

SEMINOLE COUNTY
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION
AGENDA MEMORANDUM

PROJECT: Vision 2020 – Guide to the Journey Ahead, Spring Cycle Amendments

DEPARTMENT: Planning and Development DIVISION: Planning

AUTHORIZED BY: Matthew West ^{MW} CONTACT: Alice Gilmartin ^{AC} EXT. 7383

Agenda Date 02/20/02 Work Session Briefing Public Hearing – 7:00

RECOMMENDATION:

Recommend approval of the proposed Text Amendments to the Seminole County Comprehensive Plan, known as Vision 2020 – Guide to the Journey Ahead, and forward on to the Board of County Commissioners for their consideration and transmittal to the State Department of Community Affairs.

BACKGROUND:

The Text Amendments to the Seminole County Comprehensive Plan, (Vision 2020) were given to the LPA at the meeting of January 9, 2002, in preparation for their public hearing on February 20, 2002.

The Local Planning Agency (LPA) met on July 18, 2001, for a briefing with staff to discuss the text amendments to eight Elements of the Comprehensive Plan. The LPA was unable to open the public hearing on these Text Amendments on August 1, 2001, due to a lack of a quorum. The Board of County Commissioners at their next meeting opted to withdraw the Text Amendments to the Comprehensive Plan from the Fall Cycle Amendments and directed staff to resubmit them for the next Spring Cycle of Comprehensive Plan Amendments. Before the LPA are the same Text Amendments as they previously reviewed last summer. The only changes to the document involve the references to the one cent sales tax that previously was proposed but now has passed and updated tables in the exhibit section of the Capital Improvements Element.

The LPA generated a list of questions at the briefing of July 18, 2001, which staff has responded to and these are attached. These minutes are also attached.

The Board of County Commissioners held a briefing on the amendments on July 24, 2001, and no additional concerns were brought to staff's attention other than the original concerns of the LPA. There were no changes to the text of the Vision 2020 Elements based on the Board's briefing on July 24, 2001.

Reviewed by: _____
Co Atty: Reviewed
DFS: _____
P&DD: _____
DCM: _____
CM: _____
Z2001-033 _____

*Reviewed for legal
sufficiency
only - NOT
drafter's
error. KZC*

The eight elements being amended are the Capital Improvements Element (annual update), Drainage Element, Implementation Element, Intergovernmental Coordination Element, Potable Water Element, Public Safety Element, Sanitary Sewer Element and the Solid Waste Element.

Planning Staff worked closely with the appropriate County Departments/Division Staff in preparing the updates to elements pertaining to various County infrastructure systems. The Implementation Element states the processes, as Concurrency Management, to implement Vision 2020. The Intergovernmental Coordination Element assesses coordination efforts and recommends ways to enhance coordination. After the LPA's public hearing, the transmittal hearing before the Board is scheduled for March 26, 2002.

Attachments:

1. Local Planning Agency Briefing on July 18, 2001—Staff Responses to LPA Questions and Public Comment
2. Minutes of the July 18, 2001 LPA briefing

Local Planning Agency Briefing on July 18, 2001
Staff Response to LPA Questions and Public Comment

I. Rural Density

- A. The rural density issue relates to other Comprehensive Plan text amendments that staff was directed to investigate and is not a part of the update to the eight elements of Vision 2020 currently under review by the Local Planning Agency. (THIS ITEM WAS NOT APPROVED BY THE BCC.)

II. Protection of Rural/Urban boundary

- A. Cite tools that are being used or planned to be used to protect the Rural/Urban boundary.
 - 1. The most successful tool to date has been the use of an interlocal agreement, known as a Joint Planning Agreement, between the County and the City of Oviedo where in the agreement the City of Oviedo agrees to honor the boundary and only allow rural uses/densities in those annexed areas. We are attempting to negotiate a similar interlocal agreement with the City of Winter Springs.
 - 2. Using conflict resolution practices as provided in an interlocal through the Council of Local Governments of Seminole County (CLGSC) which the County and the City have formally agreed to use.
 - 3. Attempt to work closer with the individual City Planning Departments to foster communication, trust and a coordinated effort for protection of rural areas/wetlands.
- B. Cite specific policies in the Comprehensive Plan that will discourage moving the Urban/Rural boundary resulting in more urban lands.
 - 1. Various parts of the Comprehensive Plan (Vision 2020) relate to the Urban/Rural boundary. In the Conservation Element in the Comprehensive Wetlands Management Strategy, there is reference to the Urban/Rural Boundary to require added protection of wetlands to the criteria for amendment to the boundary. The Future Land Use Element in Objective 11 establishes the implementation and enforcement of polices relating to the Rural Area to provide protection of the established rural lifestyle. In this Element, the Future Land Use Designations describe the intent of the three Rural Land Uses (Rural-10, Rural-5 and Rural-3).

III. Drainage

- A. What are we doing with the cities and other groups to work together on drainage issues?
 - 1. There is an intergovernmental working group known as the St. Johns River Middle Basin Advisory Group that meets regularly to discuss drainage issues and collaborative opportunities. Historically, Seminole County funds basin evaluations (although the City of Sanford has come forward and paid for ones within their city limits) and looks to the other local governments to assist with joint projects during deficiency corrections.
 - 2. The Total Maximum Daily Load (TMDL) process that is currently being implemented by the Florida Department of Environmental Protection (FDEP) will also bring all parties to the table regarding pollutant loads to Seminole County's water bodies.

IV. Intergovernmental Cooperation

A. Interlocal Agreements

1. The County continues to work with the individual cities to foster coordination. The County wishes to enter ~~into~~ interlocal agreements with each of the cities that are similar to the current one with the City of Oviedo where there is an agreement of the types of uses for annexed lands that are appropriate and compatible with neighboring border parcels.

B. Commonality of definitions

1. One important aspect to consider is that more and more of the newer regulations being used by the Cities and the County have performance standards. Based on this, there is the possibility to negotiate better the setbacks, etc. for development of border parcels.

V. Environmental Services Overall

A. Are the Water/Sewer and Solid Waste Divisions fully funded by user fees?

1. There are no subsidies received from the General Fund to either Enterprise Fund.

VI. Potable Water Element

A. Is there any type of overall coordination on the delivery of water and sewer services between the three types of providers in Seminole - the County, cities and private utilities, any centralized planing. Are there areas where this might be helpful?

1. There are many system interconnects (some for wholesale purchase of service, some as emergency interconnects). There used to be a group called the Water Utility Advisory Board which met once a month with representatives from SJRWMD. This group no longer exists though the various utilities do coordinate issues together as needed.

VII. Sanitary Sewer

A. What is the County's daily potable water demand (million gallons per day) (across all service areas) and what is the County's daily reuse water demand (mgd)?

1. Potable water demand is currently 17 mgd ADF.
2. County has a number of capital projects in the 5 year plan to expand the use of reuse. Reuse water demand is currently 1 mgd.

B. Septic

1. Do we have any policy or interlocal with the cities to restrict/end septic use?
 - a. No interlocal at this time. Current policy has been to follow State standards for availability and hookup requirements. At this time, the expense of retrofitting homes and businesses with sewer would be a significant cost to those owners. Excepting a verified threat to public health from the use of existing septic tanks, the ongoing process of urbanization and redevelopment is expected to eventually lead to full sewer connection by all urban area users.

VIII. Solid Waste

- A. What year was the Central Transfer Station opened?
 - 1. 1993
- B. Does the landfill currently meet all environmental operating requirements? Are we fully permitted?
 - 1. County has a full operating permit and is in compliance with that permit. The Division work program is designed to maintain that compliance.
- C. Is any effort being made to evaluate the use of landfill gas for power generation?
 - 1. The County is currently studying the feasibility of using landfill gas to power local landfill operations. At this time, the landfill's size (and thus gas producing capability) and the distance/cost to tie into the electric grid is prohibitively expensive.
- D. Concern with maintaining the landfill for future County use:
 - 1. Does the landfill currently accept any tonnage from outside the county?
 - a. The County does not solicit or contract for outside waste to be disposed of at the landfill. In general, a very small percentage of solid waste can be expected to "leak" in from other counties - likely an amount equal to the amount of waste "leaking" out. There is no consistent or significant outside waste entering the County.
 - 2. Is there any current restriction on accepting tonnage from outside the County?
 - a. The BCC has conveyed to Division staff as recently as one year ago that accepting or contracting for outside waste is not an option to be considered and was not to be brought up again. Given the estimated 40 years of capacity left in the current landfill plus the availability of adjacent County owned lands for future expansion, staff does not feel there is a need at this time to for a formal prohibition.

IX. Public Safety

- A. Does the 911 Emergency Communications system serve all Seminole County including the seven cities?
 - 1. No. Emergency calls from the unincorporated County and all the cities except Oviedo are processed by the County operated 911 system. Calls originating in the Oviedo area are captured by a local Public Safety Access Point (PSAP) and routed straight to Oviedo's 911 system.
 - 2. Inclusion of Oviedo in the First Response system would improve service and reduce cost, both to the County and to the City. Public Safety has and continues to suggest that this occur but it is ultimately a decision of the City to make.

- B. How is cooperation between adjacent counties handled such as with a borderline emergency on the St Johns Bridge?
1. The County has a First Response agreement with Orange County and a mutual aid agreement with Volusia County (most Volusia firefighters are volunteer), therefore, whichever station, in either Volusia County or Seminole County is closer, responds to the call and aid from the other jurisdiction is provided if called on to assist. Response is the stronger type of agreement as it automatically calls up as much support as is needed as both counties are notified regardless of which picks up the initial call. Mutual aid requires a deliberate request for service and service is then provided if and when available.
- C. How does the County deal with locating 911 calls from cell phones? Do we have a plan to improve response to 911 cell phone calls?
1. Currently two companies provide the necessary support for identifying the callers' number and the nearest cell tower. Pubic Safety is working on increasing the number of cell phone companies that provide this service.
 2. The County is also planning to support more advanced and accurate location services as the standards for such services are adopted and telecom companies implement the necessary hardware/software requirements.

X. Public Comment

A. Sam Kendall

1. Regarding septic tanks, suggested County consider doing an ordinance re: septic tank maintenance/repair that would be more aggressive than current standards.
 - a. Under current Health Department standards (Chap 381, F.S. ad 64E-6, F.A.C.) repair of on-site sewage disposal system (septic) requires a permit from the County Health department. There are approximately 36,000 septic systems in the County and a yearly average of 600 repair permits issues. Complaints about improperly functioning systems are followed up and the owner cited with the need to get a repair permit and have it fixed. Approximately 120 complaints are dealt with each year. If the Board chose to go beyond the current monitoring and correction of the Health Department (for instance: alternate year check and re-permit of all septic systems over 15 years of age), staff would recommend a cost/benefit analysis of such a program to ascertain: 1) whether the environment is at risk due to improperly maintained and repaired septic systems and 2) the cost and effectiveness of operating a separate permit and monitoring system.
2. Asked what the possibilities for landfill gas use are.
 - a. See response above under "Sanitary Sewer".

B. Deborah Schaffer - What is the hearing process regarding the rural density proposal. (THE RURAL DENSITY ITEM WAS NOT APPROVED BY THE BCC.)

1. The public hearing process for the rural density proposal is the same for any amendment to the Comprehensive Plan. A public hearing before the Local Planning Agency, a transmittal hearing before the Board of County Commissioners, (review by DCA), final public hearing by the Board of County Commissioners DCA's review.

LOCAL PLANNING AGENCY /
PLANNING AND ZONING COMMISSION
COUNTY SERVICES BUILDING
ROOM 1028
July 18, 2001 – 7:00 P.M.
BRIEFING MINUTES

Board Present:

Dick Harris, Chairman
Grey Wilson
Ben Tucker
Mark George

Board Absent

Tom Mahoney, Vice Chairman
Alan Peltz
Paul Tremel

Staff Present:

Matt West, Planning Division
Alice Gilmartin, Planning Division
Dick Boyer, Planning Division
Dick Thomas, Planning Division
Craig Sadrix, Planning Division
Mark Flomerfelt, Stormwater Division
Steve Lee, Deputy County Attorney

I. **CALL TO ORDER**

Dick Harris, Chairman, convened the meeting to order at 7:00 p.m.

II. **ROLL CALL**

Quorum was established.

III. WORKSESSION ITEM(S)

VISION 2020 – GUIDE TO THE **JOURNEY AHEAD:** FALL CYCLE AMENDMENT regarding transmittal to the Florida Department of Community Affairs (FDCA) of proposed Large Scale Text Amendments to the Seminole County Comprehensive Plan (SCCP). Proposed text amendments will be incorporated into the newly adopted SCCP (May 8, 2001), known as Vision 2020-A Guide To The Journey Ahead (and referred to as "Vision 2020"). The subject text amendments will replace Plan Elements of the SCCP. Matt West

This briefing is to discuss changes to 8 of the remaining Elements of the County's Comprehensive Plan. These changes are a result of analysis that staff has conducted over the last 3 years. It started out as an Evaluation and Appraisal Report (EAR) of the 1991 Comprehensive Plan and staff looked at all the elements and new data since the adoption of the 1991 Comprehensive Plan. Staff looked at trends of development and land use and also examined each of the objectives, goals and policies to see if those objectives had been met, the policies implemented or if there were new policies that might need to be considered.

Most of the significant changes were made in the Spring of this year. The Transportation Element was amended, the Future Land Use Element was amended and also the Conservation Element was amended significantly. Also, the Design Element was adopted and revised.

There are some other text amendments proposed by the County Commission that staff was directed to investigate concerning rural densities. Staff is not prepared to discuss those tonight. Staff is still trying to provide analysis of the impact of those changes and also trying to write the proposed text language that the Board of County Commissioners directed staff to investigate.

The Board of County Commissioners (BCC) will have their briefing on July 24, 2001. The Local Planning Agency will have their transmittal hearing on August 1, 2001. The BCC will have their transmittal public hearing on August 28, 2001. The changes will be sent to the Department of Community Affairs who will have 60 days to review and comment. When staff gets their comments back, there will be an adoption public hearing on December 11, 2001.

A slide presentation was presented by staff. A copy of the presentation slides is attached.

Intergovernmental Coordination Element..... Alice Gilmartin
Drainage Element*Craig Shadrix & Mark Flomerfelt

Commissioner Tucker asked if staff worked with the Cities within Seminole County as far as drainage?

Mr. Flometfelt said the County has developed a strong working relationship with the cities, Department of Transportation and St. Johns River Water Management District.

Commissioner Tucker asked if the County's authority supercede the cities when it concerns drainage issues from one area to another?

Mr. Flometfelt said one of the ordinances in place states that Seminole County makes sure that it's water is clean before going into another municipality or visa versa. Each city is responsible for their own water discharges.

Commissioner Tucker asked about the volume of water?

NPDES permitting does not address volume. It deals strictly with water quality.

Chairman Harris asked for an overview of the monitoring frequency and what is done when a problem is found.

Mr. Flometfelt said there is water quality trend data where staff can evaluate total phosphorous and nitrogen to see if the trends are moving up or down and come up with recommendations for water quality improvement. Every quarter a water sample is taken to look at the actual number of bugs in the water and tell the condition of streams. If it's a poor condition stream, there will be certain types of bugs in the water and in the sediment. Staff doesn't only look at a chemical sample of the water, but at what lives there, fish samples and what type of habitat it creates from a recreational viewpoint also. Staff is trying to look at the recreational uses of the lakes and have been working with the Fish and Wildlife Commission for some of those issues.

Potable Water Element Dick Boyer

Chairman Harris asked for an overview of the relationship between the County and the cities. Does the County wholesale water to the cities or do they use their own wells. Is there a uniformed plan throughout the County for our potable water?

Mr. Boyer said there are various degrees of integration throughout the County between County water systems, city water systems and private water systems. All of those generally have some kind of an interconnect with another nearby system that helps provide emergency water if it is needed. The County has numerous interconnects because we are adjacent to all of the cities. We are improving interconnects with the Lake Mary area and adding wells. In terms of a unified overall water plan, there is not a unified plan by which the County, the cities and the private sit down and discuss water issues at this point. This might be something that grows gradually out of the St. Johns effort to seek a solution to supply.

Sanitary Sewer Element..... Dick Boyer

Chairman Harris asked what the countywide percentage of reuse water is?

Mr. Boyer said he didn't know that figure but it was pretty small. Sanford and Altamonte have active programs for reuse water for landscaping. Sanford also does the spray field across Lake Jesup.

Solid Waste Element Dick Boyer

Commissioner Wilson asked if our County restricted the use of the landfill to within the County?

Mr. Boyer said yes. There may be some very small fill from outside the County from private contractors. If there is a private truck and he is right on the line and the landfill is right there it might be closer than going to another County.

Mr. Harris said there is a reciprocal arrangement that if you were hauling from southwest Seminole you might end up going to a transfer station in Orange County because it was closer.

Commissioner Tucker asked if records were kept that compare the ratio of residents that are on sewer rather than septic tanks?

Mr. Boyer said he did not think so. The Health Department permits septic tanks and when staff is planning for comprehensive planning the assumption is made that new development will be on a sewer system.

Commissioner Tucker asked if there was a movement toward eliminating septic tanks within the cities?

Mr. Boyer said Longwood has gone a pretty hard course towards that.

Commissioner George said that Casselberry has as well.

Mr. Flomerfelt said it is a big question of whether septic tanks impact the water bodies. In Orlando they have had problems with birds and wildlife more than human problems.

Commissioner Tucker said this an area that he would like to see a direction, timetable, or framework that addresses the transfer from septic to sanitary sewer.

Chairman Harris asked if the program had been completed to sink more wells and sampling around the landfill to see is it is meeting the requirements?

Mr. Boyer said he believes the permit has been approved and that they have met the conditions and that is why we are allowed to continue operating. There is no problem at this time and we are continuing to monitor.

Chairman Harris asked about the wild pigs that used to live around the landfill.

Mr. Boyer said this was no longer a problem.

Public Safety Element..... Dick Boyer

Chairman Harris asked how the County's 911 system directs the phone calls?

Mr. Boyer said there is a central 911 operated by Seminole County. All calls come into there and then are routed to the nearest service unit whether it's County or city. We do all the addressing through our Planning Department and update them as the new roads are approved.

Mr. West said we do the addressing for 3 cities in the County also. There is a 911 committee of all the different cities in the County that get together and discuss these issues. It is a very effective group.

Commissioner George asked if there was coordination across County lines?

Mr. Boyer said the County has interlocals with the surrounding counties and the Emergency Operations Center in Florida. It is too expensive to handle it all on our own.

Commissioner Tucker asked if the County's 911 system triangulates for cell calls?

Mr. Boyer said he did not know but would find out.

Chairman Harris asked staff to have the answer for the public hearing. Many people today have only cell phones and in the case of an emergency, it is more likely to get a cell call than any other kind.

Capital Improvements Annual Update Dick Boyer

Chairman Harris asked if staff could give an update on whether the user services (water, sewer and solid waste) are self-supporting?

Mr. Boyer said they would be supported by the Enterprise funds and whether those cover the entire cost is something he would have to look into to. They do provide a substantial cost.

Implementation Element Alice Gilmartin

Summary * Matt West

Commissioner Wilson said as densities increase beyond the scope of the Vision 2020, we need to keep focused on protecting the rural urban boundary. The County only controls part of that but the concern is the tools to make it work. He would like to see more specific language that would bring that into place. If all those things happen that are talked about tonight; safety, quality of water, quality of life it will bring a negative impact to the quality of life. Commissioner Wilson indicated that Commissioner Mahoney was concerned about recreation facilities even with the current Plan and if we have something more than that it would be beyond control.

Commissioner Tucker asked if the County was moving toward a commonality in definitions between the cities and the County when a project is on the boundary line of two counties or on the City/County boundary line?

Mr. West said we do have a couple of interlocal agreements on planning issues that mainly deal with compatible land uses. We would have to take this forward and try to work things out. We have tried to negotiate a couple of interlocals with Winter Springs and Casselberry but we seem to be at a crossroads on those.

Commissioner Wilson said within each city's code they are obligated to have an interlocal agreement with the County and are basically not in compliance if they don't. We are seeing the effect of these things not being in place. The cities that have done this are benefiting from good cooperation.

Mr. West said Winter Springs and Oviedo both have territorial claims on the same territory and Casselberry and Winter Springs seem to have a manifest destiny for the same areas as well. The County would like to work out agreements with the three of them but then they all disagree on who is going to get what. We do have enclave agreements with Longwood and Winter Springs to eliminate enclaves.

Commissioner George said another issue is setbacks and distance requirements.

Mr. West said every community has their own set of standards. Altamonte Springs has, in some areas, a set of design standards that is much more stringent than Seminole County. We have property owners and developers trying to develop and avoid annexing into Altamonte because they don't want to abide by Altamonte's design standards and yet we want them to hook up to their utilities.

PUBLIC COMMENTS

Sam Kendall, Altamonte Springs, complimented staff on their work and the Water Shed Atlas. He asked if the County had any management or enforcement of septic tank maintenance?

Mr. West said septic tanks were under the Health Department, which is a State agency.

Mr. Kendall said if that could be enforced that might be a way to minimize any bacteria from septic tanks.

Mr. Flomerfelt said Lake County is developing ordinances for septic tank cleaning in specific basins that have been impacted by poor water quality.

Mr. Kendall said Orange County is using their landfill to generate landfill gas. That could be something we could look into here in Seminole County.

Deborah Schaffer, Chuluota, asked why the LPA Board is being briefed tonight on many different elements of the Vision 2020 Plan yet the item that the DAB brought in front of County Commissioners had no workshops or hearings?

Mr. West said staff has spent many months preparing and researching the items that the Board is hearing tonight. At this point, staff is not prepared to address all the aspects of the DAB's (Development Advisory Board) policy requests that the Board of County Commissioners has been processing. Also, the future land use amendments, such as the one's that were heard at the July 11th, did not have a briefing before the public hearing either. Amendments or changes of that nature typically have a workshop and then a public hearing.

Commissioner Wilson asked who is the DAB and how are they appointed?

Mr. Wilson said the DAB (Development Advisory Board) is a body that is composed of representatives of the development community. A prior Planning Director established the Board to help staff with customer service issues and other code issues as a sounding board. It is a citizen's adhoc volunteer board.

The DAB has taken a position that prior to 1987, the rural area in the east part of Seminole County, was allowed to develop at 1/du per acre. They felt that since 1987 to 1991 the County rolled back or restricted development rights in the rural areas. It went from 1/du per acre to A3, A5 and A10 with the Comprehensive Plan in 1991. A3 requires 3 acres of land above the 100-year flood plane in the wetland area. So they are saying that the County went from 1/du per acre to 1/du per 3, 5, or 10 acres and their concern is the impact on private property rights. They have requested changing how the County defines density in the rural area.

Commissioner Wilson asked if this was something that could possibly be tied to the Vision 2020 or is it separate?

Mr. West said this is going to be sent up at the same time as the Vision 2020 and other text amendments but would be separate and not be incorporated into this document. If the BCC votes to transmit those amendments on August 28th, staff will be sending those to the Department of Community Affairs for their comment.

Chairman Harris stated that staff had done an excellent job of putting together some really credible updates and supporting information for the Comprehensive Plan that is contained in here. It is important that we have these workshops to go over these items. It gives us an opportunity at a discussion level to understand not only what is in there but the intent, what the current process is and the implication of changes. It also gives the Board an opportunity to ask questions so that the County ends up with a much stronger document and more applicable rules and direction towards where we want to go.

IV. OTHER BUSINESS

There was no other business.

V. ADJOURNMENT

Meeting adjourned at 8:30 p.m.

Respectfully Submitted,

Fran Newborg, Recording Secretary

The public bearing minutes of the Seminole County Local Planning Agency/Planning and Zoning Commission are not a verbatim transcription. Recorded tapes of the public hearing can be made available, upon request, by contacting the Seminole County Planning Division Office, 1101 E. first Street, Sanford, Florida, 32771, (407)665-7371.