

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Transmittal of Text Amendments to the Seminole County Comprehensive Plan to implement the Services and Facilities requirement of the Wekiva Parkway and Protection Act

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

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

<b>Agenda Date</b> <u>12/20/05</u>	<b>Regular</b> <input type="checkbox"/>	<b>Consent</b> <input type="checkbox"/>	<b>Work Session</b> <input type="checkbox"/>	<b>Briefing</b> <input type="checkbox"/>
	<b>Public Hearing – 1:30</b> <input checked="" type="checkbox"/>		<b>Public Hearing – 7:00</b> <input type="checkbox"/>	

**MOTION/RECOMMENDATION:**

1. Transmit to the Department of Community Affairs for review and comment, the proposed text amendments to the Drainage, Sanitary Sewer, and Transportation Elements of the Seminole County Comprehensive Plan, attached as Exhibit A, to implement the Facilities and Services requirement of the Wekiva Parkway and Protection Act (Part III, Chapter 369, Florida Statutes) with staff findings; or
2. Do not transmit to the Department of Community Affairs for review and comment, the proposed text amendments to the Drainage, Sanitary Sewer, and Transportation Elements of the Seminole County Comprehensive Plan, attached as Exhibit A, to implement the Facilities and Services requirement of the Wekiva Parkway and Protection Act (Part III, Chapter 369, Florida Statutes); or
3. Continue this item to a date and time certain.

(Unincorporated Seminole County)

(Tony Matthews, Principal Planner)

**BACKGROUND:**

In 2004, the Florida Legislature passed the "Wekiva Parkway and Protection Act" (Part III, Chapter 369, Florida Statutes) for the broad purpose of: (a) protecting surface and groundwater resources through a variety of land use strategies; (b) promoting the continuity of effective and innovative planning and development activities; and (c) authorizing development of the Wekiva Parkway (see Additional Background).

**LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION (LPA/P&Z)**

**RECOMMENDATION (12/7/05):**

On December 7, 2005, the LPA/P&Z voted 4 to 0 to recommend transmittal of the proposed text amendments, attached as Exhibit A, with staff findings (see Exhibit K).

**STAFF RECOMMENDATION:**

Staff recommends transmittal of the proposed text amendments to the Drainage, Sanitary Sewer, and Transportation Elements of the Seminole County Comprehensive Plan, attached as Exhibit A, with staff findings.

Reviewed by:	<u>KL</u>
Co Atty:	<u>KL</u>
DFS:	<u>KL</u>
Other:	<u>KL</u>
DCM:	<u>KL</u>
CM:	<u>KL</u>
File No.	<u>ph130pdp05</u>

## **ADDITIONAL BACKGROUND:**

Fifteen local governments within the Wekiva Study Area<sup>1</sup>, including Seminole County and the Cities of Altamonte Springs, Lake Mary, and Longwood, are subject to the requirements of the Wekiva Parkway and Protection Act (the "Act"). To comply with the requirements of the Act, Seminole County must accomplish the following tasks regarding stormwater, wastewater, and transportation:<sup>2</sup>

### **1. Timeliness of Transmittal of Proposed Text Amendments**

#### **A. Findings**

The Act (Section 369.321, Florida Statutes), requires local governments to amend their comprehensive plans by January 1, 2006, to: (a) include the Wekiva Parkway within the comprehensive plan; (b) address the master stormwater management plan requirement of the Act, including amending the Capital Improvements Element to implement the stormwater plan; (c) address the land use strategies requirement of the Act; and (d) update the 10-Year Water Supply Facility Work Plan.<sup>3</sup> The County's adoption date for these amendments is set forth below, with findings:

1. Wekiva Parkway - March 14, 2006 Adoption. The enclosed text amendments will include the Wekiva Parkway in the Seminole County Comprehensive Plan (Vision 2020 Plan) (SCCP). The SCCP shall depict the Wekiva Parkway Corridor and roadway alignment in Seminole County, once adoption of the precise corridor and Parkway alignment are accomplished, tentatively late 2006.
2. Master Stormwater Management Plan – March 14, 2006 Adoption. Additional time is needed for DCA to complete, and the Wekiva River Basin Commission to approve, model goals, objectives, and policies (i.e., "models") prepared by DCA's consultant, as directed by the Wekiva River Basin Commission in September 2005<sup>4</sup>. These models are for local governments to use in preparing comprehensive plan policies to address the stormwater requirement of the Act. These models are due for completion in early-mid December 2005. As described herein, the CDM Plan was not finalized until November 2005. The Capital Improvements Element is amended in conjunction with the applicable budget cycle.
3. Land Use Strategies – December 20, 2005 Adoption. Text amendments to address the land use strategies requirement of the Act were recommended by the LPA/P&Z in July 2005, and approved for transmittal to the Department of Community Affairs for review and comment by the Board of County Commissioners in August 2005. As

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<sup>1</sup> Exhibit B, Future Land Use Map, depicts the Wekiva Study Area within Seminole County.

<sup>2</sup> Exhibit I, Wekiva Parkway and Protection Act Public Hearing Schedule, provides, under separate cover, the schedule for the land use strategies and potable water requirements of the Act.

<sup>3</sup> Senate Bill 908 (glitch bill) repealed the requirement for the County to adopt an interchange land use plan for the Interstate 4 and proposed Wekiva Parkway Interchange [Section 369.321(1), Florida Statutes]. The Act does not state, but implies, the need for comprehensive plan policies and land development regulations to implement the wastewater facility plan.

<sup>4</sup> The Wekiva River Basin Commission, established by Section 369.324 of the Act, is responsible for monitoring and ensuring the implementation of the recommendations of the Wekiva River Basin Coordinating Committee for the Wekiva Study Area.

a note, these text amendments are subject to revision based on the outcome of the DCA models described herein that will also address the land use strategies requirement of the Act for use by local governments.

4. 10-Year Water Supply Facility Work Plan – Adoption in 2006 (to be determined). The date for adoption of the 10-Year Water Supply Facility Work Plan was amended from January 1, 2006, to December 1, 2006, by Senate Bill 908 (glitch bill). Public hearing dates for text amendments to address this requirement of the Act are dependent upon the water supply planning efforts of the SJRWMD.

#### B. Additional Findings

Additional findings beyond “A” above include:

1. The St. Johns River Water Management District, Department of Environmental Protection, Department of Health, and Department of Agriculture and Consumer Services, have not completed rulemaking as required by the Act. Rulemaking is underway with expected completion is 2006;
2. Final staff review and presentation to the LPA/P&Z and BCC of the stormwater management plan and revisions to the revised wastewater facility plan are scheduled for 2006; and
3. Amendments to comprehensive plans to address the Act’s requirements are exempt from the twice-yearly limitation of submittal of large scale plan amendments [Section 369.321(5), Florida Statutes].

Note: The Act, Part III, Chapter 369, Florida Statutes, does not include a provision for sanctions to local governments (e.g., withholding of funds, prohibition of adoption of future plan amendments, etc.) for not meeting the January 1, 2006, statutory deadline for submittal of comprehensive plan amendments.

The deadline for adoption of land development regulations to implement text amendments and recommendations of the CDM and Reiss Plans, as necessary, is January 1, 2007.

#### 2. Master Stormwater Management Plan

Section 369.319 of the Act requires local governments to develop a master stormwater management plan and associated implementing comprehensive plan policies and land development regulations, as necessary. The Act identifies 10 components of the master stormwater management plan designed to ensure protection of surface water and groundwater resources in the Wekiva Study Area (see Exhibit C – Requirements of Master Stormwater Management Plan).

The CDM Plan – A Regional Approach to Stormwater Management - To address the Act’s requirement for development of a master stormwater management plan, and to design a plan in the most cost effective, efficient, and non-piecemeal manner, 14 of the 15 local governments in the Wekiva Study Area (excluding the City of Maitland) collaborated in the creation of a regional stormwater master plan. The consulting firm of Camp Dresser and McKee has developed this regional plan with oversight provided by the St. Johns River Water Management District (SJRWMD), with input from each

stakeholder government. The plan, known as the "Wekiva Parkway and Protection Act Master Stormwater Management Plan Support, Final Report, November 2005" (the "CDM Plan") identifies stormwater issues within the Wekiva Study Area and provides recommendations to address the issues in context of compliance with the provisions of the Act.

As a supplement to the CDM Plan, the Department of Community Affairs, by direction of the Wekiva River Basin Commission, is currently developing model goals, objectives, and policies for local governments to use in addressing the requirements of the Act. The anticipated date for these models to be available to local governments is December 2005. The SJRWMD is also proposing rules, due for completion in 2006, as required by the Act to address stormwater issues.

### **3. Wastewater Facility Plan**

Section 369.320 of the Act requires local governments to develop a wastewater facility plan for joint planning areas and utility service areas where central wastewater systems are not readily available and associated implementing comprehensive plan policies and land development regulations, as necessary. The Act identifies seven (7) components of a wastewater facility plan designed to ensure protection of surface water and groundwater resources in the Wekiva Study Area (see Exhibit D – Requirements of Wastewater Facility Plan).

Guidelines for Preparing Comprehensive Plan Amendments - In 2005, the Department of Community Affairs (the "DCA") published "Guidelines for Preparing Comprehensive Plan Amendments for the Wekiva Study Area" (the "DCA Guidelines"), to assist local governments in complying with the several provisions of the Act, including the wastewater facility plan. Page 41 of the DCA Guidelines states that: "Seminole County has a wastewater facility plan currently in place that could be used as a model by local governments within the Wekiva Study Area." In October 2004, the DCA informed the County that the County's existing wastewater facility plan, known as the "2003 Utilities Master Plan Update" is consistent with the requirements of the Act, with the exception of the septic tank phase-out program requirement (see Exhibit E - Email from Jana Williams).

In consideration of the findings of the DCA regarding the County's wastewater facility planning efforts, the County is limiting proposed text amendments to the requirement of the Act regarding the septic tank phase-out program (i.e., development of a plan for providing wastewater facilities for areas where central wastewater systems are not readily available).

The Reiss Plan - Providing Central Wastewater Systems - To address the requirements of the wastewater facility plan provision of the Act, the County contracted with the consulting firm of Reiss Environmental to evaluate the requirements of Section 369.320(1), Florida Statutes, with particular emphasis on the requirement for development of a wastewater facility plan for utility service areas where central

wastewater systems are not readily available.<sup>5</sup> This evaluation, known as the "Wekiva Area Protection Legislation Evaluation", November 2005 (the "Reiss Plan"), addresses the location of areas within the Wekiva Study Area for potential connection to central wastewater systems, consistent with the definition of "available" in Section 381.0065 (2)(a), Florida Statutes (see Exhibit F for Definition of "available"). The Reiss Plan also recommends a timing and funding schedule for areas to connect to central wastewater systems.

Review of CDM and Reiss Plans – Staff will present the final recommendations of the CDM and Reiss Plans to the Land Planning Agency/Planning and Zoning Commission (LPA/P&Z) and Board of County Commissioners (BCC) in 2006. The CDM and Reiss Plans represent the best available data and analysis at time of preparation of the enclosed text amendments. Staff will also update the LPA/P&Z and BCC regarding the status of state agency rulemaking. The County will incorporate the CDM Plan and Reiss Plan into appropriate documents by reference (see also Exhibit J - Support Documentation).

#### **4. Transportation (Wekiva Parkway)**

Section 369.317(1) of the Act describes the proposed Wekiva Parkway as: "any limited access highway or expressway constructed between State Road 429 (*in Orange County*) and Interstate 4..." (parentheses added). An essential component of the proposed Parkway is to: (a) meet regional transportation needs to provide regional connectivity, improve safety, accommodate projected population and economic growth; and (b) satisfy critical transportation requirements caused by increased traffic volume growth and travel demands.

Section 369.321(1) of the Act further states, in part, that: "Local governments within which the Wekiva Parkway is planned shall amend their local government comprehensive plan to include the Wekiva Parkway".

Wekiva Parkway in Seminole County - In Seminole County, the Seminole County Expressway Authority, the Department of Transportation, and the Florida Turnpike Enterprise shall locate the precise corridor and interchanges for the Wekiva Parkway (the "Parkway"), consistent with the legislative intent and provisions expressed in the Act [see Section 316.317(5), Florida Statutes].

Seminole County's position regarding the Wekiva Parkway within the County is that the Parkway corridor should be contained within or adjacent to the current State Road 46 right-of-way, between the Seminole/Lake County line and Interstate 4. All efforts should be exerted to maintain access to properties along the State Road 46 corridor by using frontage road concepts. The County understands that the Department of Transportation, by law, must look at all viable corridors within the County.

State Road 46 Scenic and Gateway Corridor Overlays - The Land Development Code of Seminole County (LDC) contains the "State Road 46 Scenic Corridor Overlay

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<sup>5</sup> There are no joint planning areas in the unincorporated Seminole County portion of the Wekiva Study Area regarding wastewater utilities.

District”, extending from the intersection of State Road 46 and Orange Boulevard, west to the Seminole/Lake County line. The LDC also includes the “State Road Gateway Corridor Overlay Standards Zoning Classification”, extending from North Center Road, west of the intersection of State Road 46 and Orange Boulevard, east to the CSX Railroad right-of-way, east of the intersection of State Road 46 and Airport Boulevard. These overlays are intended to, but not limited to: (a) maximizing traffic circulation functions from the standpoint of safety, roadway capacity, vehicular, and non-vehicular movement; (b) providing uniform design standards to establish high quality development; and (c) ensuring the development of the corridor as a well-landscaped and scenic gateway (see Exhibit G – State Road 46 Scenic and Gateway Corridor Overlays Standards).

The applicable requirements and provisions of these corridor overlays described above shall apply to the proposed Parkway. The County has and will continue to coordinate with agencies involved in development of the proposed Parkway to avoid or minimize negative impacts from the Parkway to existing neighborhoods, wildlife corridors, natural areas, existing vegetation, parks, trails, and public lands in Seminole County.

*Wekiva Parkway Alignment* - In November 2005, the Orlando-Orange County Expressway Authority and District Five of the Florida Department of Transportation hosted a series of public information workshops on initial Parkway alignment alternatives (see Exhibit H – Draft Wekiva Parkway Conceptual Alignment Alternative). This activity is part of the Project Development and Environment Study process that recently began on the project. Comprehensive public involvement is required prior to establishment of any recommended final Parkway alignment. Establishment of preferred Parkway alignment alternatives may occur in the Fall of 2006.

**STAFF FINDINGS:**

Staff believes that the proposed text amendments attached as Exhibit A regarding stormwater, wastewater, and transportation are:

1. Consistent with the goals and intent of the Wekiva Parkway and Protection Act and with the Guidelines published by the Department of Community Affairs; and
2. Transmittal of the enclosed text amendments at this time demonstrates the County’s good faith effort toward meeting the purposes and intent of the Act, with recognition that changes to the text amendments may occur in the future based on ongoing activities by the County and state agencies described herein. Amendments to the Seminole County Comprehensive Plan (Vision 2020 Plan) to address the requirements of the Wekiva Parkway and Protection Act, are exempt from the twice-yearly transmittal of amendments [see Section 369.315(4), Florida Statutes].

**EXHIBITS:**

- A. New Comprehensive Plan Policies for BCC Transmittal
- B. Future Land Use Map
- C. Requirements of Master Stormwater Management Plan
- D. Requirements of Wastewater Facility Plan
- E. Email from Jana Williams

- F. Definition of term "Available", Section 381.0065(2)(a), Florida Statutes
- G. State Road 46 Scenic and Gateway Corridor Overlays Standards
- H. Draft Wekiva Parkway Conceptual Alignment Alternatives
- I. Wekiva Parkway and Protection Act Public Hearing Schedule
- J. Support Documentation
- K. LPA/P&Z Minutes (December 7, 2005)

## Exhibit A

### New Comprehensive Plan Policies

#### **DRAINAGE ELEMENT**

##### **Policy DRG 2.9 Wekiva Study Area Land Development Regulations**

By January 1, 2007, the County shall amend the Land Development Code to enact land development regulations, as necessary, to comply with the master stormwater management plan and land development regulations provisions of the Wekiva Parkway and Protection Act, Sections 369.319 and 369.321(6), Florida Statutes. Land development regulations shall implement Plan policies regarding stormwater management systems within the Wekiva Study Area. (06EX.TXT02.01)

##### **Policy DRG 4.5 Wekiva Study Area Capital Improvements**

The County shall amend the Capital Improvements Element to comply with the master stormwater management plan and capital improvements element provisions of the Wekiva Parkway and Protection Act, Sections 369.319 and Section 369.321(2), Florida Statutes. The County shall consider implementing recommendations for capital improvement projects/programs from the “Wekiva Parkway and Protection Act Master Stormwater Management Plan Support, Final Report”, November 2005 (the “CDM Plan”). (06EX.TXT02.02)

##### **Policy DRG 6.3 Wekiva Study Area Stormwater Management**

The County shall address the master stormwater management plan provision of the Wekiva Parkway and Protection Act, Section 369.319, Florida Statutes, to assist in alleviating problems related to surface water conveyance and quality, and in improving the quality and quantity of groundwater discharging into the springs within the Wekiva Study Area, by application of, but not limited to, the following strategies:

- A. Implementation of the recommendations, applicable to Seminole County, contained in the “Wekiva Parkway and Protection Act Master Stormwater Management Plan Support, Final Report”, November 2005 (the “CDM Plan”); and
- B. Implementation of Best Management Practices (BMPs), including, but not limited to, BMPs recommended in “Protecting Florida’s Springs – Land Use Planning Strategies and Best Management Practices”, Florida Department of Community Affairs and Florida Department of Environmental Protection, 2002. (06EX.TXT02.03)

*Drafter’s Note: To address the Act’s requirement for development of a master stormwater management plan, and to design a plan in the most cost effective, efficient, and non-piecemeal manner, 14 of the 15 local governments in the Wekiva Study Area (excluding the City of Maitland) collaborated in the creation of a regional stormwater master plan. The consulting firm of Camp Dresser and McKee has developed this regional plan with oversight provided by the St. Johns River Water Management District (SJRWMD), with input from each stakeholder government. The plan, known as the*



*“Wekiva Parkway and Protection Act Master Stormwater Management Plan Support, Final Report”, November 2005 (the “CDM Plan”) identifies stormwater issues within the Wekiva Study Area and provides recommendations to address the issues in context of compliance with the provisions of the Act. The County will incorporate the CDM Plan into appropriate documents by reference.*

*As a supplement to the CDM Plan, the Department of Community Affairs, by direction of the Wekiva River Basin Commission, is currently developing model goals, objectives, and policies for local governments to use in addressing the requirements of the Act. The SJRWMD is also proposing rules, due for completion in 2006, as required by the Act to address stormwater issues.*

## **SANITARY SEWER ELEMENT**

### **Policy SAN 1.4 Wekiva Study Area Central Wastewater Treatment Systems**

The County shall evaluate the potential of extending central wastewater systems to areas within the Wekiva Study Area where central wastewater systems are not readily available. This evaluation shall address the wastewater facility plan requirement of the Wekiva Parkway and Protection Act, Section 369.320(1), Florida Statutes, and shall include, but not be limited to:

1. Delineation of areas within the Seminole County Environmental Services Department central sewer service area, and within the Wekiva Study Area, for potential connection to central wastewater systems, consistent with the definition of “available” in Section 381.0065 (2)(a), Florida Statutes, and where central wastewater systems are not readily available; and
2. Creation of a timing and funding schedule for delineated areas to connect to central wastewater systems. (06EX.TXT02.04)

*Drafter’s Note: To address the requirements of the wastewater facility plan provision of the Act, the County contracted with the consulting firm of Reiss Environmental to evaluate the requirements of Section 369.320(1), Florida Statutes, with particular emphasis on the requirement for development of a wastewater facility plan for utility service areas where central wastewater systems are not readily available. This evaluation, known as the “Wekiva Area Protection Legislation Evaluation”, November 2005 (the “Reiss Plan”), addresses the location of areas within the Wekiva Study Area for potential connection to central wastewater systems, consistent with the definition of “available” in Section 381.0065 (2)(a), Florida Statutes. The Reiss Plan also recommends a timing and funding schedule for areas to connect to central wastewater systems.*

### **Policy SAN 1.5 Wekiva Study Area Onsite Wastewater Disposal Systems**

The County shall support efforts by the Florida Department of Health to ensure that areas within the Wekiva Study Area that do not meet the definition of “available”, regarding the provision of central wastewater systems, as defined in Section 381.0065 (2)(a), Florida Statutes, are served with onsite wastewater disposal systems that:

1. Limit, to the maximum extent practicable, any adverse impacts to surface and groundwater resources;
2. Provide the highest level of wastewater treatment disposal standards;
3. Reflect economical installation and maintenance; and
4. Ensure proper monitoring for compliance with wastewater treatment disposal standards. (06EX.TXT02.05)

#### **Policy SAN 2.7 Wekiva Study Area Capital Improvements**

The County shall amend the Capital Improvements Element to comply with the wastewater facility plan and capital improvements element provisions of the Wekiva Parkway and Protection Act, Sections 369.320 and 369.321(2), Florida Statutes. The County shall consider implementing recommendations for capital improvement projects/programs from the "Wekiva Area Protection Legislation Evaluation", November 2005 (the "Reiss Plan"). (06EX.TXT02.06)

#### **Policy SAN 2.8 Wekiva Study Area Land Development Regulations**

By January 1, 2007, the County shall amend the Land Development Code to enact land development regulations, as necessary, to comply with the wastewater facility plan and land development regulations provisions of the Wekiva Parkway and Protection Act, Sections 369.320 and 369.321(6), Florida Statutes. Land development regulations shall implement Plan policies regarding areas within the Wekiva Study Area for potential connection to central wastewater systems. (06EX.TXT02.07)

## **TRANSPORTATION ELEMENT**

#### **Policy TRA 14.25 Wekiva Parkway**

The County shall coordinate with the Florida Department of Transportation, the Orlando/Orange County Expressway Authority, and Florida's Turnpike Enterprise regarding construction of the Wekiva Parkway within Seminole County, as authorized by Section 369.317(5), Florida Statutes. Coordination efforts will ensure that design and construction of the Parkway and related transportation improvements occur in a cost effective and environmentally sensitive manner that will:

- A. Avoid or minimize negative impacts from the Wekiva Parkway to existing neighborhoods, wildlife corridors, natural areas, existing vegetation, parks, trails, and public lands;
- B. Provide access to properties adjacent to the Wekiva Parkway through appropriate frontage roads integrated into the Parkway design to ensure safe and efficient traffic flow; and
- C. Ensure development of the Wekiva Parkway is consistent with the applicable requirements and provisions of the State Road 46 Scenic Corridor Overlay District and the State Road 46 Gateway Corridor Overlay Standards Zoning Classification. (06EX.TXT02.08)

#### **Policy TRA 14.26 Wekiva Parkway Land Development Regulations**

By January 1, 2007, the County shall enact land development regulations, as necessary and as authorized by Section 369.321(6), Florida Statutes, to implement Plan policies

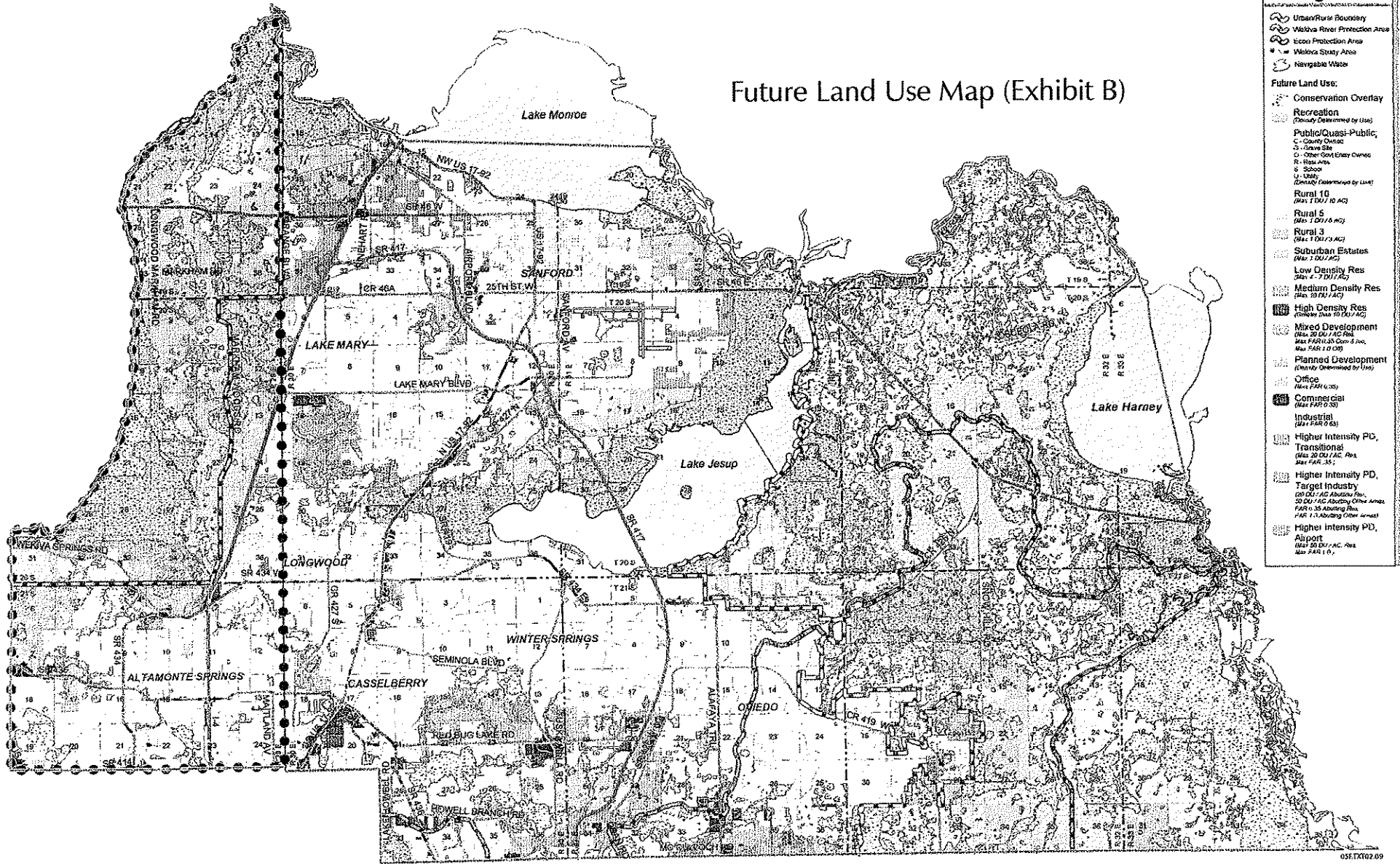
regarding the design and construction of the Wekiva Parkway within Seminole County.  
(06EX.TXT02.09)

*Drafter's Note: The Seminole County Comprehensive Plan (Vision 2020 Plan) shall depict the Wekiva Parkway Corridor and roadway alignment in Seminole County, once adoption of the precise corridor and alignment are accomplished.*

**Exhibit B**

**Future Land Use Map**

# Future Land Use Map (Exhibit B)



Legend	
	Unincorporated Boundary
	Volusia River Protection Area
	Ecology Protection Area
	Volusia Stray Area
	Navigable Water
<b>Future Land Use:</b>	
	Conservation Overlay
	Recreation (Density Determined by Use)
	Public/Quasi-Public; C - County Office D - Drive Site E - Other Quasi-Public R - Mass Area S - School U - Utility (Density Determined by Use)
	Rural 10 (Min. 1 DU/10 AC)
	Rural 5 (Min. 1 DU/5 AC)
	Rural 3 (Min. 1 DU/3 AC)
	Suburban Estates (Min. 1 DU/AC)
	Low Density Res (Min. 1 DU/1 AC)
	Medium Density Res (Min. 2 DU/1 AC)
	High Density Res (Min. 3 DU/1 AC)
	Mixed Development (Min. 20 DU/1 AC Res Max FAR: 20; Min FAR: 1.0)
	Planned Development (Density Determined by Use)
	Office (Min. FAR: 0.35)
	Commercial (Min. FAR: 0.35)
	Industrial (Min. FAR: 0.5)
	Higher Intensity PD, Transitional (Min. 20 DU/1 AC Res Max FAR: 35)
	Higher Intensity PD, Target Industry (Min. 20 DU/1 AC Res Max FAR: 35; Min FAR: 1.0)
	Higher Intensity PD, Airport (Min. 20 DU/1 AC Res Max FAR: 1.0)

## **Exhibit C**

### **Requirements of Master Stormwater Management Plan**

Section 369.319 of the Act requires the master stormwater management plan to address the following components:

1. Assess existing problems and deficiencies in the community;
2. Identify projects to meet long-range needs;
3. Establish priorities to address existing deficiencies;
4. Establish measures to address redevelopment;
5. Establish a schedule to complete needed improvements;
6. Evaluate the feasibility of stormwater reuse; and
7. Include requirements for inspection and maintenance of facilities.
8. Identifies a funding source, such as a stormwater utility fee, to fund implementation of the plan and maintenance program.

In addition, local governments must establish a water reuse and irrigation program that allows for reuse of stormwater on a site basis for development over a size threshold to be determined by the local government or on a jurisdiction-wide basis to minimize pumpage of groundwater for nonpotable usage.

Note: The CDM Plan does not address the requirements for identification of a funding source or establishment of a water reuse and irrigation program.

## Exhibit D

### Requirements of Wastewater Facility Plan

Section 369.320(1) and (2) of the Act requires the wastewater facility plan to address the following components:

1. The delineation of areas within the utility service area to be served by central facilities within 5 years;
2. A financially feasible schedule of improvements;
3. An infrastructure work plan to build the facilities needed to implement the facility plan, including those needed to meet enhanced treatment standards adopted by the Department of Environmental Protection;
4. A phase-out of existing onsite septic tank systems where central facilities are available. The term "available" shall be interpreted consistent with the definition of Section 381.0065(2)(a), Florida Statutes; and
5. A long-range component addressing service of the joint planning area or utility service area.

In addition, local governments shall establish a water reuse program that allows for reuse of reclaimed water on a site-by-site basis for development over a size threshold to be determined by the local government or on a jurisdiction-wide basis to minimize pumpage of groundwater for nonpotable usage.

Also, local governments shall update the wastewater facility plan where the Total Maximum Daily Loads Program requires reductions in point source pollutants for a basin or as required by legislation for enhanced treatment standards.

Note: There are no identified joint planning areas in the Wekiva Study Area in unincorporated Seminole County.

**Exhibit E**

**Email from Jana Williams**



## Exhibit E

### Email from Jana Williams



Jana.Williams@dca.state.fl.us

s

10/21/2004 04:21 PM

To: TMatthews@seminolecountyfl.gov

cc Marina.Pennington@dca.state.fl.us

bcc

Subject Re: Fw: Wekiva/Wastewater facilities requirements

History

This message has been forwarded

Tony:

I'm still waiting for an official response for your first question and I apologize for the delay. In regards to your second question, it appears that the County's wastewater master plan is consistent with the Wekiva Act with exception to the septic tank phase-out program requirement. I will contact you know as soon as I have a more comprehensive answer to your questions.

Sincerely,

Jana Z. Williams, Senior Planner  
Office of Comprehensive Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100  
PH: (850) 922-1827  
FAX: (850) 488-3309

TMatthews@seminolec  
ountyfl.gov

Jana.Williams@dca.state.fl.us

To:

cc:

Subject: Fw:

10/20/2004 03:46 PM

Wekiva/Wastewater facilities requirements

## Exhibit F

### Definition of Available

\*Section 381.0065(2)(a), Florida Statutes, defines the term "available" as:

(a) "Available," as applied to a publicly owned or investor-owned sewerage system, means that the publicly owned or investor-owned sewerage system is capable of being connected to the plumbing of an establishment or residence, is not under a Department of Environmental Protection moratorium, and has adequate permitted capacity to accept the sewage to be generated by the establishment or residence; and:

1. For a residential subdivision lot, a single-family residence, or an establishment, any of which has an estimated sewage flow of 1,000 gallons per day or less, a gravity sewer line to maintain gravity flow from the property's drain to the sewer line, or a low pressure or vacuum sewage collection line in those areas approved for low pressure or vacuum sewage collection, exists in a public easement or right-of-way that abuts the property line of the lot, residence, or establishment.

2. For an establishment with an estimated sewage flow exceeding 1,000 gallons per day, a sewer line, force main, or lift station exists in a public easement or right-of-way that abuts the property of the establishment or is within 50 feet of the property line of the establishment as accessed via existing rights-of-way or easements.

3. For proposed residential subdivisions with more than 50 lots, for proposed commercial subdivisions with more than 5 lots, and for areas zoned or used for an industrial or manufacturing purpose or its equivalent, a sewerage system exists within one-fourth mile of the development as measured and accessed via existing easements or rights-of-way.

4. For repairs or modifications within areas zoned or used for an industrial or manufacturing purpose or its equivalent, a sewerage system exists within 500 feet of an establishment's or residence's sewer stub-out as measured and accessed via existing rights-of-way or easements.

## Exhibit G

### State Road 46 Scenic and Gateway Corridor Overlays Standards

#### Scenic Overlay - Section 30.1181, LDC:

- a. Provides uniform design standards to establish high quality development that is rural in character; and
- b. Maintains existing vegetation along the State Road 46 corridor within the Wekiva River protection area of Seminole County; and
- c. Provides for safe and efficient traffic flow by minimizing individual property curb cuts; and
- d. Maintains the State Road 46 scenic corridor in accordance with the provisions set forth herein; and
- e. Preserves the rural entranceway into the State Road 46 corridor within the Wekiva River protection area; and
- f. Implements, and is consistent with, the Comprehensive Plan of Seminole County.

#### Gateway Overlay - Section 30.1201, LDC:

- a. Ensures the development of the corridor as a well landscaped and scenic gateway.
- b. Provides uniform design standards to establish high quality development.
- c. Prevents visual pollution caused by unplanned and uncoordinated uses, buildings and structures.
- d. Maximizes traffic circulation functions from the standpoint of safety, roadway capacity, vehicular and non-vehicular movement.
- e. Maintains and enhances property values.
- f. Preserves natural features to the maximum extent practicable.
- g. Recognizes and makes allowances for existing uses and buildings.

## Exhibit H

### Draft Wekiva Parkway Conceptual Alignment Alternatives



**Exhibit I**

**Wekiva Parkway and Protection Act Public Hearing Schedule**

## Exhibit I

### Wekiva Parkway and Protection Act Public Hearing Schedule

This table provides a public hearing schedule for the major portions of the Wekiva Parkway and Protection Act. Some of the public hearing dates are tentative and subject to change.

No.	Major Task	Consultant Work Complete	LPA/P&Z Public Hearing	First BCC Public Hearing	Second BCC Public Hearing
1.	Land Use strategies	NA	7/13/05	8/23/05	12/20/05
2.	Master Stormwater Management Plan Comprehensive Plan policies	NA	12/7/05	12/20/05	3/14/06
3.	Wastewater Facility Plan Comprehensive Plan policies	NA	12/7/05	12/20/05	3/14/06
4.	Inclusion of Wekiva Parkway in Comprehensive Plan	NA	12/7/05	12/20/05	3/14/06
5.	10 Year Water Supply Facility Work Plan and Comprehensive Plan policies***	NA	TBD	TDB	TDB
6.	Land Development Code amendments	NA	9/6/06	11/14/06	12/12/06

\*The dates allow time for review of the completed Master Stormwater Management Plan and Wastewater Facility Plan and to create implementing plan policies for transmittal to the Department of Community Affairs. Camp Dresser and McKee published the Wekiva Parkway and Protection Act Master Stormwater Management Plan Support, Final Report, November 2005, and Reiss Environmental published the Wekiva Area Protection Legislation Wastewater Evaluation, November 2005. Staff will submit these plans to the LPA/P&Z and BCC in 2006.

\*\*Comprehensive Plan policies to implement the Wekiva Parkway and Protection Act and 10 Year Water Supply Facility Work Plan are exempt from the twice-yearly statutory limitation on Plan amendment submittals [see Section 369.321(5), Florida Statutes].

\*\*\*The County must adopt the 10 Year Water Supply Facility Work Plan by December 1, 2006. The public hearing schedule is dependant upon completion of the St. Johns River Water Management District's water supply plan due in early 2006.

Completed tasks indicated by shading



## **Exhibit J**

### **Support Documentation**

Support documentation used to create Plan policies and land development regulations is on file in the Seminole County Planning Division Office. The Department of Community Affairs Guidelines requires support documentation. Documentation considered by Seminole County, but not necessarily applied, in preparing Staff findings and recommendations includes:

1. Guidelines for Preparing Comprehensive Plan Amendments for the Wekiva Study Area, pursuant to the Wekiva Parkway and Protection Act, Department of Community Affairs, 2005
2. Land Development Code of Seminole County
3. Seminole County Comprehensive Plan (Vision 2020 - A Guide to the Journey Ahead)
4. Wekiva Area Protection Legislation Evaluation (Reiss Plan)
5. Wekiva Parkway and Protection Act Master Stormwater Management Plan (the "CDM Plan")
6. Wekiva Parkway and Protection Act (Part III, Chapter 369, Florida Statutes)
7. Wekiva River Basin Coordinating Committee Final Report, 2004



**EXHIBIT K**

**MINUTES FOR THE SEMINOLE COUNTY  
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION  
DECEMBER 7, 2005**

**Members present:** Ben Tucker, Dudley Bates, Matt Brown, and Jason Brodeur.

**Members absent:** Beth Hattaway, Rob Wolf, and Walt Eismann.

**Also present:** Tony Walter, Planning Manager; Dan Matthys, Director of Planning and Development; Brian Nelson, Principal Coordinator; Tony Matthews, Principal Planner; Kim Laucella, Assistant County Attorney; Tom Radzai, Senior Engineer; Denny Gibbs, Senior Planner; Brian Walker, Planner; and Candace Lindlaw-Hudson, Senior Staff Assistant.

**E. Wekiva Parkway and Protection Act; Seminole County, applicant,** Text Amendments to the Seminole County Comprehensive Plan to implement the Services and Facilities requirement of the Wekiva Parkway and Protection Act, Part III, Chapter 369, Florida Statutes. (06EX.TXT02.01, 06EX.TXT02.02, 06EX.TXT02.03, 06EX.TXT02.04, 06EX.TXT02.05, 06EX.TXT02.06, 06EX.TXT02.07, 06EX.TXT02.08, 06EX.TXT02.09).

Unincorporated Seminole County  
Tony Matthews, Principal Planner

Tony Matthews addressed the Commissioners regarding the County's efforts to comply with the requirements of the Wekiva Parkway and Protection Act, Part III, Chapter 369, Florida Statutes.

Mr. Matthews stated that in 2004, the Florida Legislature passed the "Wekiva Parkway and Protection Act" for the broad purpose of: (a) protecting surface and groundwater resources through a variety of land use strategies; (b) promoting the continuity of effective and innovative planning and development activities; and (c) authorizing development of the Wekiva Parkway.

The Act requires local governments to amend their comprehensive plans to:

1. Include the Wekiva Parkway within the comprehensive plan; and
2. To address the master stormwater management plan, wastewater facility plan, 10-Year Water Supply Facility Work Plan, and land use strategies requirements of the Act.

Amendments to comprehensive plans to address stormwater, transportation, and land use strategies are to be adopted by local governments by January 1, 2006.

Fifteen local governments within the Wekiva Study Area, including Seminole County and the Cities of Altamonte Springs, Lake Mary, and Longwood, are subject to the requirements of the Act.

In July of 2005, staff presented a series of text amendments to the LPA designed to address the land use strategies requirement of the Act. The Board of County Commissioners is scheduled to adopt these amendments on December 20.

The County has until December 1, 2006, to accomplish the 10 Year Water Supply Facility Work Plan. Staff will present this plan and related text amendments to the LPA in early-mid 2006.

Exhibit I in the agenda package is a schedule of public hearing dates regarding the Act.

With that brief background, the focus of tonight's meeting is on proposed text amendments to address the stormwater, wastewater, and transportation facilities and services requirements of the Act.

To fully appreciate the County's efforts in preparing the proposed text amendments, it's important to note that there are a number of ongoing activities associated with meeting the facilities and services requirements of the Act. These activities involve:

1. Staff evaluation of the master stormwater management plan;
2. Updating the County's Utilities Master Plan to address wastewater issues; and
3. Awaiting the establishment of the precise corridor and alignment for the proposed Wekiva Parkway.

In addition, staff is evaluating:

1. Rulemaking by various state agencies; and
2. Reviewing model goals, objectives, and policies, prepared under the auspices of the Department of Community Affairs, to assist local governments in complying with the requirements of the Act.

On Pages 2 through 5 of the agenda package is a description of this ongoing work regarding the stormwater, wastewater, and transportation requirements of the Act.

Staff is proposing 9 new policies found in the Drainage, Sanitary Sewer, and Transportation Elements of the Seminole County Comprehensive Plan. These are contained in Exhibit A in the agenda package.

Mr. Matthews stated that Staff believes that the proposed text amendments attached as Exhibit A regarding stormwater, wastewater, and transportation are:

1. Consistent with the goals and intent of the Wekiva Parkway and Protection Act and with the Guidelines published by the Department of Community Affairs; and
2. Transmittal of the enclosed text amendments at this time demonstrates the County's good faith effort toward meeting the purposes and intent of the Act, with recognition that changes to the text amendments may occur in the future based on ongoing activities by the County and state agencies described herein.

Mr. Matthews said Staff recommends transmittal of the proposed text amendments to the Drainage, Sanitary Sewer, and Transportation Elements of the Seminole County Comprehensive Plan, attached as Exhibit A, to implement the Services and Facilities requirement of the Wekiva Parkway and Protection Act, with staff findings.

The Board of County Commissioners will conduct a public hearing on these proposed text amendments on December 20, 2005, and consider transmittal to the Department of Community Affairs for review and comment. The adoption date for these amendments is tentatively set for March 14, 2006.

Commissioner Tucker asked about the alignment of the Wekiva Parkway project.

Jerry McCollum, County Engineer stated the website has information on the alignment of the parkway. There are three possible routes, indicated on the color map running north of Orange Boulevard, another that goes south of Orange Boulevard through International Drive and joining the SR 417, and the third follows SR 46, joining I-4. There will be a presentation made to the Expressway Authority on December 20<sup>th</sup> at 4:00 P.M. The FDOT will not have a final recommendation until the summer or early fall of 2006. This is a state road which cannot be executed without a number of types of studies being done first. As for the Parkway being built, Mr. McCollum stated that there was no funding at this time for right-of-way acquisition or construction of the roadway. If funding were available today, it would take 8 to 10 years to open the roadway. It begins in Zellwood and continues on through the Plymouth, Sorrento area and ties into SR 46. It will be a billion dollars in cost and is a massive project.

Commissioner Tucker asked about access.

Mr. McCollum said that in Seminole County the access would be highly controlled with frontage roads and u-turns. Lake County is still looking at concepts on what they are going to do there.

Commissioner Tucker asked about the deadline for sanitary sewers and septic tanks.

Mr. Matthews said that a report is not ready at this time. It will be presented to the board in the future.

**Commissioner Brown made a motion to recommend transmittal of the text amendments.**

**Commissioner Bates seconded the motion.**

**The motion passed 4 – 0.**