

AN ORDINANCE FURTHER AMENDING THE SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION ASSIGNED TO CERTAIN PROPERTY FROM LOW DENSITY RESIDENTIAL AND RURAL-5 TO PRESERVATION AND MANAGED LANDS; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Seminole County enacted Ordinance Number 2008-44 which adopted the Seminole County Comprehensive Plan ("the Plan"), which Plan has been subsequently amended from time-to-time and in accordance with State law; and

WHEREAS, the Board of County Commissioners has followed the procedures set forth in Section 163.3187, Florida Statutes, in order to further amend certain provisions of the Plan as set forth in this Ordinance relating to a Small Scale Future Land Use Map Amendment; and

WHEREAS, the Board of County Commissioners has substantially complied with the procedures set forth in the Implementation Element of the Plan regarding public participation; and

WHEREAS, the Seminole County Local Planning Agency held a public hearing, with all required public notice on December 2, 2020, for the purpose of providing recommendations to the Board of County Commissioners with regard to the Plan Amendment set forth in this Ordinance; and

WHEREAS, the Board of County Commissioners held a public hearing on January 26, 2021, with all required public notice for the purpose of hearing and considering the recommendations and comments of the general public, the Local Planning Agency, other public agencies, and other jurisdictions prior to final action on the Plan amendment set forth in this Ordinance; and

WHEREAS, the Board of County Commissioners hereby finds that the Plan, as amended by this Ordinance, is consistent and in compliance with the provisions of State law, including, but not limited to, Sections 163.3177 and 163.3187, Florida Statutes, and with the Strategic Regional Policy Plan of the East Central Florida Regional Planning Council

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

Section 1. Recitals/Legislative findings:

The above recitals are true and correct and form and include legislative findings which are a material part of this Ordinance.

Section 2. AMENDMENT TO COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION:

(a) The Future Land Use Element's Future Land Use Map as set forth in Ordinance Number 2008-44, as previously amended, is hereby further amended by amending the Future Land Use Map designation assigned to the following property and which is depicted on the Future Land Use Map and further described in the attached Exhibit "A" to this Ordinance:

| Ord Exhibit | Name | Amendment Number | Future Land Use Change From-To | LPA Hearing Date | Board Hearing Date |
|--------------------|---|-------------------------|--|-------------------------|---------------------------|
| A | County Natural Lands Corrective SSFLUA and Rezone (Portions of Lake Harney Wilderness Area and Overlook Park) | 09.20SS.04 (Z2020-28) | Low Density Residential and Rural-5 to Preservation /Managed Lands | 12/02/2020 | 01/26/2021 |

(b) The associated rezoning request was completed by means of Ordinance Number 21-____.

Section 3. Severability:

If any provision of this Ordinance or the application to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity will 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 4. Exclusion from County Code/Codification:

(a) It is the intent of the Board of County Commissioners that the provisions of this Ordinance will not be codified into the Seminole County Code, but that the Code Codifier shall have liberal authority to codify this Ordinance as a separate document or as part of the Land Development Code of Seminole County in accordance with prior directions given to this Code Codifier.

(b) The Code Codifier is hereby granted broad and liberal authority to codify and edit the provisions of the Seminole County Comprehensive Plan to reflect adopted amendments to the Plan.

Section 5. Effective Date:

(a) The County will provide a certified copy of this Ordinance to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes.

(b) This Ordinance will take effect upon filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners; provided, however, that the effective date of the plan amendment set forth in this Ordinance, if the amendment is not challenged in a timely manner, will be no earlier than thirty-one (31) days after the adoption date of the amendment. If challenged within the appropriate time period, this amendment will become effective on the date the State Land Planning Agency or the State Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits or land uses dependent upon this amendment may be issued or commence before it has become effective.

ENACTED this 26th day of JANUARY, 2021

BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA

By: _____
LEE CONSTANTINE, CHAIRMAN

EXHIBIT A

Amendment 09.20SS.04

LEGAL DESCRIPTION

Lake Harney Wilderness Area

SEC 36 TWP 19S RGE 32E BEG 201.58 FT N OF SE COR, RUN N 394.34 FT, N 80 DEG 23 MIN 23 SEC W 336.23 FT, S 9 DEG 36 MIN 37 SEC W 754.46 FT, N 57 DEG 31 MIN 21 SEC E 546.43 FT TO BEG

Overlook Park

LOTS 1 2 & 4 (**LESS** MINERAL SPRINGS PARK 2ND ADD & PART OF LOT 1 W OF CANAL & NLY OF EXTENSION OF NLY LINE OF LOT 14) BLK 2 MINERAL SPRINGS PARK, PB 7 PG 60