

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY; REZONING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-5 (RURAL) ZONING CLASSIFICATION TO THE PLANNED DEVELOPMENT (PD) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM 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 River Cross PD Large Scale Future Land Use Map Amendment and Rezone, dated _____, 2018.

(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-5 (Rural) to Planned Development (PD) pursuant to the provisions contained in Development Order #18-20500016, attached to this Ordinance as Exhibit A and incorporated in this Ordinance by reference:

SEE ATTACHED EXHIBIT B FOR LEGAL DESCRIPTION

Section 3. CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance will 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 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 5. EFFECTIVE DATE. A certified copy of this Ordinance will 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 will be effective upon the latter of: (i) the recording date of the Development Order #18-20500016 in the Official Land Records of Seminole County; (ii) filing with the Department of State; or (iii) the companion Future Land Use Amendment Ordinance No. 2018 -__ being deemed final in accordance with Florida Statutes Chapter 163, Part II.

ENACTED this _____ day of _____ 2018.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
JOHN HORAN, CHAIRMAN

EXHIBIT A

DEVELOPMENT ORDER

FILE NO.: PZ2018-

DEVELOPMENT ORDER #

18-20500016

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On _____, 2018, Seminole County issued this Development Order relating to and touching and concerning the following described property (the "Subject Property"):

See Attached Exhibit "A"

(The above described legal description has been provided to Seminole County by the owner of the above described Subject Property.)

FINDINGS OF FACT

Property Owner: HI-Oaks, LLC

Project Name: River Cross

Requested Development Approval: Large Scale Future Land Use Map Amendment from Rural-5 to Planned Development (PD); and Rezone from Agriculture-5 to Planned Development (PD).

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The development conditions and commitments stated below will run with, follow and perpetually burden the above described Subject Property.

Prepared by: Tara L. Tedrow, Esq.
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215 N Eola Drive
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Order**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The subject application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances to the extent they do not conflict with this Development Order.
- (3) The conditions upon this development approval and the commitments made as to this development approval, are as follows:

A. Development must comply with the Master Development Plan attached as Exhibit "B".

B. Permitted Uses:

- a. Single-family residential with customary and accessory uses
- b. Multi-family residential
- c. C-1 (Retail Commercial) and OP (Office) (approximately 65 acres)
- d. Seminole County Public School (approximately 5.5 acres reserved)
- e. Single-family Residential: Single-family residential shall be permitted at 4.0 dwelling units per net buildable acre with a maximum of six hundred (600) units*. In order to appropriately transition between adjacent existing uses and the development of the Subject Property, single family detached residential product shall be permitted at 2 dwelling units per net buildable acre along the north and east sides of the Subject Property, the specific locations of which shall be depicted on the Final Development Plan.
- f. Multi-family: 13.0 dwelling units per net buildable acre and a maximum of five hundred (500) dwelling units*.
- g. Commercial: Maximum intensity must be the lesser of FAR of 0.6 or one million five hundred thousand (1,500,000) square feet on approximately 65 acres.

*Densities are based on an approximate number of net buildable acres. In the event that net buildable acreage is less than estimated, the maximum number of units permitted could be less. In no case will the stated maximum density and intensity be exceeded.

C. The maximum allowable building heights are as follows:

- a. Single-family: Thirty-five (35) feet
- b. Multi-family: Sixty-five (65) feet
- c. Single Use Commercial: Forty-five (45) feet
- d. Mixed Use Commercial/Office/Institutional: Seventy-five (75) feet

- D. The development must provide a minimum of twenty five (25) percent common open and green space. The development shall reserve a minimum of 100 acres for permanent conservation which shall be dedicated to St Johns River Water Management District.
- E. The minimum building setbacks from any external property boundary shall be as follows:

North: 80 feet

South: 45 feet

East: 80 feet

West: 550 feet*

Internal setbacks will be determined at Final Development Plan.

* An eleven hundred foot (1,100') Commercial building setback is required from the western external property boundary. The five hundred and fifty foot (550') building setback only applies to residential buildings.

- F. The buffers are as follows:

North: 50 foot landscape buffer.

South: 25 foot landscape buffer.

East: 50 foot landscape buffer.

West: 550 foot environmental buffer.

The perimeter buffer may be widened at Final Development Plan if required per Chapter 30, Part 67 of the Land Development Code of Seminole County. In no case may the building setbacks be less than the required buffer.

Buffer components will be established at Final Development Plan.

- G. The developer must provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks, if any, outside of the development. Access points and locations for these facilities shall be determined in the Final Development Plan. Such pedestrian circulation system shall not connect to the property located at 141 River Run Point or to any adjacent properties to the north of the subject Property.
- H. All project signage must comply with the Land Development Code of Seminole County.
- I. Homeowner's Association or Property Owner's Association must be created to manage all common areas and facilities.
- J. In the case of a conflict between the written conditions A through J in this Development Order and the Master Development Plan attached as Exhibit "B", the terms of the written conditions A through J shall apply.
- K. A Final Development plan shall be prepared for the project; however, if the project is to be developed in phases, then each phase shall have its own corresponding Final Development Plan submitted to the County for review and approval.

(4) This Development Order touches and concerns the above described Subject Property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this Subject Property and be a servitude upon and binding upon this Subject Property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Development Order.

(5) The terms and provisions of this Development Order are not severable and in the event any portion of this Development Order is found to be invalid or illegal then the entire order will be null and void.

(6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.

(7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

(8) This Development Order becomes effective upon recording with the Seminole County Clerk of the Court. However, in no case will this Development Order be effective prior to the effective date of the associated comprehensive plan amendment enacted in association with River Cross (as referenced in Exhibit "A"), on _____.

Done and Ordered on the date first written above.

**SEMINOLE COUNTY BOARD
OF COUNTY COMMISSIONERS**

By: _____
John Horan, Chairman

EXHIBIT B**LEGAL DESCRIPTION****PARCEL 1:**

The Southwest quarter of the Northeast quarter of the Southwest quarter; and the South half of the Northwest quarter of the Southwest quarter; and the West half of the Southeast quarter of the Southeast quarter; and the Southwest quarter of the Southeast quarter; and the South half of the Southwest quarter; and the South half of the Northeast quarter of the Southeast quarter, less road right of way thereof for S.R. No. 419; and the South half of the Northwest quarter of the Southeast quarter; and the Southeast quarter of the Northeast quarter of the Southwest quarter, of Section 32, Township 21 South, Range 32 East, Seminole County, Florida.

PARCEL 2:

That portion of the following described property Easterly of the Econlockhatchee Creek:
The South half of the North half of the South half; and the South half of the South half, of Section 31, Township 21 South, Range 32 East, Seminole County, Florida.

PARCEL 3:

The Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 32, Township 21 South, Range 32 East, Seminole County, Florida, less road right of way for S.R. No. 419.

PARCEL 4:**Parcel Thirty-Three**

The East 1030.00 feet of the Southerly 1/6 of the Southeast 1/4 of the Northeast 1/4 of Section 32, Township 21 South, Range 32 East, Seminole County, Florida, less road right of way over the Easterly portion thereof for S.R. No. 419.

AND

Parcel Thirty-Four

The East 1030.00 feet of the North 1/2 of the South 1/3 of the Southeast 1/4 of the Northeast 1/4 of Section 32, Township 21 South, Range 32 East, Seminole County, Florida, less road right of way over the Easterly portion thereof for S.R. No. 419.

PARCEL 5:**Parcel Thirty-Five**

The South 2/5 of the North 5/8 of Section 32, Township 21 South, Range 32 East, Seminole County, Florida, less the Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of said Section 32; and also less the East 1030.00 feet of the South 1/3 of the Southeast 1/4 of the Northeast 1/4 of said Section 32; and also less road right of way over the Easterly portion thereof for S.R. 419.

PARCEL 6:

That portion of the Southerly 2/5 of the North 5/8 of Section 31, Township 21 South, Range 32 East, Seminole County, Florida, lying Easterly of Econlockhatchee River.