

Item # 57

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Amendment to the Seminole County's Vision 2020 FLU Policy 1.7

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

AUTHORIZED BY: Kent Cichon **CONTACT:** Kathy Fall *KF* **EXT.** 7389

Agenda Date: <u>12/10/02</u>	Regular <input type="checkbox"/>	Consent <input type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Public Hearing – 1:30 <input checked="" type="checkbox"/>		Public Hearing – 7:00 <input type="checkbox"/>	

MOTION/RECOMMENDATION:

Reaffirm the APPROVAL of the Ordinance amending Seminole County's County Vision 2020 FLU Policy 1.7 which was originally approved by the Board on 9/24/02.

County Wide (Kathy Fall, Senior Planner)

PROPOSED TEXT AMENDMENT:

The applicant proposes the following language to amend Future Land Use Policy 1.7 Wekiva River Protection of the Seminole County Vision 2020 Comprehensive Plan:

Notwithstanding any other provision of this Plan, middle schools and high schools shall not be permitted on property within the Wekiva River Protection Area, outside of the East Lake Sylvan Transitional Area.

BACKGROUND:

On September 24, 2002 the staff inadvertently recommended that the Board of County Commissioners approve the Ordinance to amend the Future Land Use Policy 1.7. Instead the recommendation from staff should have been to transmit the Ordinance to Department of Community Affairs.

The Seminole County School Board is requesting an amendment to FLU Policy 1.7, Wekiva River Protection, which was previously amended on October 26, 1999 to address the location of public schools. These amendments to FLU Policy 1.7 resulted in the prohibition of public middle and high schools within the Wekiva River Protection Area.

Reviewed by:	
Co Atty:	<i>KCC</i>
DFS:	
Other:	<i>NW</i>
DCM:	
CM:	<i>SS</i>
File No.	<u>ph130pdp03</u>

The Seminole County School Board did not object to the 1999 amendment because it was not apparent that land owned by the School Board would be affected. Recently, it was discovered that approximately 8 acres of the northern 300 feet of the School Board's property, adjacent to Heathrow, is included in the Wekiva River Protection Area. Furthermore, staff wishes to clarify the stated restriction should apply to middle and high schools, both public and private. Therefore, staff recommends that "public" be eliminated from FLU Policy 1.7.

The text amendment as proposed by the Seminole County School Board is as follows

Policy FLU 1.7

Current: Notwithstanding any other provision of this Plan, public middle schools and public high schools shall not be permitted on property within the Wekiva River Protection Area.

Proposed: Notwithstanding any other provision of this Plan, middle schools and high schools shall not be permitted on property within the Wekiva River Protection Area outside of the East Lake Sylvan Transitional Area.

The language, as proposed, would allow the placement of middle and high schools on land within the East Lake Sylvan Transitional Area. This proposed text amendment would lift restrictions on the northern portion of the School Board's property as it is located within the East Lake Sylvan Transitional Area.

STAFF FINDINGS:

- 1 It was not the intention of staff to restrict the use of School Board owned property, prior to October 26, 1999. The intent of the adopted policy was to prevent additional properties within the Wekiva River Protection Area from being developed as middle or high schools; and
- 2 Elementary schools and middle schools are similar in character and intensity to the surrounding areas. On the contrary, high schools have a higher intensity and a greater potential to impact the surrounding area. This, in part, is due to the larger student body; greater traffic volumes; greater demands for sports facilities and extracurricular activities; and nighttime and weekend events. Therefore, staff proposes the prohibition of high schools within the entire Wekiva River Protection Area. Middle schools function in a manner similar to elementary schools and should therefore be permitted only in the East Lake Sylvan Transitional Area.

**LOCAL PLANNING AGENCY/PLANNING & ZONING COMMISSION
RECOMMENDATION:**

At its regular meeting of September 18, 2002, the LPA/P&ZC approved the Comprehensive Plan Text amendment as proposed by staff.

BOARD OF COUNTY COMMISSIONERS RECOMMENDATION:

At its meeting of September 24, 2002, the BCC approved the Comprehensive Plan Text amendment as proposed by staff. The approval should have been a condition of the transmittal of the text amendment to the Department of Community Affairs (DCA) for review and not for final adoption of the ordinance.

DEPARTMENT OF COMMUNITY AFFAIRS COMMENTS:

Prior to the public hearing, staff will provide DCA's review comments to the BCC.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed ordinance to amend the Seminole County Vision 2020 FLU Policy 1.7 with the proposed language:

Policy FLU 1.7

Notwithstanding any other provision of this Plan, ~~public~~ middle schools and ~~public~~ high schools shall not be permitted on property within the Wekiva River Protection Area except that middle schools shall be permitted on property located within the East Lake Sylvan Transitional Area.