

11. Comprehensive Plan Summary Information including Staff Analysis of Applicant's Assessment of Standards Review

**STAFF ANALYSIS OF APPLICANT'S
ASSESSMENT OF STANDARDS OF REVIEW
River Cross Comprehensive Plan Amendments**

ATTACHMENT A

Standards of Review of All Future Land Use Map Amendments

4. Assessment of Consistency with Comprehensive Plan Goals, Objectives, and Policies

a. Demonstrate the Compatibility with Adjacent Land Uses

Staff Analysis of Applicant's Response to 4(a.)(Attachment 1): Staff finds the information provided by the Applicant does not demonstrate compatibility with the adjacent rural land uses and is inconsistent with the Comprehensive Plan for the following reasons.

The subject property and its adjacent properties have the Rural-5 Future Land Use Designation. The Rural-5 Future Land Use Designation is established to allow residential development on large lots and to accommodate the continuation of agricultural pursuits. The purpose and intent of the land use is to minimize conflicts with agricultural operations and minimize planned and programmed expenditures for public facilities such as roadway improvements, school and fire. The purpose and intent of the Rural Future Land Use designations, including R-5 are intended to work in harmony to maintain the rural character, lifestyle and agricultural potential of the Rural Areas of Seminole County.

The Applicant describes adjacent R-5 land as a suburban development form in the last paragraph, page 2 of 3 of Attachment 1 of the application. However, the purpose and intent of the Rural Land Use designation is not for suburban growth, but 'to maintain the rural character, lifestyle and agricultural potential of the Rural Areas of Seminole County', by both identifying an area in which a reduced level of investment for public facilities is required, and to 'assist the County in implementing its overall Plan strategy of protection of agricultural uses and the environment'.

The R-5 Future Land Use designation allows rural residential development at a density equal to or less than one unit/five net buildable acres. Allowable uses in the R-5 FLU also include agricultural operations, horses and livestock, greenhouses, nurseries and silviculture. In accordance with the Seminole County Comprehensive Plan, agricultural uses have primacy in the adjacent rural land use designations, thus compatibility must be achieved not just with an existing use such as a single family home, but with the overall character of the adjacent land use designation and allowable uses.

The proposed development with its urban densities and intensities is not compatible with the adjacent land uses of Rural-5. The application makes general statements of compatibility, for example, the last paragraph on page 3 of 3 in Attachment 1 states the proposed PD 'ensures compatibility with the Rural (single family residential) designated lands to the north and east...by applying low density residential along the perimeter of the of the development with densely landscaped 50-foot buffers along the north and east property line...'. The "low density" residential shown includes 80' and 40' to 70' lots, which are not characteristic of rural areas nor compatible with five (5) acre lots and agricultural uses. Placing urban development adjacent to Rural-5 land use could create noise, odor and visual conflicts with agricultural operations. In addition, the proposed 25-foot and 50-foot buffers do not provide an adequate mechanism to establish compatibility. The proposed 1.5 million square feet of commercial uses are also incompatible with the adjacent Rural-5 Future Land Use designation.

b. Demonstrate the Changes in Character to the Surrounding Area

Staff Analysis of Applicant's Response to 4(b.) (Attachment 2): *Staff finds the information provided by the Applicant does not support a finding that the character of the area surrounding the site has changed for the following reasons.*

The Applicant cites projected and actual population growth for the entire County as a demonstration of change to the character of the area surrounding this particular rural site, however, the test for a need for change is meant to apply to the area surrounding a site, not the entire County. The most recent similar application to change the Rural Boundary, amend Land Use, and change the character of the surrounding area was denied in 2009. The proposal was a change to 'Commercial' for a 34+ acre property where County Road 419 intersects Snowhill Road, which would have resulted in approximately 518,000 square feet of commercial development. Due to the denial, the character of the surrounding area of the East Rural Area remains unchanged.

The subject property is east of the Econ River in the Rural Area of the County, but the Applicant identified a larger 'surrounding area' encompassing properties in the Urban Area (beyond the East Rural Area) and cited three approvals in the urban area of the County as supporting 'change to the character of the surrounding area'. However, each is for a project that is not mixed use, is lower in density than the lowest density urban residential land use (LDR), and is much smaller than River Cross. These projects include:

- Bellevue subdivision (formerly known as Old Lockwood): 10 acres; approved for 26 single family lots; maximum density 3.67 units/net buildable acre. This density is less than maximum 4 units/net buildable acre allowable for the urban Low Density Residential Land Use.
- Old Lockwood Fawn Run; 21.6 acres; approved for 32 single family lots; maximum density 2.3 units/net buildable acre, also less than allowable maximum for the urban Low Density Residential Land Use.
- Hideway Cove: 45 acres; approved for 92 single family lots; maximum density 2.59/ net buildable acre, also less than maximum allowable for urban Low Density Residential Land Use.

Since all three of the cited approvals allow fewer units than the maximum allowable for urban Low Density Residential and, unlike River Cross, are not mixed use, these approvals do not support a finding that the character of the urban area outside of the East Rural area is changing significantly.

It should also be noted that based on FLU Exhibit 1 of the Seminole County Comprehensive Plan, Compatible Transitional Land Uses, transitioning of land use (stepping down of land uses from higher densities to less intense uses) is ineffective in a rural area since it does not clearly identify the future limits of urban development, and will likely lead to urban sprawl. A clear and sharp distinction (e.g., establishment of urban boundaries) between rural and urban densities is considered more effective in protecting rural character. Therefore, nearby development in the urban area cannot be used to demonstrate compatibility and a change of character in the area.

Also as part of the Applicant's data supporting a 'change in character of surrounding area', projections for student and employee growth at the University of Central Florida (UCF) were included. It is noted that on Page 10 of the UCF Master Plan, Orange County is defined as the 'host community' of the University. The University Master Plan was developed in conjunction with the Comprehensive Plan of the host community. Seminole County was identified in the

Future Land Use Element of the UCF Master Plan as an affected government that was given an opportunity to comment on the Master Plan, but was not invited to participate in the joint Master Plan development. Therefore, while Seminole County benefits from proximity to UCF, the University did not identify a need in its own Master Plan for Seminole County to accommodate its projected growth.

The Applicant further cited two proposals in Orange County as proof of change of the character of the area.

The first, Lake Pickett North (Sustany), directly abutting the Seminole/Orange County line, was not approved by Orange County and should not be included in an analysis of whether the surrounding area has changed. Seminole County Board of Commissioners objected to this proposed development, see the attached correspondence to Mayor Jacobs and the Orange County Board of Commissioners.

Even if approved, Sustany would not have included the mixture of uses and housing types proposed by River Cross, but would have provided only 'single family residential uses not exceeding 1,999 units'. Sustany's Justification Statement referenced projected student and employee increases at UCF as a basis for additional residential communities, but did not provide proof that the proposed 'single family residential uses' proposed by Sustany would meet the needs of either students or employees of UCF.

The second proposed development in Orange County is Lake Pickett South (The Grow) and is much closer to UCF and further away from Seminole County (thus significantly distant from inclusion within a 'surrounding area' character study for River Cross). The Grow is mixed use, with 2,078 units and 172,000 sf of nonresidential use, and also includes a 'farm to table' development pattern that would include agricultural uses within its boundaries, unlike River Cross. River Cross is proposed to be adjacent to land in Seminole County where active agriculture is permitted as a primary use.

The Applicant also submitted as supporting documentation, a Brookings Institute Report entitled "Innovation Districts" as support for River Cross development intending to meet Policy FLU 19.4 Target Occupations. Policy FLU 19.4 is a means of implementing Objective FLU 19 (Economic Development Target Areas, Industries and Occupations) and applies to the Target Areas identified on *Exhibit FLU: Economic Development Target Areas*, all of which are located in the urban area with proximity to major transportation facilities, such as the Orlando-Sanford International Airport and Interstate 4.

The Applicant notes that 'there is no viable land adjacent to or within close proximity to UCF that can accommodate such an Innovation District' and suggests that River Cross provides that option. In addition to the plans already included in UCF's Master Plan for space utilization, 'The Grow', with its 172,000 SF of nonresidential use, is much closer to UCF than the site proposed for River Cross and could meet the need for such an Innovation District. In addition, the project narrative does not provide data analysis to support the assertion that there are no viable alternative to the proposed site for an "Innovation District". It should be noted that there is a business incubator in Winter Springs within the urban area that was established in 2008 as a partnership between the University of Florida, the City of Winter Springs, Seminole County and the Florida High Tech Corridor Council, which has 10,800 square-feet of Class-A office space, conference rooms, a training room and shared office equipment.

Seminole County signed a compact to uphold the Central Florida Regional Growth Vision ("How Shall We Grow?") created in 2007, after participating in development of that Vision, and amended its County Plan to include the principles of that Growth Vision. The principles emphasize preserving farmland, water resources and regionally significant natural areas by guiding growth into Centers and Urban Corridors served by urban services. The following policies are based on the principles of the Central Florida Regional Growth Vision:

- Urban services continue to be excluded by policy from the East Rural Area (Objective FLU 11; Policy FLU 11.1 (recognition on character of area); Policy FLU 11.5 (Roads, Major); Policy FLU 11.8 (Roads, Minor); Policy FLU 11.9 (Roads LOS); Policy FLU 11.10 (Potable Water); Policy 11.11 (Sanitary Sewer); and Policy FLU 11.16.(Facilities Improvement consistent with Rural Character). Only in event of a health emergency does Policy FLU 11.11 allow for central sewer, but specifies that a future land use change will not occur as a result of such service expansion.
- Policy FLU 11.4 (Rural Cluster) allows for cluster development to protect natural and rural areas but *'affects only the location of the dwelling units authorized by the future land use designation and [does]not serve as a vehicle for increasing the lot yield...'*
- These continued policy directions mean that the County has not programmed expansion of urban services into the East Rural Area in its long term Capital Improvements plans, which would change the character of the area and has not changed allowable dwelling units. Thus, the County has not changed the character of the East Rural Area through public facility investments or by increasing densities.

c. Demonstrate the Support and Furthering of County Goals, Objectives and Policies

Staff Analysis of Applicant's Response to 4(c.)(Attachment 3): Staff finds the application does not support and further the Seminole County Goals, Objectives and Policies for the following reasons.

The following goals, objectives and policies were identified by the Applicant in response to Point c: Demonstrating the Support and Furthering of County Goals, Objectives and Policies.

Staff finds that the application does not support and further the three conditions identified in Policy FLU 1.10, the proposal does not support and implement Policy FLU 1.10, and conflicts with the Policy for the following reasons.

The Applicant states:

"The three main pillars of the River Cross community are to preserve and protect the Econ River corridor, prove a walkable transect-based community with a mix of housing types, and providing an Innovation District for a 21st century approach to economic development. These three pillars are consistent with the goals, objectives and policies established in the County's adopted Comprehensive Plan."

The Goals, Objectives and Policies of the Comprehensive Plan (in particular, the Goal, Objectives and Policies of the Future Land Use Element and the Goals, Objectives and Policies of the Transportation Element, required by Chapter 163, Part II, Florida Statutes to support each other in the effort to achieve multimodal mobility in urban areas) are set within the context of the Central Florida Regional Growth Vision. The Future Land Use Element's Plan Objectives have been grouped into the following major categories:

- Conservation
- Centers
- Countryside
- Corridors
- Property Rights

The policies provide the measures that demonstrate that Objectives have been achieved, as required by Statute. With respect to protection of the Econlockhatchee River Basin, Policy FLU 1.10, point D states:

“Forested habitat fragmentation within the Zone shall be limited, and there shall be no additional crossing by road, rail or utility corridors of lands located within the Zone unless the following three conditions are all met:

1. There is no feasible and prudent alternative to the proposing crossing as determined by the County;
2. All possible measures to minimize harm to the resources of the Econlockhatchee River Basin will be implemented; and
3. The crossing supports an activity that is clearly in the public interest as determined by the County.”

The River Cross proposed development plan appears to indicate that this crossing would eventually occur as part of the proposed development. While the Applicant has stated that River Cross can provide the only possible location for an ‘Innovation District’ to support UCF, no data and analysis is provided to support the claim that no other areas within the urban area of unincorporated or incorporated County are available to support such a development. In addition, staff has noted the closer proximity of the already approved Orange County mixed use development, ‘The Grow’, to UCF. That development could meet the needs for an ‘Innovation District’.

The Applicant has not provided an activity that is ‘clearly in the public interest’ to justify the harm to resources that the crossing would cause. With respect to the ‘harm’, while setting aside an area off-limits for development always assists the preservation of a resource such as a significant waterway, the act of construction on land once in agricultural use can release pollutants in excess of any current protection and mitigation measures. In addition, the vehicles using an at-grade river crossing can also be expected to continuously release unanticipated pollutants. The application has not addressed mitigation measures of these potential impacts.

Currently, there are no allocated funds for a capital budget for installation of urban roadways needed to connect the proposed River Cross development to areas beyond the Project’s borders. Nor has a capital expenditure been budgeted for the urban roadway drainage needed to replace rural swales, to accommodate stormwater generated by the roadways in order to ensure no additional impacts to the quality of the surface waters.

The Applicant has not demonstrated that this additional public expenditure (in support of urban development in an area never planned to be urban) is clearly in the public interest and that these public expenditures are justifiable.

Future Land Use Policy FLU 1.5 Natural/Environmental Lands Acquisition and Management Program

The Applicant states that River Cross supports this goal because it provides 100 additional acres of land in a conservation easement. However, this policy actually addresses the County’s Natural Lands Acquisition and Management program, through which the public voted twice to assess itself not only for acquisition of natural lands, but to provide management programs that allow public access, public education and passive recreation. A conservation easement preserves land, but does not guarantee public access, public education and passive recreation. In addition, the application indicates that the ownership of the land would not be

given to Seminole County to manage, thus further reducing the likelihood of public access, education and passive recreation programs.

For these reasons Staff finds the application does not support and implement Policy FLU 1.5.

Future Land Use Policy FLU 1.17 Cluster Development

This policy allows for clustering of uses in order to achieve a range of benefits, including, but not limited to, preserving environmentally sensitive lands, promoting land use patterns that facilitate multimodal transportation and efficient use of infrastructure and the creation of a range of obtainable and affordable housing.

The Applicant states that the use of the transect model within River Cross allows for multimodal mobility within the development. However, Section 163.3177(6)(b) Florida Statutes (Transportation Element), requires communities within Metropolitan Planning Organizations (such as Seminole County) to plan for 'multimodal transportation systems that place emphasis on public transportation' and are coordinated with the Future Land Use Element and Future Land Use Map.

The absence of existing and planned future public transit service in this area reduces the ability of River Cross to support multimodal transportation. The layout of Exhibit 4, showing no direct connections between the internal residential areas and few between the residential and nonresidential areas, reduces the ability of the development to support pedestrian and bicycle modes. In addition, although the Applicant references Chuluota as a model for River Cross, no connection is shown to that nearby walkable village, which is not within the East Rural Area. Thus, whatever internal walkability is included within River Cross, it is not sufficient to support Policy FLU 1.17. Walkability would end at the border of the development, as no public investment in urban streets with sidewalks has been made or is planned within the East Rural Area and the Applicant does not show such a link to be provided to Chuluota. An isolated, internally walkable development that is not connected to surrounding areas via multiple modes does not constitute a multimodal transportation system. The East Rural area of Seminole County is not included within the existing or future public transportation plans of the regional transit provider, LYNX.

The Applicant states that the proposed development pattern for River Cross will provide for affordable housing options. No commitment to affordable housing has been made in the application or draft Development Order. Even given a change to a proposed Developer's Commitment as a part of the overall Development Order, offering both a specified percentage of units within the necessary price range to qualify, and committing to maintain those price ranges when units change occupancy, affordability is also affected by transportation costs. As this area is not served by public transit, and walking or bicycling to the proposed major employer (UCF), or to shopping or hospitals from this location within the East Rural area (where sidewalks, hospitals and urban streets with adequate additional lane width for bicycle transportation was not planned) is not viable.

Staff also notes that the definition of 'cluster development' in the Introduction Element of the Seminole County Comprehensive Plan states that, while clustering changes the way units or development is located, it does not increase density or intensity. Thus, since River Cross increases the density from 1 du/5 acres to a maximum of 13 dwelling units per acre and proposes a Floor Area Ratio (FAR) of 0.60, Policy 1.17 (rural clustering) is not supported or furthered by the proposed River Cross development.

Because of the location of the Project site and its design Staff finds the River Cross proposed development cannot be supportive of and implement Policy FLU 1.17. An isolated project unconnected to a surrounding area may encourage internal walkability, but is not part of a

multimodal system. In addition, River Cross does not meet the definition of 'cluster development' in the Implementation Element of the Comprehensive Plan.

Policy FLU 2.4 Neighborhood Commercial Uses

This policy is a measure for Objective FLU 2, grouped under the 'Centers' portion of the Future Land Use Element, and provides a measure of how the County will ensure the long term vitality of residential neighborhoods in support of the Central Florida Regional Growth Vision by guiding future development, redevelopment and infill development in Centers (urban areas) to ensure compatibility with surrounding land uses. In particular, Policy FLU 2.4 enables small scale neighborhood commercial Comprehensive Plan future land use amendments in areas designated solely for residential use.

The Applicant has identified Policy FLU 2.4, but then states that, with a mix of uses, River Cross furthers Policies FLU 5.2 (Mixed Commercial/Residential Use Development) and 5.15 (Mixed-Use Developments).

Policy FLU 5.2 allows properties designated as "Commercial" on the Future Land Use Map to be developed with a mixture of residential and commercial, consistent with the Central Florida Regional Growth Vision, to create opportunities for infill development. Infill development is defined by the Seminole County Land Development Code as, "Development on vacant lands located in otherwise built-up, urban areas where public facilities such as sewer systems, roads, schools and recreation areas are already in place or are in close proximity". The lowest density urban future land use designation permits a maximum of four (4) dwelling units per net buildable acre. Infill development may be located within residential, nonresidential, or mixed use urban areas. Policy 5.15 defines the allowable development pattern in the Mixed Development (MXD) Future Land Use designation.

Both Policy 5.2 and Policy 5.15 are measures demonstrating how Objective FLU 5 is being implemented. That Objective focuses on Mixed Use and High Intensity Target Area Development within Centers (the urban area), in support of the Central Florida Regional Growth Vision. Neither of these policies is applicable to area not included in a 'Center' and lacking urban infrastructure.

Because Policy FLU 2.4, Policy FLU 5.5 and Policy FLU 5.15 all deal with land that is within Urban Centers already within a built environment and land either already receiving urban services or readily able to receive them, none of the policies are supported by or implemented by the proposed application for River Cross.

Policy FLU 2.7 Location of Employment Uses, Including Industrial

This Policy is a measure for Objective FLU 2, grouped under 'Centers', and is a measure of how well the County encourages higher paying employment, including industrial employment, in proximity to urban residential uses while protecting the character of those residential areas.

As the Policy is grouped under 'Centers', it is part of the County's effort to support the 'Centers and Corridors' direction of the Central Florida Regional Growth Vision ('How Shall We Grow?') by directing both desirable, higher paying employment and residential development in proximity to such employment into areas where the County has invested in urban public infrastructure or intends to do so. That is not the case with the East Rural Area, where the site for the proposed River Cross development is located.

In addition, unlike the Future Land Use designations of High Intensity Planned Development and Mixed Development (where the County has invested in urban development-supportive public infrastructure), the River Cross proposal mentions 'employment opportunities in the innovative and technology sectors', but has not spelled out the types of employment targeted specifically for the River Cross area. Target Industries encouraged to be located within the HIP Future Land Uses are identified in the Future Land Use Exhibit entitled 'Target Industry Uses'. No similar information has been provided in the River Cross proposal.

Also, Policy FLU 2.7 calls for buffers to protect urban residential neighborhoods that are in proximity to the employment uses from any impacts of the employment uses. The Applicant states only that buffers will be installed along the periphery of the River Cross development to protect abutting Rural uses from the impacts of the innovative and technology sector employers. No buffering internal to River Cross is noted to protect the internal residential development from any impacts from the employment uses.

Because Policy FLU 2.7, in support of the Central Florida Regional Growth Vision, is about buffering urban residential neighborhoods in Centers equipped with urban infrastructure from the desired higher paying employment in Centers, and River Cross is not proposed to be located in a Center with adequate infrastructure and has not identified any innovative technology sector employers, the application does not support and further Policy FLU 2.7.

Policy FLU 2.11 Use of Design Standards for Roadways Serving East Rural Area Neighborhoods (Rural Complete Streets)

This Policy is a measure for Objective FLU 2, grouped under 'Centers', and is a measure of how the County will use design standards for roadways serving the East Rural Area Neighborhoods, requiring roadways to be designed in a context sensitive manner to ensure protection of the character of the Rural Area.

It is paired with Policy TRA 1.3.5 that requires the use of Performance Frameworks in designing roadways to serve the rural areas, including provision of space for equestrian uses and preservation of vegetation and tree canopy that helps to support and reinforce the rural character of the East Rural Area.

The Applicant has indicated that River Cross, in order to support and implement Policy FLU 2.11, will follow Policy FLU 2.12 (which is a policy addressing performance standards for roadways serving the urban areas) and Policy TRA 1.3.4 (also a policy addressing performance standards for the urban area.) Policies FLU 2.12 and TRA 1.3.4 do not implement Policy FLU 2.11, which applies to rural roadways.

The application indicates that, within River Cross, urban performance roadway standards will be followed with respect to appropriate bicycle and pedestrian connections. However, once the edge of the development is reached, again, the rural standards would prevail in the East Rural Area. The internal bicycle and pedestrian facilities, if any, would only provide access within the River Cross development, and would not be part of a multimodal mobility network connecting beyond the River Cross development.

Policy FLU 2.11, which is about performance standards for the East Rural neighborhoods and would allow for equestrian uses and emphasize protection of vegetation in the East Rural neighborhood, is not supported or implemented by the details provided in the River Cross application that cite County policies about performance standards for urban roadways

Policy FLU 2.12 Use of Performance Standards for Roadways Serving Unincorporated Urban Areas (Complete Streets)

This Policy is a measure for Objective FLU 2, grouped under 'Centers', and is a measure of how the County will use design standards for roadways serving unincorporated urban areas, including 'complete street' standards with bikeways, crosswalks, curb cuts, curb and gutter or other built (as opposed to swale) stormwater management, lighting, multimodal signalization, including possible transit and pedestrian priority signalization, transit stops, on street parking and similar considerations in the urban area.

While the Applicant indicates that "traditional neighborhood" street layouts will be used in River Cross to allow for pedestrian and bicycle uses internally, Exhibit 4 appears to show little in the way of connections between the various residential development areas, within the individual residential sections themselves. All units in each subarea seem to be just grouped around a central road. Exhibit 4 also does not show a connection between the various residential areas and the nonresidential area. There does not appear to be a connection that could be used by pedestrians and bicyclists between the nonresidential uses, within the nonresidential component, in order to avoid the main internal roadway. The curvilinear road throughout the proposed Project (which each individual part of the development accesses) seems much more similar to a standard suburban road than the traditional neighborhood grid of interconnected streets that allow on-street parking, safe pedestrian crosswalks and sidewalks.

There is also no indication of a connection to the existing walkable neighborhood (Chuluota) outside of River Cross that the Applicant cites as a model for River Cross. Nor does the proposed plan show any connections to other walkable neighborhoods because the proposed use is not compatible or similar to adjacent uses.

Policy FLU 2.12, which is about performance standards for roadways serving the urban neighborhoods and which would allow for safe access to multimodal transportation, does not appear to be supported or implemented by the details provided in Exhibit 4 of the River Cross application.

Policy FLU 2.13 Performance Guidelines for Urban Neighborhoods

This Policy is a measure for Objective FLU 2, grouped under 'Centers', and is a measure of how the County will use performance guidelines in unincorporated urban areas to better link multimodal mobility and neighborhood design, as required by Section 163, Part II, Florida Statutes in section 163.3177.

The Policy emphasizes neighborhood standards such as lot and block designs that reinforce pedestrian use of streets and a 'neighborly' relationship of homes. However, Exhibit 4 does not use a 'lot and block' traditional neighborhood design. Instead, the individual residential clusters are internally grouped around a central roadway rather than on a network of gridded streets, and there are no direct connections between the residential areas other than the long curvilinear road that serves the entire development.

Point 4 under Policy FLU 2.13 emphasizes 'common, linked and usable open space for active and/or passive recreation.' While Exhibit 4 does show a park in the residential 'pod' located along a wetland, it is only linked to the other residential areas via the long curvilinear road that serves all development within River Cross; there does not appear to be a separate pedestrian or bicycle trail to reach that park. One of the other major recreational assets is a community center tucked deeply inside the residential development in back of townhomes in one section along the curvilinear road. There is also an amphitheater and a splash pad shown in the nonresidential component, but, there is no separate safe pedestrian trail shown and only the curvilinear road for access.

Policy FLU 2.13, which is about performance guidelines to better link multimodal mobility to neighborhood design is not supported or implemented by the details provided in the River Cross application and Exhibit 4 that illustrates Conceptual Master Plan of the River Cross application.

Policy FLU 5.2 Mixed Commercial/Residential Use Development

This Policy is a measure of the County's achievement of Objective 5. That Objective focuses on the County continuing to support the Central Florida Regional Growth Vision, under the "Centers" grouping, by such steps as efficient use of (existing) infrastructure, discouraging urban sprawl by allowing innovative land uses, providing for a variety of transportation uses. The Policy allows properties with 'Commercial' Future Land Use designation to be developed as mixed residential-commercial planned development, subject to performance frameworks in the Land Development Code.

The Applicant has stated that River Cross is a mixed use development. However, it is not located on land now within a defined 'Center' and would not be if the rural boundary was changed.

River Cross is not now located on land with 'Commercial' Future Land Use designation, and has not requested that designation.

Policy 5.2 is intended to make efficient use of existing infrastructure to allow mixed uses in an urban area; urban infrastructure does not exist on the site requesting approval as River Cross.

Policy 5.2 allows for pedestrian, bicycle and transit access from residences located within a primarily commercial use to nearby shopping opportunities or neighborhood employment without the use of a car. As shown in Exhibit 4 of the River Cross application, it is not clear that modes of travel other than a car could provide safe internal access between the residential areas within River Cross and the nonresidential 'pod'.

Policy FLU 5.2 is not furthered, supported or implemented by the River Cross application.

Policy FLU 5.15 Mixed-Use developments

This Policy is a measure of the County's achievement of Objective 5. That Objective focuses on the County continuing to support the Central Florida Regional Growth Vision, under the "Centers" grouping, by specifying requirements for the Urban Land Use designation Mixed Development, including incentives that allow for increased density and intensity when development proposals make efficient use of urban infrastructure and support multimodal mobility by locating within specified distances of transit stops or provide other methods of linking multimodal mobility with the land use pattern, such as installing bus shelters.

The Applicant has stated that the River Cross development is a mixed use development. However, the River Cross application is not located within a defined 'Center' and would still not be if the rural boundary were amended. It is also not located within a transit service area. Therefore, location-wise, this Policy is not relevant to the application.

Policy FLU 5.15 is not furthered, supported or implemented by the River Cross application.

Policy 11.4 Rural Cluster Development

This Policy is a measure of how well the County achieves Objective FLU 11, Preserve Rural Lifestyles in Seminole County, which is grouped under the 'Countryside' category of the Central Florida Regional Growth Vision.

The Policy allows for cluster development in the rural area to preserve open space along roadway corridors and in rural residential areas as long as lots are no smaller than ½ acre in size.

However, the application does not address one important portion of this Policy: "The Rural Cluster regulations are intended to affect the location of the number of dwelling units authorized by the future land use designation and not serve as a vehicle for increasing the lot yield above the number of units authorized by the designated rural land use designation."

Since the application for River Cross does increase the allowable number of units the application is not consistent with, implementing or furthering the intent of Policy 11.4, assuming that the land remains 'rural'.

However, the application also asks that the rural boundary be amended to remove this land from the Rural Area. Therefore, standards for clustering in a rural area would not be applicable if that approval were granted.

Policy 11.4 is not furthered, supported or implemented and the River Cross application may be inconsistent with the Policy if the land remains rural, because the number of allowable units in a rural cluster cannot exceed what the underlying original rural land use designation allowed. If the application to move the rural boundary is approved, Policy 11.4, which applies to rural land, would not be applicable to this application.

Objective FLU 19 Economic development Target Areas, Industries and Occupations, Policy FLU 19.3 Target Industries, Policy FLU 19.4 Target Occupations

This Objective and related Policies that focus on encouraging target industries at specified locations within Centers consistent with the Central Florida Regional Growth Policy, are not furthered, supported or implemented by the River Cross application because the River Cross site is not located in a Center where there are no commitments to install infrastructure and major transportation facilities. Also, because the County Plan has identified desired Target Industries, the River Cross application has not identified the type of employment, nor has it identified any employers committed to their location.

Conservation Policy CON 3.5 Planned Development PD/Cluster Developments

This Policy states that the County shall continue to allow planned developments and cluster type developments in order to preserve large contiguous areas of wetlands and other environmentally sensitive communities, and performance standards shall ensure compatibility with surrounding land uses and the Planned Development option is a beneficial use within the community.

However, there is a drafter's note attached to this policy that states that Policy 3.5 operates with the assumption that there is no right to any particular land use (i.e., single family homes, townhouses, etc.) within a Planned Development, and all uses in a PD are subject to approval by the Board of County Commissioners and dependent upon satisfaction of Comprehensive Plan and Land Development Code performance standards to achieve compatibility with adjacent development, neighborhoods, development trends, etc.

The Applicant notes that, consistent with this Policy, the use of a compact, walkable design that clusters development away from large contiguous areas of wetlands and environmentally sensitive communities provides compatibility, and a transition of land use and density at the edges of the development adjacent to the existing single family residential uses assures compatibility.

However, as noted above, *Exhibit FLU: Compatible Transitional Land Uses* states that transitioning of land uses is ineffective in a rural area since it does not clearly identify the future limits of urban development and will likely lead to urban sprawl.

In addition, as noted above, compatibility must be achieved with the land use designation and not just a currently existing use. The Residential – Agriculture land use abutting the proposed River Cross development allows agricultural uses as a primary use, so compatibility needs to be achieved not only with an existing residence on a 5 acre lot, but the possible use of the lot for permitted agricultural uses (grazing of animals, operation of a nursery, cultivation of fruit trees, etc.)

It is not clear that the River Cross application supports and furthers Policy CON 3.5.

Policy CON 3.8 Econlockhatchee River Basin Protection

This policy states that the County shall continue to regulate development in the Econlockhatchee River Basin Protection area, and requirements include the use of 550 foot development restriction zone, provisions for density transfers outside of protection zones and critical habitats, and minimal removal of native habitats.

The Applicant intends to abide by the 550 foot development restriction zone and further dedicate additional acreage in a conservation easement to the Water Management District, the urban densities and intensities anticipated in the River Cross development would necessitate removal of native habitat on those portions of the site that are not intended for preservation.

It is noted that the site has been in use as a ranch previously, which may mean that some native habitat has already been displaced. Since the land has been used for grazing or other active agricultural uses within this Protection Area a Stage One Environmental Study should be completed on the site to identify any possible contaminants that might increase pollution within the Basin as a result of development activities.

It appears portions of Policy CON 3.8 are supported by the application, and other portions are not.

Policy TRA 1.3.4 Require Context Sensitive Design

This policy is a measure of the effectiveness of the County's implementation of Goal TRA 1 and Objective TRA 1.3.

Goal TRA 1 addresses Countryside and Conservation, and commits the County to develop and maintain an effective, convenient and economically feasible transportation system in its Rural Countryside and Conservation Areas that is compatible with environmental conservation, provides access to recreational opportunities and preserves the rural quality of life.

Objective TRA 1.3 addresses the County establishing a safe, efficient and livable transportation system within the Countryside and Conservation areas through implementation of a series of policies.

Policy TRA 1.3.4, one of the policies that is designed to implement a safe, efficient and livable transportation system in Countryside and Conservation areas of Seminole County

emphasizes requiring that all new or improved roadways within those areas are designed and constructed according to Context-Sensitive Design, which means in a manner supportive and reflective of the adjacent land use patterns. This is further detailed under Policy TRA 1.3.4.2, which stresses that 'context-sensitive design' in the rural area means, at a minimum, that impacts to the following must be evaluated: viewsheds, landscaping, water resources, historic and/or archaeological resources, environmental protection, and the continuing operation of existing rural uses.

The Applicant states that the application is in support of Policy TRA 1.3.4 because River Cross will be a walkable traditional neighborhood with urban complete streets 'with the appropriate bicycle and pedestrian facilities, which support and enhance Seminole County multimodal mobility strategy.' Again, the Applicant combines Policy FLU 2.11 (a measure of how the County will support rural areas by allowing for equestrian trails and preservation of vegetation and tree canopy) with Policy FLU 2.12 (a measure of how the County will support complete streets in urban areas.) These two Future Land Use policies address two different sets of standards, not the same set of standards, and only Policy FLU 2.11 relates to Policy TRA 1.3.4.

However the Applicant repeatedly states that the urban complete streets that will be featured in River Cross (and that are not immediately apparent in Exhibit 4) are consistent with not only the rural roadway standards of Policy FLU 2.11 and Policy TRA 1.3.4, but also the urban roadway standards of Policy FLU 2.12. These are not the same standards; the urban complete streets referenced by Policy FLU 2.12 include features such as curb and gutter drainage, bicycle facilities, and sidewalks, that will not be provided in the rural and conservation areas.

The application does not support and implement Policy TRA 1.3.4.

Policy HSG 4.3 Workforce Housing in Economic Development Target Areas

This Policy provides a measure of how the County implements **Objective HSG 4**, Workforce Housing, and specifically addresses the provision of Workforce Housing within Economic Development Target Areas as identified in the Comprehensive Plan including areas around the Orlando- Sanford International Airport and a portion of the I-4 corridor located adjacent to the City of Sanford. The Economic Development Target areas are based on proximity to major transportation facilities such as the airport and major arterial roadways, and County investments urban infrastructure such as drainage facilities in these areas.

As the site for the proposed River Cross development is not located within a defined Economic Development Target Area, and would not be even if the rural boundary were moved (as there are no major transportation facilities serving that rural area, nor has the County invested public funds in urban infrastructure in that area), this policy does not appear to relate to the proposed River Cross development.

The Applicant states that, consistent with Policy HSG 4.3, 15% of the River Cross housing units will be dedicated to workforce/affordable housing. However, the Development Order prepared for and accompanying the application does not include any mention of any percentage of the housing units to be dedicated to either workforce or affordable housing.

The application does not support and implement Policy HSG 4.3.

5. ASSESSMENT OF CONSISTENCY WITH THE EAST CENTRAL FLORIDA GROWTH VISION

The proposal is inconsistent with the Central Florida Regional Growth Vision For the following reasons.

Seminole County participated in the development of the Central Florida Growth Vision and amended the Future Land Use and Transportation Elements of the County Comprehensive Plan to group Objectives and Policies within the four major guiding principles of that Vision: Conservation, Countryside, Corridors and Centers.

The intent of the Central Florida Growth Vision is to preserve valued natural resources, historic assets, and the rural heritage by guiding and incentivizing future development into the urban corridors and centers, where urban infrastructure already exists or is planned to be installed, in order to avoid urban sprawl that damages natural resources and removes productive countryside, while requiring costly installation of isolated infrastructure.

The Applicant has stated that anticipated new growth projected for both the University of Central Florida (UCF) student and employee population, and Seminole County population, cannot be accommodated within the existing urban area, and expansion into the rural area must take place. The Applicant has further stated that the County has not made an effort to address the projected residential need.

However, the UCF Master Plan itself did not anticipate the need for expansion space into Seminole County when developing its plan in cooperation with Orange County. A mixed use development already approved by Orange County, 'The Grow', is much closer to UCF and could absorb projected student and staff growth, even as already existing housing developments within Orange County that are listed on the UCF website are already doing so.

Within unincorporated urban Seminole County, large developments have continued to be approved that can accommodate projected demand for both residential units and employment uses without the need to reduce Seminole County's rural area ("Countryside", per the Central Florida Regional Growth Vision.) For example:

1. The site of a former Flea Market has been approved as the new 'Reagan Center', located along a major transit corridor, across from a major employer (Seminole County and the Seminole State University) and in close proximity to other urban infrastructure. The site, containing 118.55 acres, has been approved for a maximum of 827 multi-family units, 66 townhomes, and 236,858 square feet of retail/commercial and 216,537 square feet of office space. This development was approved in 2015 and has not yet commenced; recently, a developer has expressed interest in revising the Development Order to significantly increase the density and intensity of the Planned Development and include workforce housing;
2. The Townpark Commons (Piedmont) development was approved with 100,000 square feet of retail commercial, 800,000 square feet of General Office and 250 hotel rooms;
3. The San Pedro/Lake Howell Reserve Planned Development (AKA Hawk's Crest) will contain three villages; 710 total single family units are permitted, of which up to 250 will be single family attached; 72,348 square feet of convenience retail/commercial use will be built; and
4. The Legacy Pointe development has been approved in 2015 to be developed in phases; 40 independent living villas will be built in Phase 1 along with 160 independent living

facilities; in additional phases, 138 independent living facilities and 54 single family homes will be built.

Seminole County continues to approve development projects that are funded through assistance obtained by the Community Services Department in order to ensure that housing needs of all income levels continue to be addressed.

In addition, the County's Comprehensive Plan and Land Development Code encourage affordable housing on urbanized land near employment centers, public transportation, and personal services. The County's Low Density Residential and Medium Density Residential Future Land Use Designations permit density bonuses for affordable housing, and the County's Land Development Code has a zoning district (Residential – Affordable Housing, or R-AH) that specifically allows increases in density and flexible design standards for development proposals that are 100% affordable housing. Two such developments have been built, and one other site has been zoned, but remains unbuilt.

The County has adopted an overlay district called "Centers and Corridors", consistent with the 'Centers and Corridors' principles of the Central Florida Regional Growth Vision, encompassing major transit corridors. The overlay district allows increases in density up to 20 units per net buildable acre, consistent with Policy FLU 5.17 if a percentage of the development is affordable housing and housing is built in proximity to transit.

The County has and continues to make a strong effort to incentivize housing development to meet all income levels within the urban area where infrastructure has been provided or is planned, consistent with the Central Florida Regional Growth Vision.

The River Cross proposal, which would locate urban densities within a Countryside and Conservation area where urban infrastructure, including public transit have not been planned nor anticipated, is not supportive of or consistent with the Central Florida Regional Growth Vision.

6. ASSESSMENT OF CONSISTENCY WITH THE EAST CENTRAL FLORIDA STRATEGIC REGIONAL POLICY

Staff Analysis of Applicant's Response to 6. (Attachment 4):

The Applicant identified the following Policies of the East Central Florida Strategic Regional Policy Plan with which application is stated to be consistent.

Policy 4.5 Support and promote natural resource protection.

The Applicant has indicated on Exhibit 4 a setback of 550 feet from edge of water at the Econlockhatchee River (as required by Seminole County's Plan and Land Development code) and an additional conservation easement that would be dedicated to the St. Johns River Water Management District. There are also indications of wetland areas that will be preserved. Therefore, this Policy is supported.

Policy 4.12 Support the attraction, retention, and development of rising economic clusters and new business.

The Applicant has provided a report about 'Innovation Districts' and states that proximity to University of Central Florida (UCF) supports this site as a logical location for such districts.

However, the report has not identified any particular employer who is committed to this site nor indicated any discussion underway with UCF to encourage them to amend their Master Plan to add this location to their existing space facility plans for future expansion of laboratories and affiliated research organizations. In addition, the already approved Orange County mixed use development, 'The Grow', which is closer to UCF, might be more appropriately located to attract 'Innovation Districts'. Therefore, there does not seem to be documentation that the River Cross application supports and furthers this Policy.

Policy 4.14 Support improvement to the elementary, secondary and post-secondary educational systems in order to develop a competitive workforce.

The Applicant has indicated a willingness to provide 'adequate resources' to serve the needs of the additional students generated and states that they are cooperating with the Seminole County School District by identifying a school site. However, Policy 4.14 is actually about improving the educational system to develop a competitive workforce, so it does not appear that the proposed mixed use development can support this policy.

Policy 4.18 Support efforts that integrate mixed-income housing into existing expanding and emerging job centers.

The application mentions provision of mixed income housing, but does not provide details in the draft Development Order that specifies a percentage of units within a set price range or rent, and commit to retain them when occupancy changes. This is what has been typically required by Seminole County for affordable housing approved through the Community Services Department, and would be required for land with the Residential – Affordable Housing (R-AH) zoning district. Staff also notes that the River Cross site is not an existing expanding job center, and, although the Applicant offers it as a potential site for an 'Innovation District' emerging job center, a Development Order with commitments from any such employer is not provided. Therefore, it does not appear that the application implements or supports Policy 4.18.

Policy 5.1 Encourage an interconnected street network for all future local roads; Policy 5.2 Encourage the prohibition of cul-de-sacs unless a natural barrier exists that cannot be crossed; Policy 5.3 Promote a multi-modal transportation system that provides for the safe, efficient, and cost effective movement of people.

As noted above, Exhibit 4 does not demonstrate a network of internally interconnected streets nor a connection to external roadway, and the absence of public transit makes it unlikely that this development can support multimodal transportation.

Transportation

The Applicant has cited seven policies of the East Central Florida Strategic Regional Policy Plan under the subject of "Transportation" which the application claims to support and further. The policies provide measures of the degree to which a Goal has been implemented.

The Goal for Chapter 5, Transportation, of the East Central Florida Strategic Regional Policy Plan is:

"Develop a balanced multi-modal transportation network that connects compact centers of development with mixed use transit-served corridors."

The seven policies cited by the Applicant as being supported by the application include:

Policy 5.6 – Include bicycle and pedestrian accommodations on roadways, utility easements where feasible, and mass transit stations.

Policy 5.9 – Promote compact, mixed-use development that reduces vehicle miles traveled.

Policy 5.10 – Encourage public buildings (i.e., schools, post office, church, city hall) to locate in urban centers that become the “heart” of the community.

Policy 5.12 – Multi-modal design options should take precedence over the expansion of existing roads or the construction of new roads where feasible.

Policy 5.15 – Support the development of an interconnected regional trail system.

Policy 5.16 – Include Safe Routes to School guidelines and “Complete Street” strategies in local comprehensive plans, school designs, transportation improvements and land use planning.

Policy 5.24 – Encourage the development of sidewalks to establish greater connectivity.

- All of the above referenced policies are measures of the accomplishment of the Goal of developing a multi-modal transportation network that connects compact centers of development with mixed use transit-served corridors. However, the proposed River Cross development does not access or connect to a transit-served corridor, and, as it is presently within the East Rural Area (“Countryside”, for both the East Central Florida Strategic Regional Policy Plan and the Central Florida Regional Growth Vision upon which the Strategic Plan is based) even if the rural boundary is changed, the site is not within one of the previously identified compact centers of development, as it is surrounded by land that is either Conservation or Residential Agricultural (Countryside), and not part of an urban center.
- The Applicant cites **Policy 5.6** as one of the Strategic Regional Policies that is supported by River Cross. While the River Cross application states that bicycling and pedestrian facilities will be provided internally (despite the standard suburban curvilinear internal roadway connecting the residential and nonresidential areas, which does not lend itself to safe bicycle and pedestrian mobility due to blind curves, the encouragement of faster driving, the absence of clearly indicated pedestrian crossings and the absence of on-street parking to slow traffic), there will be no ability for any internal bicycle or pedestrian facilities to connect to exterior bicycle or pedestrian facilities, since the external area is primarily rural and not planned to have those facilities. In addition, **Policy 5.6** requires bicycle and pedestrian accommodations in mass transit stations. River Cross will not be served by a transit line, or transit station, so it cannot support or implement any portion of a policy designed to support a Goal of achieving a balanced multi-modal transportation network that connects compact centers of development with mixed use transit-served corridors.
- The Applicant cites **Policy 5.9** as being supported and implemented, because the River Cross development proposal is to be a compact, mixed use development that reduces vehicle miles traveled per the application narrative (not actually shown as compact on Exhibit 4). However, while the vehicle miles between the internal residential and nonresidential components may be accessible via bicycle or pedestrian path, the application has cited the University of Central Florida (UCF) as a major employer of potential staff members who would live in River Cross, as well as a major generator of

students who would live in River Cross. Given the distance between River Cross and UCF, the application does not appear to reduce vehicle miles traveled to the major employer and generator of students cited by the Applicant as justification for moving the rural boundary to accommodate this proposal.

- The Applicant cites Policy **5.10** as being supported and implemented. It is not clear why this Policy is cited, other than perhaps because the narrative indicates that the Applicant is working with the Seminole County School District to identify a site for a school. **Policy 5.10** seems to envision future public buildings as being centrally located within an urban center. Exhibit 4 shows a 'community center' within one of the residential pods; perhaps that is intended as the future school site. It is only directly accessible, however, from that residential area. All others need to travel along the curvilinear road and then through that residential area to reach it.
- The Applicant cites Policy **5.12** as being supported and implemented. However, the River Cross proposal calls for expansion of McCulloch Road and a crossing of that road in order to facilitate access between the River Cross development proposal and Orange County/UCF. This need to expand an existing road and install a crossing is actually the opposite of the language contained in Policy **5.12**.
- The Applicant cites **Policy 5.15**, but the application does indicate that it will support a connection to an existing regional trail system.
- The Applicant cites Policy **5.16**, which supports Safe Routes to School. Since it is not clear from Exhibit 4 where a school will be located, support for this Policy would need to be documented in the Development Order. Mention is made in the Development Order of reservation of 5.5 acres for a school, but no description of the access network to reach the school is included in the Development Order.
- The Applicant cites **Policy 5.24**, encouraging the development of sidewalks to establish greater connectivity. While the lengthy curvilinear road shown in Exhibit 4 may be built with sidewalks, this kind of layout does not encourage connectivity simply by installing sidewalks within the right of way of a long road that allows limited access from each development component. Long, curved roads within developments, with no clear pedestrian crossings, speed tables or bumps, on-street parking or similar 'complete street' design features do not encourage pedestrian access and tend to encourage speeding by drivers. The Development Order specifies that the Developer must provide a pedestrian circulation system giving access to all portions of the development, but does not provide details that would ensure a safe pedestrian circulation system.

Staff finds: Given the description of River Cross and the Conceptual Master Plan shown in Exhibit 4, the application does not appear to support the majority of the policies under Goal 5 of the Central Florida Strategic Regional Policy Plan.

Water

The Applicant has cited six policies of the East Central Florida Strategic Regional Policy Plan under the subject of "Water" which the application is stated to support and further. The policies are measures of the degree to which a Goal has been implemented.

Chapter 9 of the East Central Florida Strategic Regional Policy Plan has two goals for "Water". The goal dealing with overall quantity and quality of the region's water resources is:

"To protect, conserve and enhance the quantity and quality of the region's sustainable water resources."

- The Applicant states that **Policy 9.2, Policy 9.3 and Policy 9.4** will be achieved by using Florida Green Development certification and Low Impact Development processes. However, there is no commitment to these processes in the Development Order.
- However, all of these policies are about conserving the region's water resources. At the time that the Central Florida Regional Growth Vision (upon which the East Central Florida Strategic Regional Policy Plan is based) was developed, the area that includes the site of the proposed River Cross development was included within the 'Countryside' and was planned to primarily use self-supply (on-site water wells) for agricultural and low density, agriculture-supporting residential uses. The density and intensity of the proposed River Cross development was not planned for, and raw water sources for this level of urban usage at this location would need to be identified. It is not clear what impact the allocation of additional raw water to this development would have on the remaining rural, agricultural uses within this sector, nor on the urban areas for which a certain allocation of water has been planned. Note that there is a second Goal for water in the East Central Florida Strategic Regional Policy Plan; that is to reduce the consumption per capita throughout the region. Allocation of additional raw water to an area not previously planned to receive urban levels of service can create serious repercussions to the regional water consumption as a whole.
- Again, it must also be noted that the Geneva Lens is a protected area within this part of the "Countryside", and it is not clear what this level of development might do to that protected area.

Staff finds: Inclusion of a commitment to the use of Florida Green Building practices within the Development Order would support and help to further East Central Florida Strategic Regional Policy Plan **Policies 9.2, 9.3 and 9.4**. However, the second goal of the "Water" Chapter and the need to protect the Geneva Lens calls for additional study.

Special Areas Standard of Review

Standards for Amending the Urban/Rural Boundary

The County's Urban/Rural Boundary was established as a part of the Seminole County Charter. A proposed amendment to the Urban/Rural Boundary must meet the standards established in the Comprehensive Plan to be considered. The Applicant submitted a report titled *Urban/Rural Boundary Adjustment and Future Land Use Map Amendment – River Cross* prepared by S&ME Inc. and dated May 1, 2018 (Report) to address these standards.

Staff Analysis of Applicant's Response (Attachment 7):

Standard:

A. Demonstration of Need

1. Data and analysis shall be provided to document that additional urban lands are needed to accommodate population, housing or employment projected for the horizon year of this Plan, based on the population projections used by the current version of the Seminole County Comprehensive Plan.

Staff Analysis:

This section of the Report addresses the growth of the University of Central Florida in terms of enrollment and employees, but does not make a link between UCF growth, the River Cross Project, and the need to amend the Urban/Rural boundary.

The Report also states that between 2010 and 2017 there was a 9.4% growth in population, nearly doubling the national growth rate of 5.5% for the same time period (it is assumed this doubling refers to Seminole County). It goes on to state that Seminole County is projected to grow by 22,000 new households by 2027 and mentions the “large numbers” relocating from Puerto Rico after Hurricane Maria. A table titled *Unmet Residential Demand through Horizon Year (2018-2027) and 20-Year Outlook (2018-2038)*, Seminole County is provided from the RCLCO *Residential and Office Needs Analysis* report (also included in the Applicant’s submittal) that concludes an unmet residential demand of 14,472 parcels and 32,795 parcels in years 2018-2027 and 2018-2037 respectively.

While the RCLOC table does provide some data and analysis it is noted the number of vacant residential parcels is compiled through the Seminole County Property Appraiser using DOR Codes for vacant residential classifications (IE: Vacant Residential, Vacant Townhome, Vacant Condo, etc.). This does not take into account Future Land Use designations on properties that would allow residential land uses but may still be zoned Agriculture or similar zoning not related to residential uses. The analysis also does not take into consideration residential zoned Planned Developments, which is the prevalent development pattern within the County for new residential development. Also, the analysis counted parcels without regard to the size of the parcel. A parcel could accommodate only one single family residence, be subdivided for several houses, or possibly a parcel could accommodate a 350 unit multifamily development depending on the size of the parcel. The RCLCO analysis does not seem to take into consideration the size of the parcel and the possible development it could support. The analysis also does not appear take into consideration any new development currently approved or in the process of being approved by the cities or the County. For example, there are approximately 16,529 residential units submitted for School Impact Analysis or SCALD approval to the Seminole County School Board in the cities and the County, which do not appear to have been accounted for as part of the RCLOC analysis.

Overall, it has not been clearly demonstrated that additional urban lands are needed to accommodate future population, housing or employment needs.

Standard:

2. Data and analysis shall be provided to document that additional lands are required to support affordable, workforce or obtainable housing opportunities and choices in proximity to employment opportunities and public transportation or that such amendment is needed to achieve the adopted redevelopment goals of the County because of the lack of suitable redevelopable or vacant land within the urban area.

Staff Analysis:

This section of the Report also discusses the migration from Puerto Rico to Central Florida, but is not specific in the amount that may have settled in Seminole County. Then housing costs are discussed and figures on affordable housing in Florida (not Seminole County) is provided and homeless population in the Orange-Osceola-Seminole region is discussed. Data is provided from a Shimberg Center Housing Study dealing with cost-burdened housing and Area Median Family Income (AMFI) figures from the Community Services Consolidated Plan are presented. The report states there is an estimated deficit of 5,428 affordable housing units for households that earn up to 60% of the AMFI in the Orlando-Kissimmee-Sanford

Metropolitan Statistical Area. This section concludes with a reference to the RCLCO's study that states there will be an unmet demand of 14,472 parcels in Seminole County. Note that this number is total units, and not just affordable housing as discussed previously in this section.

As stated previously, the RCLCO analysis does not take into account Future Land Use designations on properties that would allow residential land uses but may still be zoned Agriculture or similar zoning not related to residential uses, nor does the analysis take into account the size of each parcel and the resulting residential density each parcel could accommodate. The Applicant has not provided data and analysis to document that additional lands are required to support affordable, workforce or obtainable housing opportunities and choices in proximity to employment opportunities and public transportation, or that such amendment is needed to achieve redevelopment goals of the County because of the lack of suitable redevelopable or vacant land within the urban area.

Standard:

3. Data and analysis shall be provided to document that additional lands are required to support the adopted economic development goals of the County because of the lack of suitable vacant or redevelopable land within the urban area.

Staff Analysis:

For this Standard the Applicant relies on the RCLCO analysis for the need of new residential housing and repeats the analysis that determines there are currently 7,299 vacant parcels zoned for residential use in the County. Again, the reference is to total parcels, not the development that could occur on each parcel. The analysis states "...that without the addition of new residentially zoned land, Seminole County will be unprepared for the household growth forecast for the region. The analysis refers to, "zoned land", but is based on DOR codes of select parcels, not on the current zoning or Future Land Use designations. However, at the end of this same paragraph it goes on to state "...River Cross would represent less than 10% of the total demand for new residential space by the 2027 horizon year of the current comprehensive plan." Also this analysis does not take into account any other proposed residential projects in the cities or unincorporated County. The analysis continues with a discussion on Master-Planned Communities and the merits and appeal of this type of development.

The analysis addresses employment growth within the greater Orlando –Kissimmee-Sanford MSA (Orlando MSA) and states Seminole County will require an additional 2.26 million square feet of office space by 2027. It claims that River Cross will address the need for new office space with the addition of 1.43 million square feet of office space over the next 20 years which represents about 30% of the cumulative demand for office space. However, the analysis does not address how much existing land is currently available in Seminole County to accommodate needed office development. As previously mentioned the Townpark Commons (Piedmont) development has been approved for 800,000 square feet of general office but has yet to start construction.

Standard:

4. Data and analysis shall be provided to document that additional urban lands are required to provide for a critically needed public facility, such as a public school, because of the lack of suitable vacant or redevelopable land within the urban area.

Staff Analysis:

No data and analysis is provided to address this Standard to support any need that additional urban lands are required to provide for a critically needed public facility, such as a public school, because of the lack of suitable vacant or redevelopable land within the urban area. Instead the discussion centers on the merits of "Innovation Districts".

Locational Analysis of Amendments**Staff Analysis:****Standard:**

Availability of facilities and services, and the orderly, efficient and cost-effective provision of service, given that the level of service for potable water and sanitary sewer in the Rural Area is on-site service, and that availability of public school capacity in the Rural Area is limited.

Staff Analysis:

Public Schools. Letters from the Seminole County School Board dated May 2, 2018 and May 3, 2018 indicate the potential students generated from the proposed residential development would not be able to be accommodated without exceeding the adopted levels of service (LOS) for the zoned elementary or middle schools. Using adjacency of Concurrency Service Areas (CSA), as allowed by the *2007 Interlocal Agreement for Public School Facility Planning and School Concurrency*, the students generated at the three CSA levels would be able to be accommodated without exceeding the adopted LOS. Note that this is only a school capacity determination for conditions at this time, and does not reserve capacity for the Project or guarantee capacity will be available in the future for the Project.

Traffic/Transportation. The Transportation Analysis for the Comprehensive Plan amendment prepared by VHB, Inc., dated May 1, 2018 is lacking certain information as outlined in the County's Comment Document for the Project (comments under "FLU Traffic Study Review"). The Staff review will continue once the requested information is provided.

Potable Water/Sanitary Sewer. The April 13, 2018 letter from the Environmental Services Department states there is adequate unreserved capacity, not that there is adequate infrastructure and capacity to serve the development. See the "Env Svcs Main Review Team" comments in the County's Comment Document for the Project.

Fire/Rescue. The Seminole County Fire Department (SCFD) indicates in order to achieve acceptable response time, should the Project proceed, McCulloch Road should be extended to CR 419, which is inconsistent with the County's Comprehensive Plan and Land Development Code. Due to the heights of the proposed buildings, according to the SCFD, a Tower/Ladder Company would need to be purchased. This expenditure is not planned or programmed in the County's budget or 5-Year Capital Improvement Program.

Standard:

Fiscal capacity to provide adopted levels of service.

Staff Analysis:

The Applicant provided the estimated Total Impact Fee Estimate (Fire/Rescue, Road, Library, Schools) for the proposed Project at a total of \$8,898,350. However this does not address the extension of utility lines, or the extension of McCulloch Road. Please note roadways in the Rural area are not within the Transportation Concurrency Exception Area, which was established to promote infill and redevelopment in the urban area and prevent urban sprawl.

In addition, funds have not been budgeted for the costs to apply for a new Consumptive Use Permit for an area that had not been programmed to need anything other than self-supplied potable water (on-site water wells). Of particular concern is the fact that the self-supplies for the area rely on the use of both the Floridan Aquifer (which is already becoming more restricted under the Regional Water Supply Plans of the St. Johns River Water Management District, the agency that also grants Consumptive Use Permits) and the critical resource known as the Geneva Lens, an isolated freshwater lens surrounded by non-potable water. Too much impact upon the Lens can endanger its existence. Yet a development at the density anticipated for River Cross would increase raw water demands.

Standard:

Protection of environmental and natural resources, including regionally significant natural areas.

- a. Analysis that the amendment would not negatively impact the interconnected system of wetlands/uplands that exist in the Rural Area and provide a high quality mosaic of regional significance. This analysis must describe how the amendment protects the wetlands/uplands systems, including:
 - 1) Retaining the connectivity of wetlands;
 - 2) Retaining/Improving the ecological quality of wetlands; and
 - 3) Retaining the functional and structure values of the types of wetlands in the Rural Area.
- b. If amendment to the Urban/Rural Boundary is approved, developments shall avoid impact to wetlands to the maximum extent possible by utilization of clustering and other special techniques.

Staff Analysis:

The Application states that of the total 669 acres of the site, 276 acres are wetlands. This includes several isolated wetlands and two regionally significant wetland systems. One is adjacent to the Econlockhatchee River and the other on the eastern side of the property. The application states the wetland adjacent to the Econlockhatchee River will be placed in a conservation easement and plans activities in the conservation area such as a trail connection across the river to the Econlockhatchee River Wilderness Area, creating access and "activating" the river with a canoe launch, trails through the wetland and other passive recreation opportunities.

The regionally significant wetlands in the eastern part of the site are proposed to be placed in a conservation easement as well and appears it will not have the recreational aspects as the wetlands by the river. The application states that the eastern wetland system has degraded due to the historic use of the land as pasture and the wetland system is inundated by exotic vegetation.

For this section the application does not provide an analysis that the amendment would not negatively impact the interconnected system of wetlands/uplands on the property. Also, the application does commit to preserving and rehabilitating the function and structure of the eastern wetland system, but this commitment is not found in the Development Order.

Standard:

Contiguity to existing boundary and urban development patterns so as to discourage urban sprawl.

Staff Analysis:

This section discusses how the Project furthers Policies FLU 5.2 Mixed Commercial/Residential Use Development and Policy FLU 5.15 Mixed-Use Development, and FLU Policy 2.4 Neighborhood Commercial Uses but does not address how this is not, or discourages urban sprawl.

The provisions of Section 163.3177(6) (a) 9, Florida Statutes, provide indicators of urban sprawl. Florida jurisdictions are directed by the Community Planning Act to avoid encouraging urban sprawl. Seminole County's participation in the Central Florida Regional Growth Vision development, and adoption of the principles of the Vision (encouraging urban growth, redevelopment and infill development in Centers and Corridors while preserving Conservation areas and Countryside) are part of Seminole County's effort to avoid urban sprawl.

The indicators of urban sprawl that apply to the River Cross proposal include the following:

(VI) Fails to maximize use of existing public facilities and services.

(VII) Fails to maximize the use of future public facilities and services.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

Standard:

Adequate transitions to maintain compatibility with adjacent, existing communities.

Staff Analysis:

This section discusses the surrounding land uses and provides a table outlining the uses, zoning, and Future Land Use designations along all four sides of the proposed development. It states that the Master Development Plan ensures compatibility by applying low density residential along the perimeter of the development with densely landscaped 50 foot buffers along the north and east property line. The proposed 25 and 50 foot landscape buffers do not provide adequate transitions to create compatibility between the proposed urban densities and intensities and the adjacent rural land uses. No transitions or buffers are stated for the south side of the property adjacent to Orange County and their Rural Farmland District. This is important as the most intense development for the River Cross is on the south side of the property adjacent to Orange County.

Standard:

Mandatory Consistency with the Goals, Objectives and Policies of the Plan and Regional, Plans:

Any proposed amendment to the Urban/Rural Boundary must undergo an assessment of consistency with applicable goals, objectives and policies of this Plan, the East Central Florida Regional Planning Council's Strategic Regional Policy Plan, and the Central Florida Regional Growth Vision.

The above standards shall be evaluated by means of the preparation of needs analysis statements, economic impact statements, environmental impact statements, and land use compatibility analyses. If an amendment to the Urban/Rural Boundary is adopted, the above

referenced documentation shall be submitted to the State Reviewing Agencies as support documents relating to rural/urban area amendments.

Staff Analysis:

See Section 6. ASSESSMENT OF CONSISTENCY WITH THE EAST CENTRAL FLORIDA STRATEGIC REGIONAL POLICY above.

Technical Memorandum

To: Bill Wharton
Seminole County Development Services

From: Valerie Seidel
The Balmoral Group

Date: May 24, 2018

Subject: River Cross Urban/Rural Boundary Amendment



This Technical Memorandum addresses the following elements associated with our review of the River Cross Urban/Rural Boundary Amendment Application, conducted under the continuing socioeconomic data services contract between Seminole County and The Balmoral Group (RFP-602671-16/GCM):

- a) Annotated reviews of all Plan Amendment documentation (application and supporting materials), and annotated reviews of other literature, specific to issues and factors relevant to Seminole County;
- b) An analysis of compliance with applicable Seminole County Comprehensive Plan requirements;
- c) An assessment of any differences between the applicant's projections and demand for housing and The Balmoral Group's 2017 population assessment; and
- d) A summary of our conclusions from the analysis.

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Background

At the request of Seminole County, The Balmoral Group (Balmoral) provided on May 14, 2018 a scope of services relating to a review of the River Cross plan amendment to adjust the County's Urban/Rural boundary. The scope's focus is the data and analysis provided and its compliance with the applicable standards of review. The County approved the scope on May 15, 2018.

Annotated Documents Supporting the Review

All documents used to support the review of the plan amendment are summarized below. The majority were uploaded from the River Cross project folder on County's ftp site. Documents relating to University of Central Florida housing were provided by the Division and were not included among the files associated with the amendment application.

- Appian Engineering, All Exhibits, P-17105. August 30, 2017
Site location, aerial map and project boundary, current and proposed Future Land Use, conceptual master plan, water services, wetlands, land cover, flood zones, and topography.
- Appian Engineering, River Cross Pre-Application. April 6, 2018
Pre-application for Conceptual Plan Review of the River Cross Development, with exhibits of site map, aerial, existing and proposed rural boundary, existing and proposed zoning (including Seminole, Orange and City of Oviedo), existing and proposed Future Land Use (including Seminole, Orange and City of Oviedo), conceptual design, and property owner records
- Appian Engineering, River Master Development Plan. April 12, 2018
Legal description, site map, including adjoining property ownerships, soils, wetlands, flood zones, proposed buffers and setbacks, proposed access, breakdown of land use and proposed building categories, and site data including expected demand for traffic, water and sewer.
- Attachment A, River Cross Land Co, LLC. (undated)
The required Text and Worksheet sections of the amendment application, including responses to Standards of Review for all FLUM amendments and Standards of Review for Special Areas.
- Attachments 1-11, River Cross Land Co, LLC. (undated)
Attachments / exhibits provided by River Cross to support the Text section of Attachment A and addressing adjacent land use compatibility, Plan consistency, and standards of review.
- Bio-tech Consulting, Environmental Assessment (BTC File #579-18). April 24, 2018
General review of the site's topography, soils, land cover and vegetative communities, occurrence of listed species and development constraints (none identified other than wetlands).
- RCLCO Real Estate Advisors, *Residential and Office Needs Analysis, River Cross*. April 13, 2018.
The Needs Analysis estimates the unmet demand for housing and office space based on EDR population projections through 2027 (the planning horizon for the Comprehensive Plan) and through 2038, a 20-year horizon for the project. MSA-level data are used for select statistics.

- S&ME, *Urban/Rural Boundary Adjustment and Future Land Use Map Amendment, River Cross*. May 1, 2018.

The document is the applicant's response to the County's Standards for Amending the Urban/Rural Boundary. The document addresses all five standards of the Demonstration of Need and the five standards of Locational Analysis, and the Mandatory Consistency with the local Plan and regional plans. The Standards of Review require only that one of the four standards associated with Demonstration of Need be met. The document relies on Census data, Shimberg (UF) data regarding affordable housing, the RCLCO needs analysis and various policies from the Comprehensive Plan, How Shall We Grow (Central Florida Regional Growth Vision), the ECFRPC Strategic Regional Policy Plan, and the State Comprehensive Plan (Chapter 187, F.S.)

- Seminole County Comprehensive Plan

Elements and Goals, Objectives and Policies of the Seminole County Comprehensive Plan (as amended through January 23, 2018) were reviewed for applicability to the proposed amendment. Plan provisions include Future Land Use Issue 11 (Protection of Rural Areas; East Rural Areas), and the Plan Amendment Standards of Review, Category II (Standards for Amending the Urban/Rural Boundary, Page FLU 117 of the Comprehensive Plan, dated 5/23/17)

Additional Plan-based resources include the on-line (GIS-based) Future Land Use Map (<http://seminolegis.maps.arcgis.com/apps/webappviewer/index.html?id=730d60b05da548f585bc486dd43e3a38>) and Future Land Use Exhibits (12/09/2008), Exhibits 1, 12, 28, and 39

- Seminole County Environmental Services, letter to Appian Engineering. April 13, 2018.
Letter identifying County as the provider of services with adequate unreserved capacity, but noting confirmation of availability cannot be provided. No data included.
- Seminole County Environmental Services, letter to Appian Engineering. May 9, 2018.
Letter denoting that utility agreements and modification of the County's Consumptive Use Permit would be conditioned on a Plan amendment; that the site – outside the urban service area - must continue to rely on wells and not be designed for central water/sewer; and that additional analyses need to be conducted to determine impacts on LOS. No data included.
- *Seminole County Facility Capacity Impact Assessment* (Worksheets 1-5), River Cross Land Co, LLC. April 12, 2018
Five worksheets provided by River Cross addressing Future Land Use (not applicable, per the applicant), Planned Development, Potable Water Facilities and demand, Sanitary Sewer Facilities and demand, Countywide Solid Waste Facilities (Landfill and Transfer Station), and Countywide Recreation and Open Space Facilities (Total and Developed acres). The capacity analysis was based on 1,370 units and 1.5 million sf of non-residential.
- Shimberg Center for Housing Studies, *2016 Rental Market Study*. July 2016
Findings developed for the Florida Housing Finance Corp., including rental housing trends, county and regional rental needs, availability of affordable rental units, public housing, and the rental needs of the homeless, farmworkers, and fishing workers.

- University of Central Florida, *2015-2025 Campus Master Plan Update, 2.7 Housing Element*. June 2014.
UCF's goals and policies to accommodate on-campus and off-campus housing needs for its projected enrollment. UCF has identified sufficient off-campus capacity for its needs and locations within the urban service area for additional student housing.
- University of Central Florida, *2015-2025 Campus Master Plan Update, 2.11 Transportation Element*. June 2014.
UCF's plan to provide for a multi-modal transportation system, with an emphasis on the integration and coordination of transportation modes.
- University of Central Florida, *A Knight's Guide to Living Off Campus*. Undated.
Campus resource to assist students in locating off-campus housing, recognizing existing choices near the university, in downtown Orlando and beyond.
- Urbanomics, Inc. *Review of Market Considerations Report, Urban/Rural Boundary Amendment Application, Proposed Snow Hill Commons Commercial Development, Chuluota Area, Seminole County, Florida (Preliminary Report)*. February 1, 2009.
An analysis provided to the Seminole County Planning and Development Department relating to a proposed commercial development on CR 419 in the Oviedo-Chuluota area. The proposed project (Snow Hill Commons) consisted of 270,000 sf of commercial space on 32 acres within the Rural R5 land use category. The analysis concluded that the demand projections were not supportable and that the greater region had a substantial inventory of retail space. The analysis suggested that retail, if approved, would trend towards smaller, convenience scaled goods and services providers. The proposed development was found to be unrelated to the land uses and development patterns subject to the applicable Urban/Rural Boundary amendment standards.

Analysis of Compliance with the Comprehensive Plan

The Appendix provides a complete assessment of the Applicant's compliance with each of the Standards of Review – Category II (Standards for Amending the Urban/Rural Boundary). The Appendix re-caps the data provided for each applicable standard and Balmoral's analysis related to the adequacy of the information provided. In general, the data and analysis provided are lacking with respect to the County's specific requirements as described under *Standards for Amending the Urban/Rural Boundary* on Page FLU 117 of the Future Land Use Element of the current Comprehensive Plan. Attachments 3 and 4 of the Application include the same material presented in the S&ME document relating to consistency with Comprehensive Plan and the East Central Florida Strategic Regional Policy Plan, respectively.

Demonstration of Need: Under Category II, Demonstration of Need, the Applicant provided data and analysis for all four of the standards. Seminole County requires that data and analysis be provided for one (or more) of the standards, recognizing that there may be unique data and analyses respectively for population, for affordable housing, for specific economic objectives and for critically needed public facilities. The Applicant suggests that the proposed project satisfies all four of these standards, even where they do not apply.

While documentation was provided for each of the four standards, documentation was generally inapplicable to the standard in question. Data and analysis for **Standard A.1** (population, housing and

employment) are discussed in detail below. **Standard A.2** (affordable or workforce housing) included data about the share of households in the County that are cost-burdened, but the need was addressed more broadly at the State and MSA levels. No data were provided to show why there is insufficient land in the urban area to meet this need. Similarly, while documentation is provided that the demand for office space is expected to grow (**Standard A.3**), no data were provided to demonstrate that the amount of office space needed could not be accommodated within the Urban Services Area. Last, the Applicant described the project as potentially serving as an innovation district, but did not document whether this was a critically needed public facility (**Standard A.4**), what scale of project is needed to support the concept, and that there is no property within the urban area to accommodate the project.¹ In general, the demonstrations of need are not substantiated with data and analysis documenting that the existing urban services area cannot meet the indicated demand..

Locational Analysis of Amendments: Under Category II, Locational Analysis of Amendments, the Applicant has provided data and analysis for the five (required) standards; however, the data provided are insufficient for several of these standards. With regard to the availability of facilities (**Standard B.1**), no documentation other than the worksheet was provided. The letter provided describes a general unreserved capacity for potable water and wastewater treatment, but makes no confirmation it will be made available; school capacity was not verified at the time of submittal. The maps of infrastructure indicate service is not available at the property's perimeter. Impacts to levels of service were not quantified, except for the planned numbers of residential units and sq ft of non-residential use. The assumption is made that the impact fees based on these quantities will be fully adequate to address the anticipated impacts (**Standard B.2**).

Protection of environmental resources, primarily wetlands, is to be addressed via a conservation easement over approximately 100 acres (**Standard B.3**). However, the remaining 176 acres of wetlands identified in the several exhibits are not explicitly addressed. The application suggests that a significant share of these acres ("regionally significant wetland system within the eastern half of the site") will also be protected by an easement, but the exact dimensions to be protected are not provided, nor is there any indication how isolated wetlands or non-regionally significant wetlands will be protected. The management and improvement of ecological quality and function of these systems is unaddressed, and the proposed amendment is unclear with respect to how the broader mosaic of wetlands and uplands on site is to be protected. The wetlands appear to be considered separately from their respective watersheds. Clustering is assumed to be sufficient to protect the wetlands by developing fewer total acres.

Standards B.4 and B.5 address avoidance of sprawl. While the proposed development is adjacent to the existing Urban/Rural Boundary, the criterion also requires the analysis to address contiguity with existing urban development patterns. The proposed location is not contiguous with any existing urban development. The inclusion of lower intensity development at the perimeter of site would ensure compatibility with existing land use (primarily Rural), although this Standard may not be applicable as there are no existing communities adjoining the site for which compatibility can be tested. Taken as a whole, the development does not discourage sprawl.

¹ Innovation Way, opened in March 2018 in Orange County, is intended to create a technological and business corridor linking the University of Central Florida to the Orlando International Airport, i.e., within an existing urban area.

Consistency with the Plan and Regional Plans: Attachment 2 of the Application addresses consistency with the Goals, Objectives, and Policies of the Comprehensive Plan (**Standard C.1**). The Applicant is charged to “Demonstrate the Changes in Character to the Surrounding Area.” While significant changes in the character of adjoining land in Orange County are documented, the examples within Seminole County provided by the Applicant consist of three small subdivisions, approximately one mile away, and all west of the Econlockhatchee River (and the existing Urban/Rural Boundary). None have any bearing on the character of lands surrounding the proposed amendment.

The Application denotes numerous policies in the Future Land Use, Conservation, Transportation and Housing element that the proposed amendment is consistent with. While the proposed amendment includes descriptions about compliance with design standards, the majority of the Future Land Use policies identified are not applicable to the amendment, particularly as the amendment requests a PD classification. The economic development policies identified generally refer to opportunities in established target areas (within the existing urban area). Similarly, several policies from the ECFRPC are not applicable to the proposed amendment, except as relate to the internal design of the proposed development, e.g., the use of “complete streets” and being a mixed-use development. Larger planning objectives aimed at reducing sprawl are not addressed.

Assessment of Differences between the Applicant’s and The Balmoral Group’s Projections

First, Standard of Review A.1. for Amending the Urban/Rural Boundary specifies that data and analysis to document that additional urban lands be based on population projections used by the current version of the Seminole County Comprehensive Plan. Relying on the RCLCO analysis, the Applicant has substituted his own numbers for those of the County.

Population Projections: In 2017, Balmoral developed population projections for Seminole County for the period 2020-2050 based on best fit regressions of data from the US Census and the Florida Office of Economic and Demographic Research (EDR). **Table 1.** summarizes the projections provided to the County.

TABLE 1. SEMINOLE COUNTY POPULATION PROJECTIONS BY TIME PERIOD

Jurisdiction	Population Projections by Period				
	2020	2025	2030	2035	2040
Incorporated	244,067	258,699	273,327	287,956	302,588
Unincorporated	222,508	231,553	240,598	249,642	258,686
County-wide Totals	466,575	490,251	513,925	537,598	561,274

Using one additional year of Census and EDR estimates, preliminary projections from Balmoral’s 2018 update of County projections are within 0.2% of those provided in 2017.

The Application relies on the RCLCO needs analysis for its population projections, with an estimated County population of 512,719 in 2027 and 559,068 in 2038. The first value represents the planning horizon of the current Comprehensive Plan while the latter value represents a 20-year horizon for the proposed amendment, if effective as of 2018. Interpolating linearly Balmoral’s estimates between 2025-30 and 2035-40 provides the following results, which are contrasted with those of the Applicant:

TABLE 2. INTERPOLATED POPULATION PROJECTIONS, 2027 AND 2038

Year	Balmoral Group Projection	RCLCO Projection
2027	499,721	512,719
2038	551,804	559,068

Both Balmoral and the Applicant have generated estimates that are smaller than those of either the EDR or of VHB (developed for MetroPlan Orlando). The Applicant's projections exceed those developed by Balmoral for the County by nearly 13,000 persons in 2027 and by more than 7,200 in 2038. The differences for 2027 and 2038 are about 2.6% and 1.3%, respectively. These differences should not be construed as significant; however, the larger estimates of the Applicant are being used to define an additional demand for housing units that the Applicant suggests Seminole County cannot meet (see following section).

Demonstration of Need (population): The Applicant's data and analysis to justify amending the Urban/Rural Boundary to provide sufficient housing to accommodate future population includes the following errors:

- The average household size in Seminole County;
- The number, size, and FLUM designation of vacant parcels in Seminole County; and
- Consideration of active redevelopment

Household Size: The RCLCO report uses a value of 2.51 persons per household (PPH); the most recent value from the US Census for Seminole County is 2.81. As has the Applicant, Balmoral previously recognized that the demographics of the County is changing, including migration from Puerto Rico. A fertility-weighted, county-wide PPH is 3.03. Use of either larger number will depress the number of units required. At minimum, the Census PPH value of 2.81 reduces the housing demand by 10.7%, or 2,342 units.²

Vacant Property: The RCLCO report identifies 7,299 vacant residential lots (per the Property Appraiser). Balmoral has used the certified parcel and NAL records used by the Florida Department of Revenue and determined there are 8,277 such vacant residential lots, a difference of 978 lots (capable of supporting 2,748 persons at 2.81 PPH, all other factors unchanged).

More significant than the difference in the raw count of vacant lots is the failure in the RCLCO report to consider the sizes of these lots and their current, respective Future Land Use Map (FLUM) designations; in the Needs Analysis each lot is assumed to support one single-family unit. However, vacant parcels vary from single unit infill lots to parcels of several hundred acres. Densities vary from as low as 0.1 (1 unit per ten acres, Agricultural) to as much as 50 units per acre (Planned Development). Properly accounting for total acres and current development densities under the adopted FLUM yields 44,187 units, more than meeting the demand estimated by the RCLCO report through 2038. **Table 3** summarizes the known distribution of development potential under the current FLUM:

² Excluding consideration of Group Quarters.

TABLE 3. DISTRIBUTION OF RESIDENTIAL UNITS ON VACANT PROPERTY BY FLUM CATEGORY, SEMINOLE COUNTY

FLUM CATEGORY	CURRENT VACANT ACRES	MAXIMUM DENSITY	POTENTIAL UNITS
Agricultural	43.7	0.1	4
Commercial	40.7	30	1,222
High Density Residential	45.9	20	918
Low Density Residential	1381.1	4	5,524
Medium Density Residential	323.5	12	3,882
Mixed Use	400.7	30	12,020
Planned Development	372.2	50	18,609
Rural Residential	1906.4	0.33	629
Very Low Density Residential	689.9	2	1,379
Totals	5204.2		44,187

Balmoral recognizes that the development potential is not always maximized and the net densities (post-development) may be less than indicated in **Table 3**; however, the potential to absorb housing demand described is effectively double the need estimated by the Applicant.

Redevelopment: Last, the RCLCO report excludes active (and prospective) redevelopment. Seminole County and several of its municipalities have adopted Comprehensive Plan policies that provide density bonuses and other incentives to promote development (both residential and non-residential) in transit corridors, at SunRail nodes, and other areas where growth is to be directed. Significant redevelopment of underutilized properties into higher-density housing throughout the SunRail corridor is already occurring at a rapid pace. **Table 4** summarizes the expected development potential of properties currently in the pipeline for redevelopment or whose current uses would become undervalued as redevelopment occurs nearby:

TABLE 4. DISTRIBUTION OF RESIDENTIAL UNITS ON REDEVELOPMENT PROPERTY BY FLUM CATEGORY, SEMINOLE COUNTY

FLUM CATEGORY	ACRES BEING REDEVELOPED THROUGH 2040	FUTURE LAND USE MAP DENSITY	POTENTIAL UNITS
High Density Residential	78.96	20	1,579
Industrial	14.09		0
Low Density Residential	69.15	4	276
Medium Density Residential	522.38	12	6,268
Mixed Use	491.80	30	14,753
Planned Development	626.15	50	31,307
Totals	1802.54		54,183

The approximately 54,000 residential units are in addition to the 44,000 associated with vacant lands, i.e., vacant and redevelopable lands may support more than 98,000 units. Further, **Table 4** provides an incomplete picture of the numbers of units that redevelopment may ultimately generate. While the total

acres includes 198 acres of property with DOR codes that may be less likely to redevelop (churches, parks, cemeteries, and utility rights-of-way, comprising 11% of the total area), the densities included in **Table 4** are the established FLUM densities for land under these categories. However, many of these properties are in districts eligible for density bonuses, and the prospective redevelopment of the 14 acres of Industrial property excludes a residential component, which ultimately will be determined by the immediate market for additional, potentially higher-value residential use. The 54,000 units is more likely an underestimate than an over-estimate.

Summary of Findings

In the context of an amendment to move Seminole County's Urban/Rural Boundary there are three primary tasks:

- (1) to demonstrate need for additional urban lands in response to population growth, housing o employment projections, and to meet affordable housing needs (especially in proximity to employment and transportation), to support economic development, or to provide a critically need public facility;
- (2) to demonstrate the availability of key services, that fiscal impacts can be met, that natural resources will be protected, and that the proposed development is not urban sprawl (i.e., it adjoins existing urban development and maintains compatibility with adjacent communities); and
- (3) to demonstrate consistency with the Comprehensive Plan and other regional plans.

With respect to the first task, the Applicant's estimates of anticipated population growth in the County are within 2.6% of near-term estimates recently provided to the County (and within 1.3% of the projection for 2040). Consequently, the projections can be viewed as reasonable. However, the Applicant relied on outdated or erroneous persons-per-household data which overstates the demand for new units. Recent trends in County demography suggest the average number of persons per household will increase, further diminishing the need for new units.

More significantly, the analysis failed to consider (a) property size and the densities allowable under the County's current Future Land Use Map and (b) that significant numbers of properties in Seminole County are already undergoing redevelopment that provides high-density housing and others may be expected to do so in accordance with County and various city policies aimed at reducing traffic and energy use, etc. The Balmoral Group has determined that existing vacant lands and areas under redevelopment can adequately meet the demand for housing associated with the County's anticipated rate of growth. In sum, the River Cross application to amend the Urban/Rural Boundary does not demonstrate the need for lands to accommodate population growth. Relying solely on the determination that there is unmet residential need, the analysis presented does not identify how affordable housing needs cannot be met by existing vacant lands or lands suitable for redevelopment.

The Applicant's assessment of the need for office-related employment and associated demand for office space may be reasonable. However, the analysis failed to determine whether Seminole County's share of that regional demand cannot be met by existing or planned office development (new or as redevelopment). The Applicant has estimated a need for 4.5 million sq ft of office space, equal to less than 105 acres as one floor of development. Currently, there are more than 810 acres of vacant property and

more than 1,100 redevelopment acres in FLUM land use categories capable of supporting office use. Vacant and redevelopable property would appear to be more than adequate for the County's expected housing and office space needs within the planning horizon assessed.

Last, the Applicant did not assess why existing vacant or redevelopable properties are insufficient to provide for a critically needed public facility. While an "innovation district" may be an attractive concept, it is not defined as a critically need public facility and no documentation was provided that such a district could not be located within the current urban area. In sum, Balmoral finds that no single one of the options to demonstrate the need to amend the Urban/Rural Boundary has been met.

With respect to the second task, standards for Locational Analysis, the Applicant addresses Standards of Review for the following Special Areas: East Rural Area, Econlockhatchee River Protection Area, and the Environmentally Sensitive Lands Overlay (ESLO). The application indicates that protections of these areas will be achieved largely through project design (e.g., clustering, compact development, natural buffers, and the use of conservation easements).

The locational analysis addresses select criteria and defers to permitting and site plan approvals the conformance to other criteria. Specifically, connectivity of wetlands is addressed, but measures to improve ecological quality and the functional values of wetlands are not defined in a manner to justify boundary adjustment.

The Applicant's assessment relating to the avoidance of sprawl is based on the concept of transects in urban design. The project would be its own urban node or center, surrounding by successively lower densities, including natural and rural uses. However, the Standard of Review urges contiguity with existing urban boundaries and not the creation of new ones. The Applicant's maps do not depict any adjoining urban development patterns. The use of (internal) buffers to avoid impacts to the Econlockhatchee River (to the west) and rural ownerships to the north is the only means identified to present transitions to adjacent property interests. As there are no existing "communities" adjoining the site, transitions to ensure compatibility standard may not be applicable.

Appendix. Summary of Responses to Applicable Standards of Review

SEMINOLE COUNTY URBAN/RURAL BOUNDARY AMENDMENT CHECKLIST

		STANDARD	DOCUMENT PROVIDED	DATA PRESENTED	BALMORAL ANALYSIS
A		DEMONSTRATION OF NEED			
	1	Document that additional urban lands are needed to accommodate population, housing or employment projected for the horizon year of this Plan, based on the population projections used by the current version of the Seminole County Comprehensive Plan; or	S&ME, Urban/Rural Boundary Adjustment and Future Land Use Map Amendment - River Cross	Reference to UCF enrollment; Census estimates; RCLCO Needs Analysis	<p>(1) Applicant provides their own analysis, rather than that specified by the Plan Amendment Standards of Review.</p> <p>(2) The data relied on (RCLCO) uses a PPH value for Seminole County smaller than that provided by the Census and which fails to account for different parcel sizes and FLUM densities associated with vacant properties</p> <p>(3) Analysis of impact of redevelopment on housing supply excluded</p> <p>(4) Data and analysis not provided to explain how existing urban service area cannot satisfy the indicated need</p>
	2	Document that additional lands are required to support affordable, workforce or obtainable housing opportunities and choices in proximity to employment opportunities and public transportation or that such amendment is needed to achieve the adopted redevelopment goals of the County because of the lack of suitable redevelopable or vacant land within the urban area; or	S&ME, Urban/Rural Boundary Adjustment and Future Land Use Map Amendment - River Cross	Reference to Puerto Rican migration; anecdotal description of current home prices, regionally; 2016 data presented on % of Seminole County households and housing costs as percent of income; 2014 data at state level of affordable housing and homeless population; 2016 Shimberg data; estimated shortfall of 5428 affordable units in the MSA; reference to RCLCO estimate of housing shortage	<p>(1) The affordable housing cost data and percent of population that is cost-burdened may be largely correct.</p> <p>(2) The RCLCO data describing unmet housing need is incorrect (see above); no information is provided about the price points contemplated by the proposed development and whether these would address the areas's affordable housing needs</p> <p>(3) The estimated deficit of 5,428 (for <60% AMI) is at the MSA level (including Lake, Orange, Osceola, Seminole, and Sumter counties), not that of Seminole County alone -- no county-specific data are presented on the shortage within Seminole County</p> <p>(4) No analysis presented regarding redevelopable land and how that may mitigate any need for affordable housing</p> <p>(5) Table 3.1 of the Shimberg study notes that 24.4% of all renters in Seminole County are <60% AMI and >40% cost burdened, but the data do not specify that there is a shortage of housing for these renters.</p> <p>(6) Data and analysis not provided to explain how existing urban service area cannot satisfy the indicated need</p>

SEMINOLE COUNTY URBAN/RURAL BOUNDARY AMENDMENT CHECKLIST

	STANDARD	DOCUMENT PROVIDED	DATA PRESENTED	BALMORAL ANALYSIS
3	Document that additional lands are required to support the adopted economic development goals of the County because of the lack of suitable vacant or redevelopable land within the urban area; or	S&ME, Urban/Rural Boundary Adjustment and Future Land Use Map Amendment - River Cross	Reference to RCLCO Needs Analysis (housing and office space) and role of River Cross as a Master Planned Community	(1) The RCLCO data regarding housing need uses a wrong PPH value and takes a simplistic approach to calculating demand and the applicant concludes that more land needs to be zoned as residential and that the County is at an economic disadvantage. (2) The description of the MPC does not address the need to document a lack of suitable land for economic development (3) The use of 151 sf per office worker is supportable, but no documentation is provided that there is a lack of suitable non-residential property or redevelopable property in Seminole County to meet any part of the projected demand for office space (4) Data and analysis not provided to explain how existing urban service area cannot satisfy the indicated need
4	Document that additional lands are required to provide for a critically needed public facility, such as a public school, because of the lack of suitable vacant or redevelopable land within the urban area	S&ME, Urban/Rural Boundary Adjustment and Future Land Use Map Amendment - River Cross	Refers to Brookings Report about trends in technology and that River Cross is a unique innovation facility; quotes provided about other communities	(1) The project is described as a form of "innovation district" that are often tied to nearby anchor institution. (2) No data are provide to document that there are no suitable vacant or redevelopable lands in proximity to UCF, and no other possible anchors (eg, hospital, other school) are identified. (3) No data a provided to document that the proposed project is a "critically needed public facility" requiring additional land. (4) Quotes about other projects are not relevant to the request for documentation. (5) Data and analysis not provided to explain how existing urban service area cannot satisfy the indicated need

SEMINOLE COUNTY URBAN/RURAL BOUNDARY AMENDMENT CHECKLIST

		STANDARD	DOCUMENT PROVIDED	DATA PRESENTED	BALMORAL ANALYSIS
B		LOCATIONAL ANALYSIS			
	1	Availability of facilities and services, and the orderly, efficient and cost-effective provision of service, given that the level of service for potable water and sanitary sewer in the Rural Area is on-site service, and that availability of public school capacity in the Rural Area is limited; and	S&ME, Urban/Rural Boundary Adjustment and Future Land Use Map Amendment - River Cross	Water and Sewer (Plant) capacity described; extension of water and sewer lines described as "anticipated"; school capacity under review	<p>(1) Unreserved capacity described via a letter from the ESD; subsequent letter from ESD indicated that capacity is subject to CUP modification and LOS impacts are not defined for existing customers.</p> <p>(2) No details are provided as to how water and sewer lines are to be extended; data from the 5-year Capital Improvements Program not included.</p> <p>(3) The location of the Seminole County Potable Water Service Areas is on the west (opposite) side of the Econ; no other provider is described on FLU Exhibit 12</p> <p>(4) The location of Seminole County Sewer Service Areas is across the Econ; Aqua America service area does not adjoining the project boundary (SAN Exhibit 1)</p> <p>(5) Diameters of mains described as "appear to be of sufficient size" is not a determinant of availability or LOS.</p> <p>(6) School capacity not documented as of application submittal.</p>
	2	Fiscal capacity to provide adopted levels of service; and	S&ME, Urban/Rural Boundary Adjustment and Future Land Use Map Amendment - River Cross	Impact fees included as a table; comment included as to commitment to pay mitigation costs	<p>(1) Applicant describes impacts as under discussion</p> <p>(2) Table does not rates for each service and numbers of units to verify the impact fee estimate is correct.</p> <p>(3) No description of the applicant's capacity to address these fees is provided.</p>

SEMINOLE COUNTY URBAN/RURAL BOUNDARY AMENDMENT CHECKLIST

	STANDARD	DOCUMENT PROVIDED	DATA PRESENTED	BALMORAL ANALYSIS
3	Protection of environmental and natural resources, including regionally significant natural areas.			
	(a) Analysis that the amendment would not negatively impact the interconnected system of wetlands/uplands that exist in the Rural Area and provide a high quality mosaic of regional significance. This analysis must describe how the amendment protects the wetlands/uplands systems, including: 1) Retaining the connectivity of wetlands; 2) Retaining/Improving the ecological quality of wetlands; and 3) Retaining the functional and structure values of the types of wetlands in the Rural Area.	S&ME, Urban/Rural Boundary Adjustment and Future Land Use Map Amendment - River Cross	Identification of 276 acres of wetlands, included "several" isolated wetlands; trail connection described; use of conservation easements proposed; "inundation by exotic vegetation"	(1) The applicant proposes a conservation easement to protect 100 of 276 wetland acres; undesignated number of acres in eastern half of site are to be placed under easement. (2) Description of public recreation and health/wellness not relevant to ecosystem protection. (3) Beyond the easement proposed for part of the wetlands on site, no description provided of how the proposal improves ecological integrity and retains structure/function of wetland (by type)
	(b) If amendment to the Urban/Rural Boundary is approved, developments shall avoid impact to wetlands to the maximum extent possible by utilization of clustering and other special techniques.	S&ME, Urban/Rural Boundary Adjustment and Future Land Use Map Amendment - River Cross	Clustering, where feasible	(1) Unclear to what extent clustering ("to the extent feasible") avoids impacts to the wetlands not protected by conservation easement; the impacts of the proposed development on integrity of the ecological functions of mosaic of natural systems not addressed by the application
4	Contiguity to existing boundary and urban development patterns so as to discourage urban sprawl; and	S&ME, Urban/Rural Boundary Adjustment and Future Land Use Map Amendment - River Cross	River Cross contiguous with Urban Boundary; reference to FLUE policies and design of development	(1) Project is contiguous to urban/rural boundary. (2) No description provided as to how the proposed project is contiguous to existing urban development patterns and thereby discourages sprawl
5	Adequate transitions to maintain compatibility with adjacent, existing communities	S&ME, Urban/Rural Boundary Adjustment and Future Land Use Map Amendment - River Cross	FLUM and zoning categories provided for adjacent lands; description of use of compatibility to North and East, along with the use of buffers; reference to "Transect Map"	(1) Unclear how the Transect Map and concept addresses compatibility with existing communities as the site adjoins undeveloped agricultural and (Orange County) Farmland Rural lands.