

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

SUBJECT: Citrus Road Rezone, Request for Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential), and Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling District) (John Percy, applicant)

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

AUTHORIZED BY: Matthew West **CONTACT:** Jeff Hopper EXT. 7431

Agenda Date <u>7/09/03</u>	Regular <input type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Special Hearing – 6:00 <input type="checkbox"/>	Public Hearing – 7:00 <input checked="" type="checkbox"/>	

MOTION/RECOMMENDATION:

1. Recommend APPROVAL of the requested Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential) and Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling District) on 36 acres located on east side of Citrus Road, ½ mile north of Red Bug Lake Road (John Percy, applicant); or
2. Recommend DENIAL of the requested Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential) and Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling District) on 36 acres located on east side of Citrus Road, ½ mile north of Red Bug Lake Road (John Percy, applicant); or
3. Continue the item to a time and date certain.

(District 2 – Comm. Morris)

(Jeff Hopper, Senior Planner)

BACKGROUND:

The applicant requests a change in future land use designation from Suburban Estates (SE) to Low Density Residential (LDR) and rezoning from A-1 to R-1A. Proposed development on the site is single family residential at a maximum of 4 units per net buildable acre. The site is located between existing single family development to the east and west at similar densities.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request per the attached staff report.

Reviewed by: _____
Co Atty: <u>SP</u>
DFS: _____
OTHER: _____
DCM: _____
CM: _____
File No. <u>Z-2003-009 /</u>
<u>03F.FLU01</u>

Citrus Road Large Scale Land Use Amendment Staff Report

Suburban Estates (SE) to Low Density Residential (PD)		Amendment (Z2003-009 03F.FLU01)
REQUEST		
APPLICANT	John Percy / Glatting Jackson	
PLAN AMENDMENT	Large Scale Land Use Amendment from Suburban Estates (SE) to Low Density Residential (LDR)	
REZONING	A-1 (Agriculture) to R-1A (Single Family Dwelling District)	
APPROXIMATE GROSS ACRES	36	
LOCATION	east side of Citrus Road, ½ mile north of Red Bug Lake Road	
BCC DISTRICT	District 2 – Morris	
RECOMMENDATIONS AND ACTIONS		
STAFF RECOMMENDATION July 9, 2003	Staff recommends APPROVAL of the request.	

STAFF ANALYSIS

Suburban Estates (SE) to Planned Development (PD)		Amendment (Z2003-011 03F.FLU02)
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1. **Property Owner:** Blanche N. Lloyd, Trustee
2. **Tax Parcel Numbers:** 18-21-31-300-0040-0000
18-21-31-300-004A-0000

3. **Development Trends:** The development trend in the area consists almost entirely of single family subdivisions at densities compatible with the requested LDR land use designation. While an adjacent subdivision in Winter Springs to the north was developed at less than 1 unit per acre, other developments in Seminole County to the east and west are comparable to the requested density for this site.

SITE DESCRIPTION

1. **EXISTING AND PERMITTED USES:** The future land use designation of Suburban Estates (SE), currently assigned to the majority of the subject property, permits single family residential development at a maximum density of 1 dwelling unit per net buildable acre. (The easterly 275 feet of the site, approximately 5.5 acres, already has the LDR designation.) Existing A-1 zoning allows agricultural and related low-intensity uses. The subject property contains a single family home.

Location	Future Land Use*	Zoning*	Existing Use
North	CITY	CITY	Single family residential
South	LDR	A-1	Rainbow Elementary
East	LDR	R-1A	Single family residential
West	PD/LDR	PUD/A-1	Single family residential

**See enclosed future land use and zoning maps for more details.*

COMPREHENSIVE PLAN CONSISTENCY

2. **PLAN PROGRAMS** - Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction. Each application for a land use designation amendment will include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved.

Summary of Program Impacts: The proposed amendment does not alter the options or long-range strategies for facility improvements or capacity additions included in the Support Documentation to the Vision 2020 Plan. The amendment request would not be in conflict with the Metropolitan Orlando Plan or the Florida Department of Transportation's 5-Year Plan (Transportation Policy 14.1).

A. **Traffic Circulation - Consistency with Future Land Use Element:** *In terms of all development proposals, the County shall impose a linkage between the Future Land Use Element and the Transportation Element and all land development activities shall be consistent with the adopted Future Land Use Element (Transportation Policy 2.1).*

Access to the subject property is via Citrus Road, a local road connecting to Red Bug Lake Road. The existing Level of Service (LOS) on this portion of Red Bug Lake Road is "C", with an adopted LOS standard of "E".

B. Water and Sewer Service – Adopted Potable Water and Sanitary Sewer Service Area Maps: *Figure 11.1 and Figure 14.1 are the water and sewer service area maps for Seminole County*

The subject property is within the Seminole County water and sewer service area. Water and sewer service are currently available to the site

C. Public Safety – Adopted Level of Service: *The County shall maintain adopted levels of service for fire protection and rescue...as an average response time of five minutes (Public Safety Policy 12.2.2).*

The property is served by the Seminole County EMS/Fire Station #27. Response time to the site is less than 5 minutes, which meets the County's average response time standard of 5 minutes.

3. REGULATIONS - The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Vision 2020 Plan, but are not applied in detail at this stage.

A. Preliminary Development Orders: Capacity Determination: *For preliminary development orders and for final development orders under which no development activity impacting public facilities may ensue, the capacity of Category I and Category III public facilities shall be determined as follows...No rights to obtain final development orders under which development activity impacting public facilities may ensue, or to obtain development permits, nor any other rights to develop the subject property shall be deemed to have been granted or implied by the County's approval of the development order without a determination having previously been made that the capacity of public facilities will be available in accordance with law (Implementation Policy 1.2.3).*

A review of the availability of public facilities to serve this property indicates that there would be adequate facilities to serve this area, and that the proposed Plan amendment would create no adverse impacts to public facilities.

B. Flood Plain and Wetlands Areas - Flood Plain Protection and Wetlands Protection: *The County shall implement the Conservation land use designation through the regulation of development consistent with the Flood Prone (FP-1) and Wetlands (W-1) Overlay Zoning classifications...(Policy FLU 1.2 and 1.3).*

The site contains less than 5% wetlands or flood prone areas, and can be developed within requirements of the Vision 2020 Plan and Land Development Code.

C. **Protection of Endangered and Threatened Wildlife:** *The County shall continue to require, as part of the Development Review Process, proposed development to coordinate those processes with all appropriate agencies and comply with the US Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission Rules as well as other applicable Federal and State Laws regarding protection of endangered and threatened wildlife prior to development approval (Conservation Policy 3.13).*

A threatened and endangered species report shall be required prior to final engineering approval for any proposed development on the subject property.

4. DEVELOPMENT POLICIES - Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the use, intensity, location, and timing of the proposed amendment.

A. **Compatibility:** When the County's Future Land Use Map (FLUM) was developed in 1987, land use compatibility issues were evaluated and ultimately defined through a community meeting/hearing process that involved substantial public comment and input. When amendments are proposed to the FLUM, however, staff makes an initial evaluation of compatibility, prior to public input and comment, based upon a set of professional standards that include, but are not limited to criteria such as: (a) long standing community development patterns; (b) previous policy direction from the Board of County Commissioners; (c) other planning principles articulated in the Vision 2020 Plan (e.g., appropriate transitioning of land uses, protection of neighborhoods, protection of the environment, protection of private property rights, no creation of new strip commercial developments through plan amendments, etc.).

Based upon an initial evaluation of compatibility, the proposed LDR land use would be compatible with future land use designations on adjoining properties to the east and west. It is also considered to be compatible with Suburban Estates, the County land use designation most nearly equivalent to the existing subdivision adjacent to the north in Winter Springs.

Applicable Plan policies include, but are not limited to, the following:

Transitional Land Uses: *The County shall evaluate plan amendments to insure that transitional land uses are provided as a buffer between residential and non-residential uses, between varying intensities of residential uses, and in managing the redevelopment of areas no longer appropriate as viable residential areas. "Exhibit FLU: Appropriate Transitional Land Uses" is to be used in determining appropriate transitional uses. (Policy FLU 2.5)*

"Exhibit FLU: Appropriate Transitional Land Uses" indicates that the proposed LDR is an appropriate transitional use adjacent to other LDR areas.

Other applicable plan policies include:

FLU 2.1 Subdivision Standards.

FLU 2.12 On-Site Traffic Flow

FLU 5.5: Water and Sewer Service Expansion

Low Density Residential Future Land Use Definition

B. Concurrency Review - Application to New Development: *For purposes of approving new development subsequent to adoption of this Comprehensive Plan, all adopted public facilities level of service standards and schedules of capital improvements...shall be applied and evaluated...consistent with policies of the Implementation Element... (Capital Improvements Policy 3.2).*

This policy provides for the adoption of level of service (LOS) standards for public facilities and requires that final development orders be issued only if public facilities meeting the adopted LOS are available or will be available concurrent with the development. Additionally, preliminary development orders shall only be issued with the condition that no rights to obtain final development orders or development permits, nor any other rights to develop the subject property are granted or implied by the County's approval of the preliminary development order.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request subject to the north 135 feet being rezoned to R-1AAA.

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LENGTHY LEGAL DESCRIPTION ATTACHED AS EXHIBIT); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION THE R-1A (SINGLE FAMILY DWELLING DISTRICT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Citrus Road Rezone."

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONINGS. The zoning classification assigned to the following described property is changed from A-1 (Agriculture) to R-1A (Single Family Dwelling District):

LEGAL DESCRIPTION ATTACHED EXHIBIT A

Section 3. CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

Section 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective upon filing with the Department of State.

ENACTED this 25th day of November, 2003.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

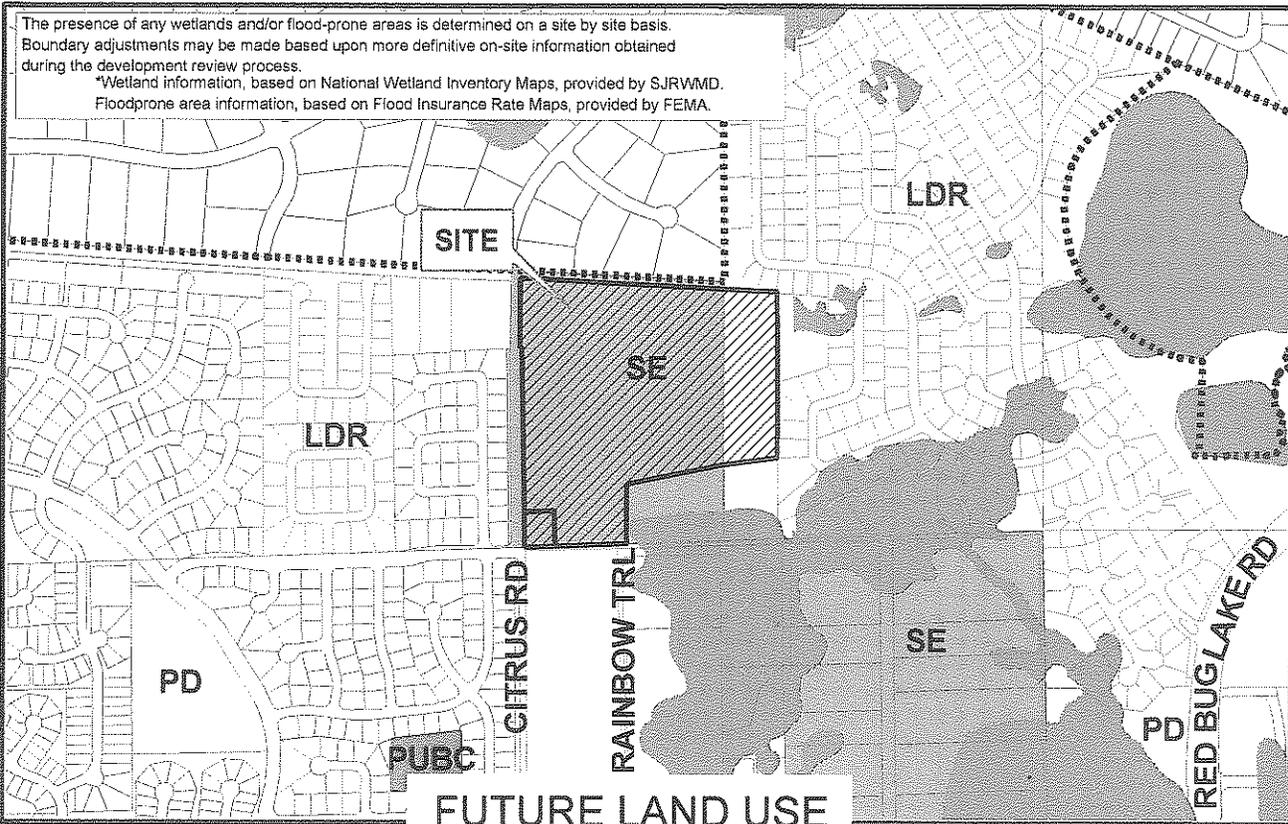
By: _____
Daryl G. McLain
Chairman

EXHIBIT A

LEGAL DESCRIPTION

LEG SEC 18 TWP 21S RGE 31E BEG 30 FT S OF NW COR LOT 1 RUN S TO SW COR
LOT 1 E
525 FT N 275 FT N 81 DEG 40 MIN E 868.1 FT N TO PT 30 FT S OF N LINE LOT 1
WLY TO BEG (LESS 1 AC HX)

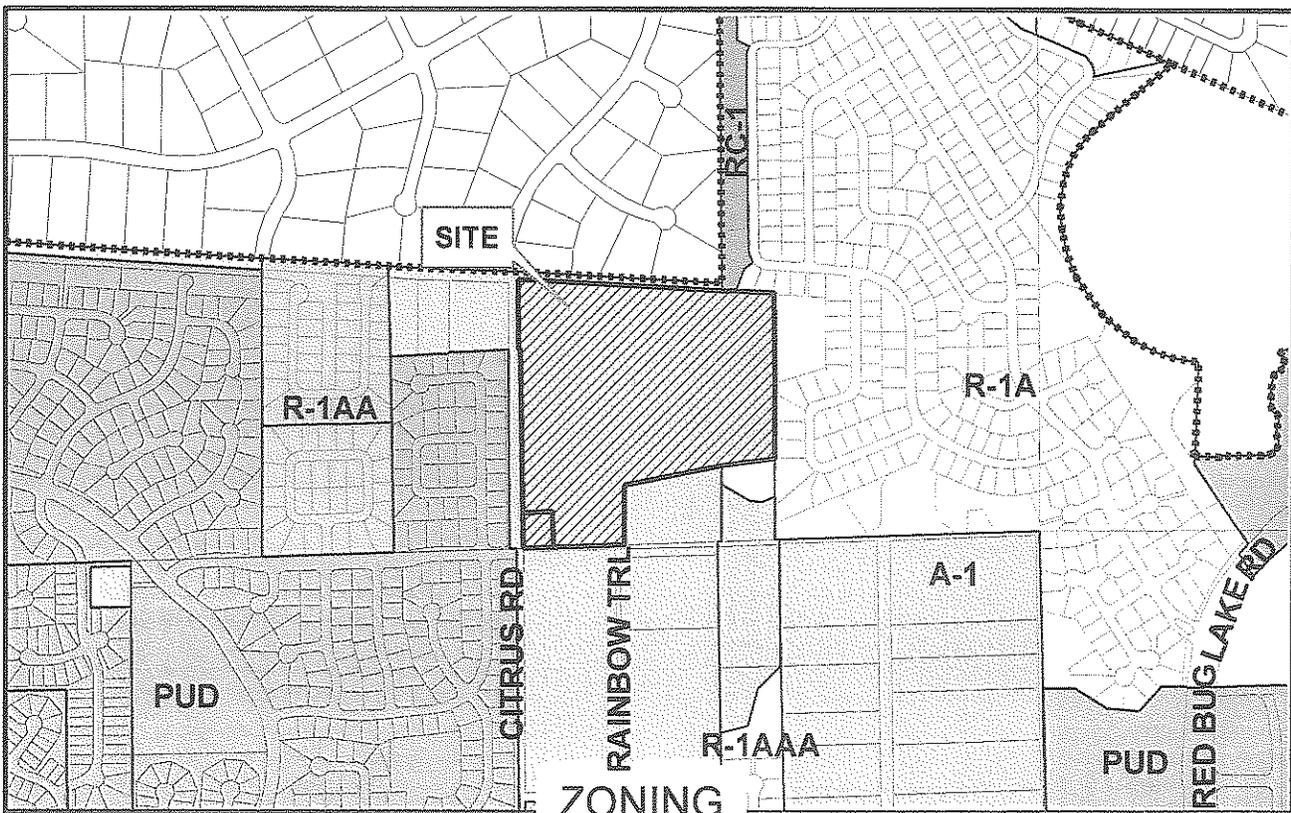
LEG 1 AC HOMESTEAD LOCATED IN SEC 18 TWP 21S RGE 31E BEG 30 FT S OF NW
COR LOT 1 RUN S
TO SW COR LOT 1 E 525 FT N 275 FT N 81 DEG 40 MIN E 868.1 FT N TO PT 30 FT S OF
N LINE LOT 1 WLY
TO BEG



Site
 Municipality
 LDR
 PD
 PUBC
 SE

Applicant: Glatting Jackson
 Physical STR: 18-21-31-300-0040 & 004A-0000
 Gross Acres: 36 BCC District: 2
 Existing Use: Grazing Land
 Special Notes: _____

	Amend/Rezone#	From	To
FLU	03F.FLU01	SE/LDR	LDR
Zoning	Z2003-009	A-1	R-1A



A-1
 PUD
 RC-1
 R-1A
 R-1AA
 R-1AAA



Amendment No: 03F.FLU01

From: SE/LDR To: LDR

Rezone No: Z2003-009

From: A-1 To: R-1A

 Parcel

 Subject Property



NOT TO SCALE

February 1999 Color Aerials