

SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM

SUBJECT: EAST RURAL AREA/ BLACK HAMMOCK AREA UPDATE

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Donald S. Fisher CONTACT: April Boswell EXT. 7339

Agenda Date 12/09/03 Regular  Consent  Work Session  Briefing   
Public Hearing – 1:30  Public Hearing – 7:00

**MOTION/RECOMMENDATION:**

This is a briefing to the Board of County Commissioners, updating the Board on the status of research of the County policies and regulations with respect to the designated East Rural Area including the Black Hammock Area (see attached maps).

District 1, 2, and 5

April Boswell, Senior Planner

**BACKGROUND:**

At its meeting of August 12, 2003, the Board of County Commissioners requested staff to review issues relating to the East Rural Area, particularly the Geneva area, and provide an update to the Board regarding the scope of further study.

Historically, East Seminole County has been identified as rural. The East Seminole County Rural Area Plan was designed in 1991 as a tool to preserve the rural character. Specific recommendations were made regarding policies and regulations applicable to the rural area such as rural land use categories, rural design and development standards, rural roadway corridor character, rural clustering, preservation of conservation lands, and rural levels of service. These recommendations have been adopted in the Comprehensive Plan and implemented by the Land Development Code. Examples of policies and regulations are rural subdivision standards, density limitations, rural cluster development regulations, a roadway corridor overlay district, and establishing a wetlands overlay zoning classification.

A group of citizens of the East Rural Area are concerned about the possibility of urban development eventually moving into the rural area and wish to ensure that policies and regulations can prevent that. This concern coupled with the need for a review of rural Comprehensive Plan policies as part of the next Evaluation and Appraisal Report (EAR), has prompted staff to begin reviewing the current land use regulations and Comprehensive Plan policies, as well as Joint

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Planning Agreements, with respect to impacts on rural lands and measure the effectiveness of such policies and regulations. The current citizen interest provides staff the opportunity to begin the EAR process.

The following report is a brief synopsis of what staff has evaluated to date. Included are issues on annexation and how they affect the urban/rural boundary, Geneva Lens protection efforts, review and recommendations on the status of the GreeneWay/ SR 434 Small Area Study (Black Hammock Study), and policy/regulation review.

**STAFF RECOMMENDATION:**

Staff is open to direction from the Board regarding this issue.

Attachment: East Seminole County Rural Area Update Report  
East Rural Area Map (with adjacent cities highlighted)  
East Rural Area Map (with Future Land Use shown)  
GreeneWay/ SR 434 Small Area Study Analysis Matrices

East Seminole County  
Rural Area/ Black Hammock Area Update Report

**1. Introduction/History/Purpose**

The East Rural Area comprises approximately 34% of Seminole County. In 1991, the County produced a study of the rural lands, *East Seminole County Rural Area Plan*, which looked at ways to preserve the rural character. Subsequently, the Comprehensive Plan was amended in 1991, based on recommendations from the Rural Area Plan, that created and assigned a set of rural future land use designations (Rural-3, Rural-5, and Rural-10) and associated rural zoning classifications (A-3, A-5, and A-10) to properties within the Rural Area. The pressures of growth have been felt and noticed especially by those in the designated rural lands due to the desire to maintain this rural character. The residents of Geneva have expressed interest in affects this growth will have on the rural designated lands. Staff is beginning to review the effectiveness current policies and regulations have on the Rural Area.

**2. Uniqueness of Rural Area**

The Rural Area is unique from the urban lands of Seminole County. An urban/rural boundary distinguishes these two areas. Specific aspects that make the Rural Area unique include:

- Historically agricultural uses;
- Larger tracts of undeveloped land;
- Geneva is an established area with over 100 years of history, considered a rural village center with limited commercial properties with small and large lot residential development;
- Environmentally Sensitive Areas with river systems, public lands: State of Florida, St. Johns River Water Management District, Seminole County Natural Lands program, policies in Comprehensive Plan to protect these sensitive lands and natural resources;
- Since 1991, development into large lot residential homes on 3, 5, and 10 acre parcels and on lots of records. Moving away from being rural in the sense of primarily productive agricultural to rural lifestyle of "ranchettes" (single family homes on large lots); and
- Geneva Lens (Bubble)- portion of the Floridan Aquifer that forms an isolated, freshwater lens surrounded by non-potable saltwater:
  - 1991 Study completed taking a comprehensive look at this unique source of freshwater;
  - 3 private utilities using the Geneva Bubble- Lake Harney Water Association, Mullet Lake Water Association, and the Seminole Woods Community Association;
  - Policy of no expansion of these private utilities; and
  - Staff is preparing a grant application to the St. Johns River Water Management District, to update the earlier Geneva Lens Study.

**3. Existing Regulations**

Based on the 1991 East Rural Area Study, Comprehensive Plan and Land Development Code policies and regulations are devoted to maintaining and encouraging the rural lands. These policies and regulations value the rural area in its own right, not as another area waiting to be urbanized. Specific ways the rural area is protected include:

- Rural subdivision standards;
- Rural cluster development policies;
- East Seminole County Scenic Corridor Overlay District;
- Arbor Ordinance;
- Natural Lands program (purchase properties for conservation);
- Density restrictions (Family Farms, Rural Subdivisions);
- Regulations protecting sensitive areas such as the Geneva Lens and the Econlockhatchee River (Econlockhatchee River Protection Overlay Standards Classification);
- Standards for Amending the Urban/Rural Boundary; and
- Intergovernmental Agreements (Oviedo/ Seminole County JPA)

#### **4. Challenges to Maintaining Rural Area and the Urban/Rural Boundary**

Although the Rural Area is protected, it is not immune to pressures for growth. Over the past 12 years, the County has been involved in several actions related to the urban/ rural boundary and entered into interlocal agreements to preserve the boundary:

- Battleridge- 1994 Large Scale Plan amendment application from R-10 to Planned Development and rezone from A-10 to PUD on 297 acres. This prompted the GreeneWay/ S.R. 434 Small Area Study. The end result was the property being annexed into the City of Winter Springs, which subsequently approved single family residential on the property which is presently being developed;
- Winter Springs- an annexation that could potentially impact the validity of the Boundary. Winter Springs annexed the Carroll, Minter and Weaver properties in November of 2000. This property currently maintains the County's zoning classification and future land use designation; this can be changed by Winter Springs to a more urban density and use but has not occurred to date;
- Black Hammock- GreeneWay/ S.R. 434 Small Area Study that was a joint study with Winter Springs and Oviedo. Purpose was to define the urban boundary in the Black Hammock area and create policies for preserving rural character. The Study was completed in December 1994 and an Executive Summary added in August 1995. Attached to this report is a matrix analysis, recapping the recommended policy amendments and program activities and a summary of a recent inquiry from the neighborhood and staff comments;
- Oviedo Joint Planning Agreement (JPA) - the JPA with Oviedo originated in 1999. It sets out provisions for maintaining the rural character of properties Oviedo annexes. The JPA includes properties in the Black Hammock area. The County is considering amending this agreement in 2004 when the initial five year term expires; and

#### **5. Improvements Planned (Roads)**

Replacement of SR 46 Lake Jesup Bridge is the only improvement scheduled at this time in the East Rural Area. The Florida Department of Transportation proposes to replace the existing bridge structure that crosses over Lake Jesup. The SR 46 Lake Jesup Bridge is being proposed as a new two-lane facility. The construction of the bridge will allow better water flow between Lake Jesup and the St. Johns River and will

hopefully improve the quality of the lake. Construction is slated for fiscal year 2007. Currently SR 46, CR 426, CR 419 and Snowhill Road in the East Rural Area have acceptable levels of service and are projected to have acceptable levels of service through 2020. This is based on the level of growth assumed in the Comprehensive Plan.

## 6. Chuluota Experience

In 1999, following review of the Chuluota Small Area Study, the LPA and the BCC recognized that existing nonresidential lands in Chuluota presented an issue for future development and directed that a study of these nonresidential lands and development of applicable rural design standards. In August of 2000, the BCC authorized the enactment of the Chuluota Nonresidential Design Standards Zoning Overlay Ordinance. This ordinance established a set of design regulations and a review process for new nonresidential development as well as redevelopment that protects the rural character. The same type of principles could be applied within the village center of Geneva.

## 7. Review of Comprehensive Plan Policies and LDC Regulations

The following are some ideas or issues that staff might evaluate during the Evaluation and Appraisal Report (EAR) process.

- Need to determine if agricultural primacy (primacy means that conflicts between such agricultural lands and other non-agricultural uses, all other factors being equal, will be resolved in favor of the agricultural interests) is warranted or should be clarified as to the scale of agricultural uses eligible to receive primacy;
- Need to define width of lot frontage required in rural cluster development Policy FLU 11.4(E) at one net dwelling unit per acre and whether these clustered lots need to have adequate fire protection or not;
- Conflict between Family Farm Policy FLU 11.15(D), which allows for family subdivision of land in the Rural-10 and Rural-5 land use designations for use of family members as their primary residence, and Section 35-72(e)(1) of the Land Development Code which allows such subdivision when the property is assigned the A-10 zoning classification;
- Need to identify what necessitates a boundary amendment and clearly state what future land use categories are allowed in the rural and urban areas (create a user-friendly table)
- Consideration of requiring a super majority vote of the Commission in order to change the Urban/Rural Boundary
- Amend Policy CON 1.10 *Geneva Lens (Bubble) Protection* to state that the County shall study the Bubble every 10 years to assess the water supply limitations
- Consideration of moving the Urban/Rural Boundary to include the western shore of Lake Jesup, including all of Lake Jesup east of S.R. 417

## 8. Next Steps

- Full review of Rural Area by study
- Combine with EAR process
- Need for community meetings and input

**GREENEWAY / S.R.434 SMALL AREA STUDY  
(AKA Black Hammock Study)  
RECAP**

Policy amendments & Program Activities	Actions	Status
<b>POLICY AMENDMENTS</b>		
Joint Planning Agreement with Oviedo and Winter Springs	Pursue joint planning agreements among the cities of Winter Springs and Oviedo to address future annexations, provision of services and facilities and land use compatibility in the East Rural Area of Seminole County. To also include future densities and intensities, a procedure for resolution of conflicts and/or disputes, criteria for amending the urban boundary and standards for cut through traffic.	The City of Oviedo and Seminole County executed a Joint Participation Agreement September 1999. The City of Winter Springs declined to enter into a similar agreement. A tri-party agreement has not been negotiated and executed.
Landscaping and Maintenance Standards for Rural Roadways	By December 1995, the County will prepare corridor evaluations and establish landscaping/maintenance standards for roadways in rural and transitioning areas (SR 434 & Florida Ave.). Standards shall include: access management; trees & landscaping; accommodation of bike/ pedestrian movement; speed limits, signage, markings and other operational devices; drainage; maintenance; and utilities.	In Part 55 - Scenic Corridor Overlay Zoning District of the Seminole County Land Development Code The LDC was amended in 1992 to create the Scenic Roadway Overlay.
Amend Table 2.1 of the Future Land Use Element	Include specific criteria for review of transitional land uses in East Seminole County.(i.e., stepping down of land uses from higher densities to less intense uses)	Table 2 amended as follows: Transitioning of land use (i.e. stepping down of land uses from higher densities to less intense uses) is ineffective in a rural area since it does not clearly identify the future limits of urban development, and will likely lead to urban sprawl. A clear and sharp distinction (e.g. establishment of urban boundaries) between rural and urban densities is considered more effective in protecting rural character.

**GREENEWAY / S.R.434 SMALL AREA STUDY  
(AKA Black Hammock Study)  
RECAP**

<b>Policy amendments &amp; Program Activities</b>	<b>Actions</b>	<b>Status</b>
Greeneway/ SR 434 Interchange Development Standards	Amend the Land Development Code to add standards and regulations for future development of the GreeneWay/ SR 434 interchange, including permitted uses, minimum setbacks from roadways, maximum building coverage, sign heights, building heights, access and landscaping requirements.	The Seminole County Land Development Code uses Florida Department of Transportation's access management standards. There are not plans to adopt more stringent access management standards at this time.
Prohibit Future Connection of Florida Avenue with Stone Street	To preserve the rural area of East Seminole County and maintain the rural character of the entrance roadways into the rural area, any future connection to Florida Avenue with Stone Street to the south shall be prohibited.	FLU 11.7 of the Comprehensive Plan prohibits future connection of Florida Avenue with Stone Street to preserve the rural area of East Seminole County and maintain the rural character of entrance roadways into the Rural Area.
Access Management Standards for SR 434	The County, in consultation with the Florida Department of Transportation (FDOT), will reevaluate and, if necessary, establish new and/ or revised access management standards for SR 434 east of the GreeneWay (SR 417) to SR 426.	The Seminole County Land Development Code uses Florida Department of Transportation's access management standards. There are not plans to adopt more stringent access management standards at this time.
Rural Area Drainage Standards	Incorporate within the upcoming drainage basin study the evaluation and development of rural drainage standards as an option for consideration by the community and Board of County Commissioners.	The Lake Jesup Basin Study was completed in December 2001. The results included estimated costs to address identified stormwater management and infrastructure deficiencies.
<b>PROGRAM ACTIVITIES</b>		
Transportation	1. Coordinate with the cities of Winter Springs & Oviedo to minimize impacts on neighborhoods from cut-through traffic.	No activity with Winter Springs. Oviedo is developing a downtown plan that may address some of the cut-through issues.

**GREENEWAY / S.R.434 SMALL AREA STUDY  
(AKA Black Hammock Study)  
RECAP**

Policy amendments & Program Activities	Actions	Status
	2. The City of Oviedo shall construct the Division Street Extension from CR 419 to Mitchell Hammock Road to divert local traffic from SR 434.	Oviedo is currently constructing the Division Street Extension to Mitchell Hammock Road. Further extension will occur as part of the Oviedo downtown development plan.
	3. The City of Oviedo should expand and extend the local street system in both north-south and east-west directions to form a well connected network of local streets to provide multiple potential routes for the dispersion of traffic.	Oviedo is developing a downtown plan that may address some of the cut-through issues.
	4. Conduct an alignment study to determine the most appropriate alignment for the northern leg of the Oviedo Bypass should it be needed.	No activity.
Environmental	1. Actively participate in the Lake Jesup Advisory Group and ongoing programs regarding protection of Lake Jesup.	Seminole County staff is strengthening it's commitment by regularly attending meetings of the Lake Jesup Advisory Group as well as the Sustainable Community Advisory Council.
	2. Where appropriate and available, encourage the purchase of lands along the south shore of Lake Jesup for mitigation purposes.	The County has purchased approximately 800 acres along the south shore of Lake Jesup for mitigation purposes.
	3. Initiate the removal of Florida Avenue from the One Cent Sales Tax Program.	Florida Avenue was removed from the One Cent Sales Tax Program.
	4. Develop a program to fulfill the community goal of preserving and maintaining Florida Avenue as a canopy road.	In Part 55 - Scenic Corridor Overlay Zoning District of the Seminole County Land Development Code, the issues identified in the study are addressed for Florida Avenue.

**BLACK HAMMOCK NEIGHBORHOOD ISSUE REVIEW  
(GREENEWAY/ S.R. 434 SMALL AREA STUDY)**

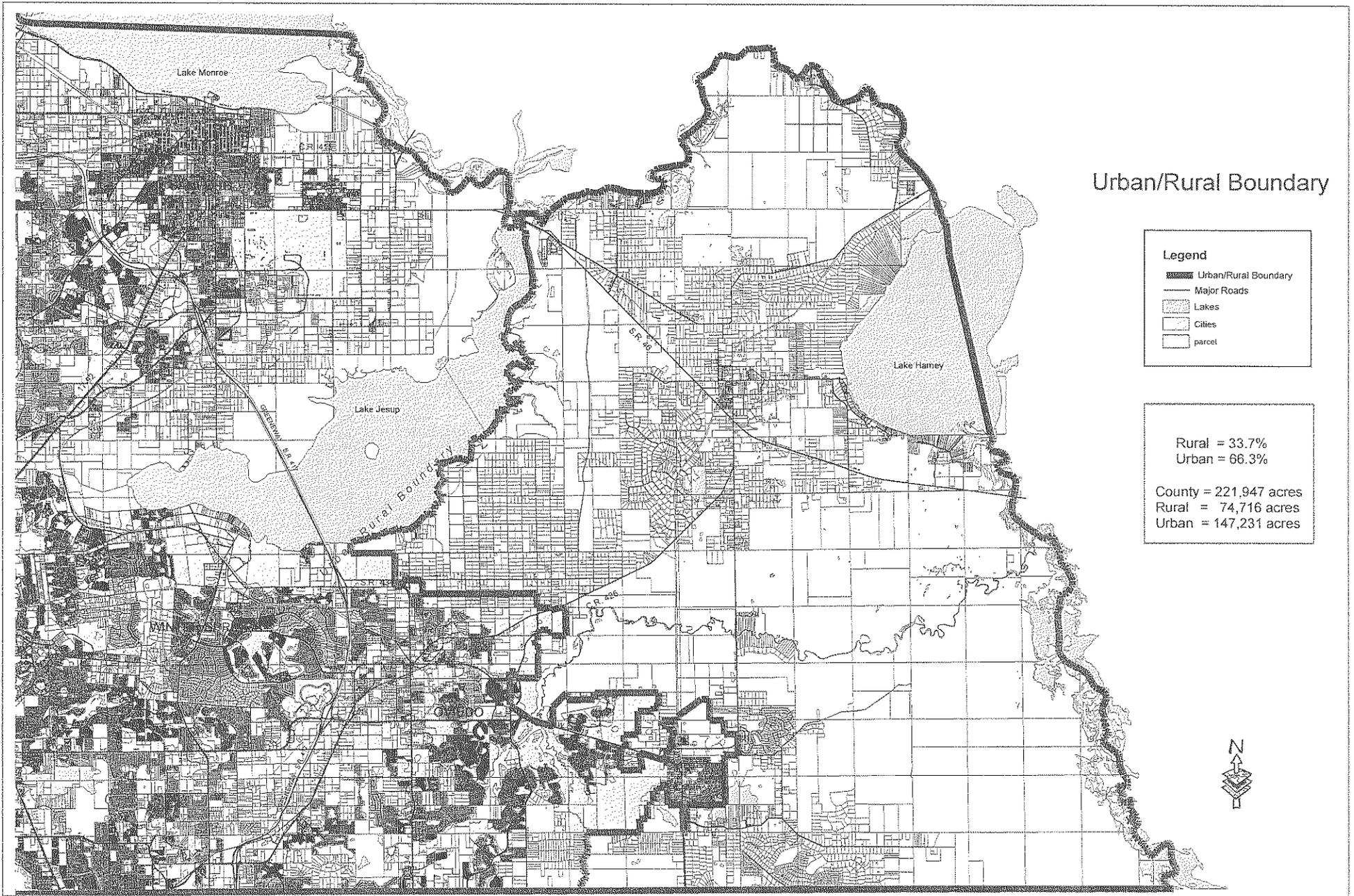
OBJECTIVE	CURRENT STUDY	PROPOSED CHANGE	COMMENTS
County, Winter Springs, Oviedo JPA to address annexations & land use	The County executed an interlocal agreement with the City of Oviedo in Sept. 1999. The County and the City of Winter Springs have not negotiated an agreement.	The County will update the Oviedo agreement in 2004. The County will re-evaluate the feasibility of negotiating an agreement with Winter Springs is feasible.	The County and Cities in Seminole County meet regularly to discuss inter agency issues at various staff levels.
Jurisdictions embrace concept of million dollar homes & supporting commercial areas	This topic is not addressed in the study.	None	Local jurisdictions are charged with preserving the health, safety and welfare of the community.
Promote million dollar home agenda east on 426 to Geneva	This topic is not addressed in the study.	None	The County's Comprehensive plan is designed to preserve and enhance the public health, safety and welfare through the management of growth, provision of adequate public services and the protection of natural resources.
Create new & positive relationships between elected officials & staff of jurisdictions	The purpose of the study and recommended interlocal agreements are to facilitate improved understanding of interjurisdictional issues and relationships.	Continue to pursue updating and executing interlocal agreements to address county wide as well as jurisdiction specific issues.	The County and Cities in Seminole County meet regularly to discuss inter agency issues at various staff levels.

**BLACK HAMMOCK NEIGHBORHOOD ISSUE REVIEW  
(GREENEWAY/ S.R. 434 SMALL AREA STUDY)**

OBJECTIVE	CURRENT STUDY	PROPOSED CHANGE	COMMENTS
Bring up awareness realizing that often the 1st round of reckless, careless developers move on and new breed of entraneur will emerge & market property in the proper manner. Market value of residential property within the Black Hammock should be set at \$50,000 and \$70,000 per acre.	This topic is not addressed in the study.	None	The County continually reviews and modifies the Comprehensive Plan and Land Development Code to facilitate the best quality of development possible.
Print map showing existing home sites and proposed changes.	The study included proposed changes to the County Future Land Use Map.	Make the Future Land Use Map and Zoning Map more readily available to the public.	On October 28, 2003 the digital copies of the County zoning and Future Land Use Map are scheduled to be made available on the Seminole County Web site
Develop master plan that will use restoration/ preservation concept.	The study identifies many concepts that address preservation of the rural character of the neighborhoods.	Evaluate concepts from the Conservation Village Development initiative developed for the Myrtle Street Area for appropriateness for this area.	Conservation Village Concept is scheduled to be considered for implementation on the Myrtle Street Area in December 2003.
Integrate water treatment into lot development. Sell credits to developers	The County completed the Lake Jesup Basin study December 2001.		The Seminole Land Development Code and design standards address stormwater treatment as part of site development. The County does not have a mechanism for the transfer of development rights.

**BLACK HAMMOCK NEIGHBORHOOD ISSUE REVIEW  
(GREENEWAY/ S.R. 434 SMALL AREA STUDY)**

OBJECTIVE	CURRENT STUDY	PROPOSED CHANGE	COMMENTS
Market concept around nature, privacy, flora, fauna, uniqueness, convenience, prestige.	Not addressed in the study.	Insure that this area and similar areas in the County are identified in promotional materials of the Economic Development and Tourist Development departments.	High visibility of this area may increase the pressure for higher density development.



## Urban/Rural Boundary

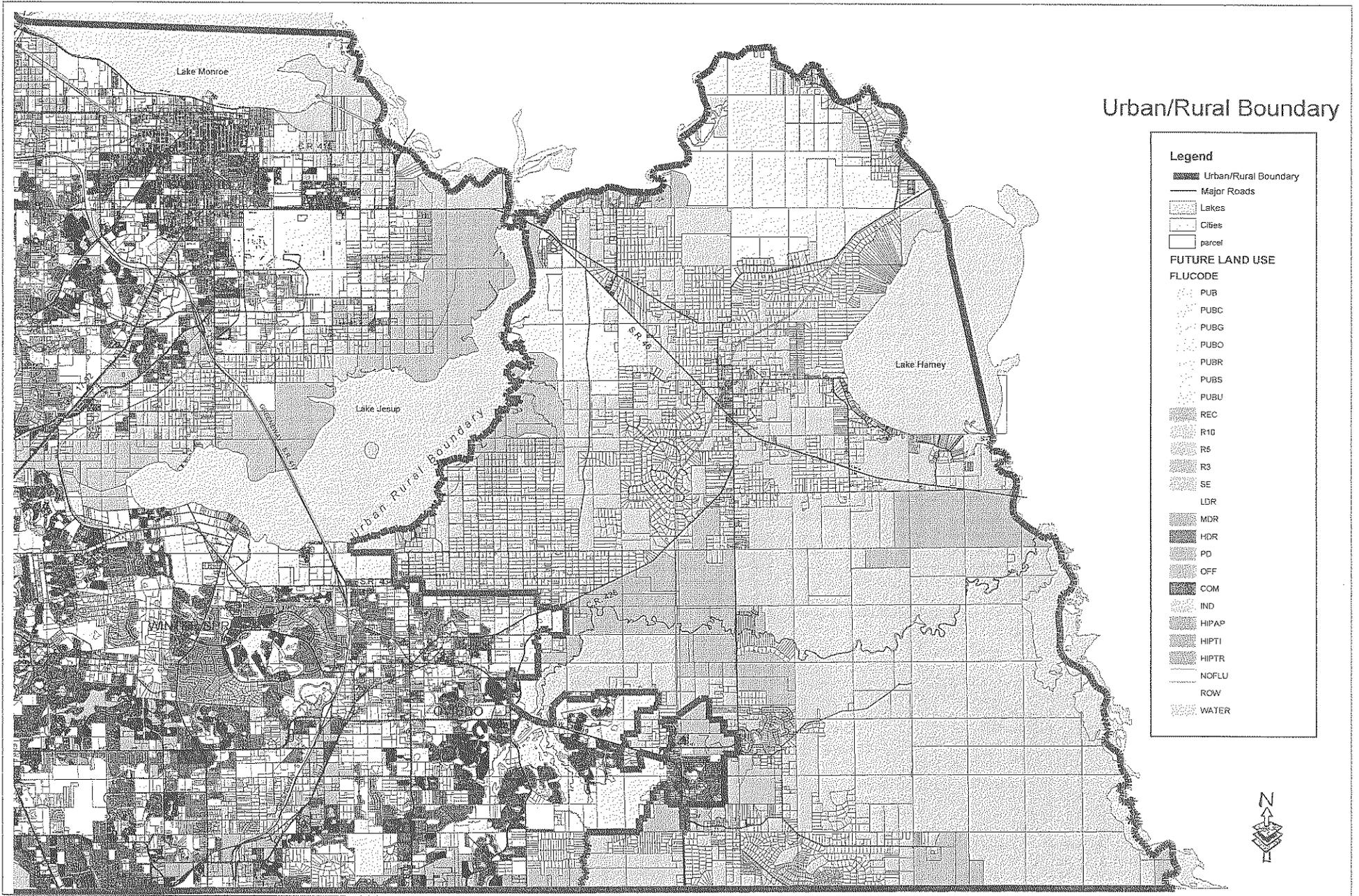
### Legend

-  Urban/Rural Boundary
-  Major Roads
-  Lakes
-  Cities
-  parcel

Rural = 33.7%  
Urban = 66.3%

County = 221,947 acres  
Rural = 74,716 acres  
Urban = 147,231 acres





# Urban/Rural Boundary

**Legend**

- Urban/Rural Boundary
- Major Roads
- Lakes
- Cities
- parcel

**FUTURE LAND USE  
FLUCODE**

- PUB
- PUBC
- PUBG
- PUBO
- PUBR
- PUBS
- PUBU
- REC
- R10
- R5
- R3
- SE
- LDR
- MDR
- HDR
- PD
- OFF
- COM
- IND
- HIPAP
- HIPTI
- HIPTR
- NOFLU
- ROW
- WATER