

LEISURE SERVICES DEPARTMENT
ADMINISTRATIVE OFFICES



November 6, 2020

Dear Seminole County,

The Seminole County Natural Lands Program is requesting a rezone of all properties owned by the Board of County Commissioners purchased and maintained through the program, from various existing zoning designations to the proposed Public Lands and Institutions zoning designation. This proposed rezone includes Black Bear Wilderness Area and the neighboring county property, as well as Wilson's Landing Park, which are within the Wekiva River Protection Area. This rezone does not have any proposed development associated with it, and should only add to the protection of these natural areas within the Wekiva River Protection Area. It will not negatively impact the wetlands, hydrology, species composition or habitat of the river system.

Because there is no development proposed with this rezone, this rezone is consistent with the provisions in the Wekiva River Protection Act. There is no proposed clearing of native vegetation, habitat will be preserved, and the rural character of the protection area will remain intact. There is no proposed alteration of wetlands, residential development, or placement of septic tanks or drainfields. This proposed zoning designation will continue to protect each of the qualities in Section A of the Wekiva River Protection Act Application for Consistency Review, and the rezone is consistent with each of the provisions in Section B.

Sincerely,

Richard E. Durr, Jr., CPRP, AICP, PLA
Director, Leisure Services Department
Seminole County

WEKIVA RIVER PROTECTION ACT
APPLICATION FOR CONSISTENCY REVIEW
Seminole County Comprehensive Planning Division
1101 East First Street, Sanford, Florida 32771
(407) 665-7371, FAX (407) 665-7385

The Wekiva River Protection Area Act was enacted in 1988 and codified as Part II, Chapter 369, Florida Statutes, for the purpose of protecting the natural resources of the Wekiva River System. The Act provides for protecting the Wekiva River System and its ecology and prohibits development that is not low-density residential in nature, unless that development has less impacts on natural resources than low-density residential development, and requires that residential development have a rural density and character in the aggregate. Regardless of the land use designation or zoning classification assigned to any parcel of property located within the Wekiva River Protection Area, (as defined) no development may be approved upon parcels so located unless it conforms to the provisions of the Act and the provisions of the Seminole County Comprehensive Plan implementing the Act.

Applicant Name: Seminole County Leisure Services Department
Address: 1101 E. 1st Street
Telephone Number: 407-665-2001
Project Name: County Property Corrective Rezone
Activity Type (i.e., plan amendment, rezoning, zoning permit, site plan, subdivision approval, variance, special exception, or other official action permitting the development of land): Rezoning
Property Appraiser's ID Number: See Attachment E

Instructions

Please thoroughly answer each of the questions below, in letter format, along with a location map and return to the Seminole County Comprehensive Planning Office. The information will assist staff in determining if the proposed activity is consistent with the provisions of the Wekiva River Protection Act. Answers should be detailed and apply and articulate sound and generally accepted planning practices and principles.

- A. DESCRIBE HOW THE PROPOSED ACTIVITY WILL PROTECT EACH OF THE FOLLOWING:**
 - Water quantity, water quality and hydrology of the Wekiva River System.
 - Wetlands associated with the Wekiva River System.
 - Aquatic and wetland-dependent wildlife species associated with the Wekiva River System.
 - Habitat within the Wekiva River Protection Area of species designated pursuant to Rules 39-27.003, 39-27.004 and 39-27.005, Florida Administrative Code.
 - Native vegetation within the Wekiva River Protection Area.
- B. DESCRIBE HOW THE PROPOSED DEVELOPMENT WILL BE CONSISTENT WITH THE FOLLOWING PROVISIONS:**
 - Provisions to ensure the preservation of sufficient habitat for feeding, nesting, roosting, and resting as to maintain viable populations or species designated pursuant to Rules 39-27.003, 39-27.004 and 39-27.005, Florida Administrative Code.
 - Clearing of native vegetation within the 100-year flood plain.
 - The rural character of the Wekiva River Protection Area.
 - Prohibition of development that is not low-density in nature, unless that development has less impact on natural resources than low-density residential development.
 - Provisions for setbacks along the Wekiva River for areas that do not fall within the protection zones established pursuant to Section 373.415, Florida Statutes.
 - Restrictions on intensity of development adjacent to publicly owned lands to prevent adverse impacts to such lands.
 - Restrictions on filling and alteration of wetlands in the Wekiva River Protection Area.
 - Provisions encouraging clustering of residential development when it promotes protection of environmentally sensitive areas.
 - Ensuring that residential development in the aggregate is of a rural density and character.
 - Concentrating development farthest from the surface water and wetlands of the Wekiva River System.
 - Land adjacent to the surface water and watercourses of the Wekiva River System may not be subdivided so as to interfere with the implementation of protection zones as established pursuant to Section 373.415, Florida Statutes, to interfere with any applicable setbacks from surface waters in the Wekiva River System which are established by local governments, or interfere with the policy of concentrating development in the Wekiva River Protection Area as far from the surface waters and wetlands of the Wekiva River System as practicable.
 - Location of septic tanks and drainfields in the 100-year flood plain and discharges of stormwater to the Wekiva River System.

The County shall regulate the development of land along the Wekiva River and its wetlands and tributaries to implement Protection Zone policies and regulations regarding maintaining rural density and character, development setbacks, concentrating allowable development farthest from surface waters and wetlands where permitted, minimizing development impacts on water quantity and quality, and restricting open space areas to passive recreational uses. [Future Land Use Policy 1.9 (Wekiva River Protection) Seminole County Comprehensive Plan]. Also see Chapter 30, Zoning Regulations, Part 53, Wekiva River Protection Act, Land Development Code of Seminole County.

If you have any questions, please contact the Seminole County Comprehensive Planning Division at the address and telephone number above.