Stakeholder Interviews for the Rural Lands Study

#	Date:	Time:	Location:	Name & Contact Information:	Recommended By:
1	1/12/05	1:30 pm	2:00 pm	BRIEF COMM HENLEY	30 MINUTES
2		2:00 pm	IT	Melonie Chase - 407-834-0000	
3		2:30 pm			
4		3:00 pm	IT	Deborah Schaffer - 407-365-5785	
5		3:30 pm			
6		4:00 pm			
7		4:30 pm			
1	1/13/05	1:00 pm	PURCH	Jane Bernard - 407-365-1673	
2		1:30 pm	2:00 pm	BRIEF COMM VAN DER WEIDE	30 MINUTES
3		2:00 pm			
4		2:30 pm			
5		3:00 pm			
6		3:30 pm	PURCH	Rocky Harrelson - 407-416-5238	
7		4:00 pm	4:30 pm	BRIEF COMMISSIONER DALLARI	30 MINUTES
8		4:45 pm	PURCH	Keeler Chan - 407-767-5722	
9		5:00 pm			
10		5:30 pm	CRC		
11		6:00 pm	CRC	Imogene Yarborough - 407-349-5342	
12		6:30 pm			
13		7:00 pm			
14		7:30 pm			
1	1/21/05	9:15 am	9:30 am	BRIEF COMMISSIONER CAREY	15 MINUTES
2		9:30 am			30
3		10:00 am	PURCH	Darla Scoles - 407-349-2140	Cancelled
4		10:30 am		Della Creedon	
5		11:00 am	PURCH	Nick Whiting - 407-721-5666	
6		11:30 am	PURCH	Marsha Porkorney - 407-365-8462	
7		12:00 pm		LUNCH	
8		12:30 pm			
9		1:00 pm	PURCH	Bill Fahey - 407-869-7045	
10		1:30 pm		meet with Mack	
11		2:00 pm		STAFF MEETING	
12		2:30 pm			
13		3:00 pm		Mary Jo / Darla Scoles	
14		3:30 pm			
15		4:00 pm	PURCH	Linda Dietz - 407-349-5998	
16		4:30 pm	PURCH	Jim Logue - 407-443-7450	
17		5:00 pm			

COMMENT FORM

for the

Seminole County Rural Lands Study

November 30, 2004

Your Comments

Please write down your comments and ideas.

Policy makers must embrace the idea of responsible growth by channeling growth 1) boundaries, 2) preservation areas & 3) ending handouts to developers who strain resources, & infrastructure. Efficient growth saves tax dollars.

This must be a top priority - Stop developing Crap.

Crap defined as: 1) Shopping centers which decline in value ^{instead of} 2) developing "walkable" communities. 3) Wal marts

But do Developers know how to do this?

— Why aren't we fixing ailing infrastructure to invigorate existing communities? Look at downtown orlando — is this what is instore for the rural areas?

Commissioners are infamous for using the buzz words "but when it comes down to a vision — none can walk the talk."

Live Oaks & The Sanctuary are examples of development →

Mailing List Information

Please fill out the information below if you would like to be added to the study mailing list. Please print.

Name: Jean Kairy-Cowley

Address: 237 Overlook Dr

City/State/Zip: Chuluota, FL 32766

New

Change

Delete

Please return tonight or mail to:

Seminole County

c/o Alice Gilmartin

Principal Coordinator/Transportation Specialist

1101 East First Street

Sanford, Florida 32771

Phone: 407-665-7383

Fax: 407-665-7385

which strains infrastructure, and resources.
Communities are more than a subdivision, sidewalks,
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Name: Mrs. Kathy Mellon

Address: 2035 S. Uk419

City/State/Zip: Chuluota, FL 32726



New



Change



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POST OFFICE (IN CHULUOTHA) & AT
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GET ALOT MORE ATTENDEES

- 419 needs to be widened
- Mc Colledge Rd cut THRU TO 419 (From)
- ADDRESS DRAINAGE ISSUES (UCF)

Mailing List Information

Please fill out the information below if you would like to be added to the study mailing list. Please print.

Name: Earl WATROUS

Address: PO BOX 660398

City/State/Zip: Chuluota, FL 32766

New Change Delete

Please return tonight or mail to:

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c/o Alice Gilmartin
Principal Coordinator/Transportation Specialist
1101 East First Street
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All in all - great job!

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Name: A Zabek
Address: 2030 Willingham Rd
City/State/Zip: Oviedo FL 32766

New Change Delete

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Name: KATHY CORBETT

Address: 118 E 8th St

City/State/Zip: CHULUOTA FL 32766

New Change Delete

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City/State/Zip: Oviedo, FL 32765

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Sanford, Florida 32771

Phone: 407-665-7383

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Eric Peterson
407-977-7783

6

Comment Form

Seminole County Rural Land Study (February 24, 2005)

Thank you for participating in tonight's Workshop. Your comments are important to us.

The following 7 topic areas are listed on the comment form for any additional comments you would like to have included as an additional issue or strategy.

TOPIC AREA 1: Protect the Boundaries of the Rural Area

This is the most important topic. Seminole Co. government must stop the continual piecemeal high density housing development into the current boundary of the Rural Area.

TOPIC AREA 2: Water Supply

~~Another~~ The problem of water supply is directly linked to increased urban development. Water supply is currently adequate but as Orange County and western Seminole County allow more dense urban development the water supply will be in serious jeopardy.

TOPIC AREA 3: Existing Agriculture/Large Land Holdings

It would be nice to believe that Seminole County will not rezone the large land tracts to allow high density urban sprawl.

Comment Form

Seminole County Rural Land Study (February 24, 2005)

Thank you for participating in tonight's Workshop. Your comments are important to us.

The following 7 topic areas are listed on the comment form for any additional comments you would like to have included as an additional issue or strategy.

TOPIC AREA 1: Protect the Boundaries of the Rural Area

- Transitional Zoning vs Buffering
 - Pre-establishes standards
 - Bonds tied to buffers
 - Strict enforcement \$\$ fines not slap on the wrist
-
-
-
-
-
-
-

TOPIC AREA 2: Water Supply

- Wells monitoring
 - Update on Hydrology Study for areas feeding the LENS
 - Protection vs development
-
-
-
-
-
-
-

TOPIC AREA 3: Existing Agriculture/Large Land Holdings

TOPIC AREA 4: Open Spaces and Viewsheds

TOPIC AREA 5: Residential Development

Boundary areas tied

Use permeable services

Tie to JPAs

View shed Reqs

Conservation community design AKA Randall Arendt

TOPIC AREA 6: Non-Residential Uses

TOPIC AREA 7: Rural Infrastructure

lot split

STAKEHOLDERS' QUESTIONS

Meloni chas
Attorney

1. Where do you live in the Rural Area? How long have you lived there? Why did you choose to live there? Do you have pasture land or a working farm on your property?

represents large land ^{individual property + develop} owners
building might impact development ^{single land}

Important
expectations for future

clients on water, speak to process and
around system. Clear expectations

2. What is it about your area that you love most?

How to address it all?

not clear standards
balance ^{create}

case by case basis

- 1) jurisdictional wetlands
- 2) buildable / not buildable
- 3)

STAKEHOLDERS' QUESTIONS

5. Tell me what you think about the existing land use patterns in the Rural Area? i.e., the mix of large lot homes and agricultural uses.

6. What do you think needs to be done to maintain a rural character?

attorney
DEP & STWMD is more of an issue
Δ standards

How does the County deal with
clearly stating process & requirements
from other jurisdictions

p lee

p Clayton

o Jackson

6

aintsville
mudary
sherrill

STAKEHOLDERS' QUESTIONS

Deborah
Schaffer
"Chulusta"

1. Where do you live in the Rural Area? How long have you lived there? Why did you choose to live there? Do you have pasture land or a working farm on your property?

Chulusta

next generation of standards, Chulusta design. Indeed

reasonable strict and expensive to develop work with

make easy friendly windows

- ① rural flavor
- ② lighting
- ③ signs

What is it about your area that you love most?
3,000 sq. ft

cracker barrel "feel"

rigid standards
parking
setbacks
materials
find have metal fencing

blackthorn developed rural area and feel

Downtown Geneva should be an overlay

How to draw the line

Palochini 700 acres

STAKEHOLDERS' QUESTIONS

3. What changes have you seen in the last (10) years? Both positive and negative.

mismatch of churches,
20,000 sq. ft. church
daycares are excluded from inclusion

4. What do you think are the most pressing issues related to the East Rural Area? What role does the County have in these issues?

distinct entranceway to help identify
where you have arrived.
diversity of homes in character

JPA → Sanford
Winter Springs
Orlando

transition has been lacking
Willoughby & Snow helped
POD's are coming in next to
5-acre tracts

transitions should be at city

STAKEHOLDERS' QUESTIONS

5. Tell me what you think about the existing land use patterns in the Rural Area? i.e., the mix of large lot homes and agricultural uses.

nursery's and redevelopment of the sites

no gates should be allowed

Chulucota, "estate" development

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would like to be considered together. Didn't want separation fear is different standards for different areas. Come together, to look at as one area rural area


non-residential areas Chulucota design like basic ideas. practice and regulate them that eventually the standards should be in place

SR46

Historic Geneva, different standards

STAKEHOLDERS' QUESTIONS

Rocky Harnelson
"Geneva"

1.  Where do you live in the Rural Area? How long have you lived there? Why did you choose to live there? Do you have pasture land or a working farm on your property?

Campplan

Geneva, main street
adjacent to elementary
lives in the center of town

2. What is it about your area that you love most?

piece of the woods
fertilizer, destroy the area, subdivisions,
developments

If we can protect build out (2017) you
should be able to manage building

STAKEHOLDERS' QUESTIONS

3. What changes have you seen in the last (10) years? Both positive and negative.

outside Geneva proper, lands
seem to
equitable way to treat large landowners
to keep them development

clear where A-3 A-5 are variances should
be limited,
→ lot splits are an issue →

4. What do you think are the most pressing issues related to the East Rural Area? What role does the County have in these issues?

population is problem
don't want commercial
built, shopping center

Cluster homes — allow more residential
need to make easements

STAKEHOLDERS' QUESTIONS

5. Tell me what you think about the existing land use patterns in the Rural Area? i.e., the mix of large lot homes and agricultural uses.

sidewalks, street lights to
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N/S sidewalks should be extended E/W.
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water supply issues distilling desalination
plants. Looking at 10-20 years
technology built today.

Anything else to preserve
buy land and make conservation
lands.

Yukon-Charley lands
research the Yukon-Charley land
and what of any type of easements.

traffic is becoming an issue
if widening of 46 happens what will
happen to the north portion of rural area
to the southern part of the rural area....

Rural area should be designated

STAKEHOLDERS' QUESTIONS

Yarborough

- 1. Where do you live in the Rural Area? How long have you lived there? Why did you choose to live there? Do you have pasture land or a working farm on your property?

1880's

1956's Snowhillend

4,000 acres under water

Agriculture

cattle
timber
sod
hay

country lease

98' sold 3400 acres Conservation
 NOB's no ditches
 STRWMD - sold development rights

8410 acres

- 2. What is it about your area that you love most?

o River east boundary
→ creek

2 years they have had meany sludge

Rural Development

Sunshine Heights
check land use,
going

STAKEHOLDERS' QUESTIONS

3. What changes have you seen in the last (10) years? Both positive and negative.

SR 46 Commercial of and when
Geneva is growth.

4. What do you think are the most pressing issues related to the East Rural Area? What role does the County have in these issues?

Wants to see Geneva grow to a point
up town orange grove areas, in a trust
Ranchland is still under restriction
Creaking on snowhill rd

STAKEHOLDERS' QUESTIONS

5. Tell me what you think about the existing land use patterns in the Rural Area? i.e., the mix of large lot homes and agricultural uses.

6. What do you think needs to be done to maintain a rural character?

- o Lee Karch
- o Betty Slusmayer
- o Gulbourn

STAKEHOLDERS' QUESTIONS

Dick Creedon
(Geneva)

1. Where do you live in the Rural Area? How long have you lived there? Why did you choose to live there? Do you have pasture land or a working farm on your property?

letter Seminole Woods, Geneva

rural area, integrity as a whole

Black Hammock & Duluth more concerned

to keep it together while identifying uniqueness
Get good standards for whole area
non-residential standards

B Hammock

"village motif" in Geneva

2. What is it about your area that you love most?

institutional uses -

- lighting
- stabilized unpaved parking lots

Amity church

zonal
enforcement

wait to avoid

a) we don't want to look like marshall's station do them tastefully

b) ideas

grant issues, Geneva doesn't have any money ~ long term

plan in stages 1st step evaluate

Lorraine Whiting

STAKEHOLDERS' QUESTIONS

3. What changes have you seen in the last (10) years? Both positive and negative.
4. What do you think are the most pressing issues related to the East Rural Area? What role does the County have in these issues?

STAKEHOLDERS' QUESTIONS

(Nick Whiting)
large landholder
(Geneva)

- 1. Where do you live in the Rural Area? How long have you lived there? Why did you choose to live there? Do you have pasture land or a working farm on your property?

challenge: Find balance all σ need to be fairly representative

maintain rural area on an equitable basis

Farms:
cattle, sod farms, nursery's

- 2. What is it about your area that you love most?

1880's family came to the area

3 way to address development + preservation.

~~3~~ ~~4~~ Recognize diverse interests and recognize, address. inclusive basis to share thoughts.

→ Look at boundaries that are around wilderness or public lands. See how the density/acre transitions from it.

Large Landholding - you know how
allow them to calculate density
cross to yield more development establish

STAKEHOLDERS' QUESTIONS

3. What changes have you seen in the last (10) years? Both positive and negative.
4. What do you think are the most pressing issues related to the East Rural Area? What role does the County have in these issues?

STAKEHOLDERS' QUESTIONS

5. Tell me what you think about the existing land use patterns in the Rural Area? i.e., the mix of large lot homes and agricultural uses.

6. --What do you think needs to be done to maintain a rural character?

STAKEHOLDERS' QUESTIONS

Bill Fahy

1. Where do you live in the Rural Area? How long have you lived there? Why did you choose to live there? Do you have pasture land or a working farm on your property?

not in rural area, sweetwater oaks

code enforcement board

1. violations of mobile homes, unauthorized to have mobile home (not sewage), they could get access wells and electric

2. using as a dump site

2. What is it about your area that you love most?

junk cars, keeping landscape natural, not manicured

Successful code compliance

Rural Area Δ

1970's sweetwater was rural with horses

50- Wildlife

latitude in c.e. for Rural Area

possible school in Geneva

STAKEHOLDERS' QUESTIONS

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STAKEHOLDERS' QUESTIONS

Darla Soles
Mary Jo
Geneva Historical
Society

1. Where do you live in the Rural Area? How long have you lived there? Why did you choose to live there? Do you have pasture land or a working farm on your property?

4 Harney - after hurricanes

old baptist

vault

Depot

school

8 churches in Geneva

methodist church oldest

2. What is it about your area that you love most?

3rd Saturday of the month Bulgars
Best tour A

Pancake breakfast

all organizations meet

Geneva email - monthly, talks about community events.

Henry Levy Mullet Park used to address dilapidation

STAKEHOLDERS' QUESTIONS

3. What changes have you seen in the last (10) years? Both positive and negative.

4. What do you think are the most pressing issues related to the East Rural Area? What role does the County have in these issues?

STAKEHOLDERS' QUESTIONS

- 5. Tell me what you think about the existing land use patterns in the Rural Area? i.e., the mix of large lot homes and agricultural uses.

Preserve Geneva Bubble
old Logan store - ~~the~~ main st / 2nd st
Stewart House - 1st Black Family old Geneva Rd
Alexander - Lake Geneva/Henrietta
apress singles hard cut

- 6. What do you think needs to be done to maintain a rural character?

Bring borrow Pit back, started
for sale now, needs to be fixed up
SR46 by County lands
how long has it been since quit mining?
several years

Landfill - more preventative measures to
control flying debris. (County has taken action on this,
tops & tarps are not being put on until trucks are entering landfill.
trash is everywhere.
Signage to clearly identify each area

Village of Geneva
Erich
March

3 different ways to come into Geneva

↳ life old fashion area lighting

Jeff Whiting

Installation costs ~~top~~ need to have grants
how much to cost to run
currently Geneva pays \$1.00 a month for
lighting, Research costs

www.senindesherriff.org/memorial
seminole County's Law Enforcement Memorial Park

426 bicycle Lane, include in the area

Idea

provision for no allowed landscaped or for residential
properties - don't permit abundance of sod / st Augustine

Unigree - feel
events all the time happen in

1st Sunday Ft. Lane Park → blue grass (pachin' in the park)
- and Saturday - main center

STAKEHOLDERS' QUESTIONS

Linda Pietz
Seminole Woods
93

1. Where do you live in the Rural Area? How long have you lived there? Why did you choose to live there? Do you have pasture land or a working farm on your property?

foresters brought in to be told what should be brought in there

drive is pleasant, large lots, not on top of each other

wild pigs

worked from home
own little "oasis"
preserve serenity

20 x 100
2000 sq. ft.
260

2. What is it about your area that you love most?

transportation issue, 426 has become
biggest traffic flow peak hours

3260
2360
53260
26,630

metroplan
SR 46 2025
anticipated

STAKEHOLDERS' QUESTIONS

3. What changes have you seen in the last (10) years? Both positive and negative.

Seminole Woods has there
own water plant ~ what is it?

4. What do you think are the most pressing issues related to the East Rural Area? What role does the County have in these issues?

don't lose sight of what the
area is. like being

Frances Handwritten
Presentation End of February — things we heard you say
— way to address

STAKEHOLDERS' QUESTIONS

5. Tell me what you think about the existing land use patterns in the Rural Area? i.e., the mix of large lot homes and agricultural uses.

6. What do you think needs to be done to maintain a rural character?

found day
to meet you

STAKEHOLDERS' QUESTIONS

Jim Logue, President
Black Harrocks
Association

25 years - 20 acres real estate business

1. Where do you live in the Rural Area? How long have you lived there? Why did you choose to live there? Do you have pasture land or a working farm on your property?

Bought & sold over 100 acres. 20 acres he will not sell.

2. What is it about your area that you love most?

What do ^{BH} ↓ you love about?

6, 10 acres
every one is neighborhoods - Marsha leaves
2 miles apart but there is a sense of community

Take property out there now, developed farms agriculture
"Napa Valley" market
every day, packaging

what defines connection..... Community's
set a smile on landscape Thomas Jefferson

STAKEHOLDERS' QUESTIONS

3. What changes have you seen in the last (10) years? Both positive and negative.

farmers market
Indian Power Citrus ~ great marketing concept

PFR's from landowner
establish fair market value, forever agriculture
develop organic farming
"blackhammock certified salad"

4. What do you think are the most pressing issues related to the East Rural Area? What role does the County have in these issues?

Coop gardens grow radishes in 5-acre lots

Create a place that is organic
600-800 acres not being lived on
"organic" blackhammock

need an identity ← protect & brand the area
only area that has organic

David Rockefeller - wants to fund things like this
↳ Who is this?

STAKEHOLDERS' QUESTIONS

5. Tell me what you think about the existing land use patterns in the Rural Area? i.e., the mix of large lot homes and agricultural uses.

create a business plan

look at property

identity ~ organic farm concept
coop. BLK Hannock
world famous products that
were raised ones that are
profitable.

Microclimate 10° The lake warms
the area good for agriculture never

6. What do you think needs to be done to maintain a rural character?

had orange grove
freeze.

STAKEHOLDERS' QUESTIONS

Commissioner
Carey

1. Where do you live in the Rural Area? How long have you lived there? Why did you choose to live there? Do you have pasture land or a working farm on your property?

Draw circles around development in dual-use

Rural boundary, better defined there is no clear transition. buffer to be created

2. What is it about your area that you love most?

transitional issue

imm. question? How much land does it take to build the buffer?

too hard to transition 1⁰⁰ to 5ac from 4du - 1ac.

map physical separation
create open space w/ incentives

Grain - 450 acres
large tracts, establish range for development = to size of area

STAKEHOLDERS' QUESTIONS

3. What changes have you seen in the last (10) years? Both positive and negative.

Identify large tract owners.
and share. with more upland areas

Calculate uplands with wetlands
Identify them, talk to them.

4. What do you think are the most pressing issues related to the East Rural Area? What role does the County have in these issues?

Specialty lighting in Geneva - only if supported by
the people.

*Sketch out the range of develop

1 du

3 du - Ace

5 du - Ace

} visually show this
to explain

STAKEHOLDERS' QUESTIONS

5. Tell me what you think about the existing land use patterns in the Rural Area? i.e., the mix of large lot homes and agricultural uses.

Vitalities look at where are they if they are going to expand? Private water companies.

6. —What do you think needs to be done to maintain a rural character?

Design standards — need to look like "old Florida"
flexibility is key! not too detailed, but
some standard to keep the flavor. Look at other
areas that have done this same thing.
Rural Planning ~ Sarasota County

NON-residential Standards

look at the area, see if ~~if~~ there is
a need to include additional commercial.