



## SEMINOLE COUNTY WEKIVA RIVER AREA CONSISTENCY FORM

In 1988 the Florida Legislature enacted the Wekiva River Protection Act [(Protection Act) Chapter 369.301, Part II, Florida Statutes (FS)] establishing the Wekiva River Protection Area (Protection Area). The Protection Act requires that rural character be maintained in the aggregate and that the viability, conservation, and preservation of natural resources be considered for the Protection Area as a whole. In 2004, the Florida Legislature enacted the Wekiva Parkway and Protection Act [(Parkway Act) Chapter 369.314, Part III, Florida Statutes] authorizing construction of the Wekiva Parkway, along with comprehensive plan strategies, various studies, and plans, and establishment of the Wekiva Study Area (WSA). The Protection Act, Parkway Act, and WSA boundaries are depicted on the attached Seminole County Comprehensive Plan Future Land Use Map (SCCP FLUM).

### Wekiva River Area Fact Sheet

Prior to submittal of an application for development approval within the Protection Area, applicants must review the Wekiva River Fach Sheet below to determine if the proposed development activity is allowed within the Protection Area. Please see the Wekiva River Area Fact Sheet at [Wekiva River Area Fact Sheet](#).

Applicant Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Project Name: \_\_\_\_\_

Activity Type (circle comprehensive plan amendment, rezoning, zoning permit, site plan, subdivision plan approval, variance, special exception, or other official action permitting the development of land).

Property Appraiser’s Parcel ID Number: \_\_\_\_\_

### INSTRUCTIONS

- Applicants are encouraged to be familiar with the Seminole County Comprehensive Plan (SCCP), Land Development Code of Seminole County (LDCSC), and Florida Statutes (FS) for a comprehensive review of Seminole County and state of Florida’s commitment to the Wekiva River Area prior to filing an application for development approval.
- Please download this form and respond thoroughly in typed format to each of the questions below, along with a location map and return to the Seminole County Planning and Development Division Office with your application. This information will assist staff in determining if the proposed activity is consistent with the provisions of the Protection Act, Parkway Act, SCCP, LDCSC, and FS). Answers should be detailed and apply and articulate sound and generally accepted planning practices and principles.

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### Wekiva River Protection Act, Chapter 369, Part II, Florida Statutes

#### **A. Describe how the proposed Activity Type will protect each of the following:**

1. Water quantity, water quality and hydrology of the Wekiva River System.
2. Wetlands associated with the Wekiva River System.
3. Aquatic and wetland-dependent wildlife species associated with the Wekiva River System.
4. Habitat within the Wekiva River Protection Area of species designated pursuant to Rules 39-27.003, 39-27.004, and 39-27.005, Florida Administrative Code.

#### **B. Describe how the proposed Activity Type will be consistent with the following provisions:**

1. Provisions to ensure the preservation of sufficient habitat for feeding, nesting, roosting, and resting as to maintain viable populations or species designated pursuant to Rule 68A, 39-27.003, 39-27.004 and 39-27.005, Florida Administrative Code within the Wekiva River Protection Area.
2. Restrictions on clearing of native vegetation within the 100-year flood plain.
3. Prohibition of development that is not low-density in nature, unless that development has less effect on natural resources than low-density residential development.
4. Provisions for setbacks along the Wekiva River for areas that do not fall within the protection zones established pursuant to Section 373.415, Florida Statutes.
5. Restrictions on intensity of development adjacent to publicly owned lands to prevent adverse impacts to such lands.
6. Restrictions on filling and alteration of wetlands in the Wekiva River Protection Area.
7. Provisions encouraging clustering of residential development if it promotes protection of environmentally sensitive areas and ensures that residential development in the aggregate is rural in density and character.
8. The density or intensity of development permitted on parcels of property adjacent to the Wekiva River System is not concentrated on those portions of the parcels which are the farthest from the surface waters and wetlands of the Wekiva River System.
9. Parcels of land adjacent to the surface waters and watercourses of the Wekiva River System are not subdivided so as to interfere with the implementation of protection zones as established pursuant to s. 373.415, any applicable setbacks from the surface waters in the Wekiva River System which are established by local governments, or the policy established in paragraph (c) of concentrating development in the Wekiva River Protection Area as far from the surface waters and wetlands of the Wekiva River System as practicable.
10. Provisions of the Land Development Code of Seminole County regarding restrictions on the location of septic tanks and drainfields in the 100-year flood plain and discharges of stormwater to the Wekiva River System.
11. Seminole County shall have flexibility to achieve this objective through comprehensive plan strategies that may include, but are not limited to:
  - (a) Coordinated greenway plans; and
  - (b) Dedication of conservation easements; and
  - (c) Land acquisition; and
  - (d) Clustering of development; and
  - (e) Density credits and density incentives which result in permanent protection of open space; and
  - (f) Low to very low density development (Section 369.321(3), FS Comprehensive Plan Amendments.

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12. Subsection 163.3162(3)(i)2, FS, does not limit a county's powers to:
- Enforce wetlands, springs protection, or stormwater ordinances, regulations, or rules adopted before July 1, 2003.
  - Enforce wetlands, springs protection, or stormwater ordinances, regulations, or rules pertaining to the Wekiva River Protection Area.
  - Enforce ordinances, regulations, or rules as directed by law or implemented consistent with the requirements of a program operated under a delegation agreement from a state agency or water management district.
13. Nothing within Subsection 163.3162(4)(d)1, FS relating to agricultural enclaves shall preempt or replace any protection currently existing for any property located within the boundaries of the Wekiva Study Area, as described in Section 369.316, FS.

### **Residential Increase Within the East Lake Sylvan Transitional Area**

In order to be eligible for residential density increase within the East Lake Sylvan Transitional Area, as depicted in Exhibit FLU: East Lake Sylvan Transitional Area/School Site, an applicant for a Plan amendment proposing a residential density greater than one unit per net buildable acre must comply with each of the following standards:

- The maximum allowable residential density upon parcels shall not exceed 2.5 dwelling units per net buildable acre.
- Plan amendments shall be to the Planned Development Future Land Use Designation with an associated PD (Planned Development) zoning district. Residential development shall employ clustering techniques to comply with Policy 12.2 by creating less impact on natural resources than one unit per net buildable acre in a non-clustered configuration and by demonstrating a maximum impervious area of 30% per residential lot.
- Applications for development shall include specific information to document how the proposed development will comply with Paragraph B above. A methodology for creating the required documentation will be included in the Comprehensive Plan amendments implementing the 2022 Evaluation and Appraisal Report. This information may include, but is not limited to, the following:
  - Length of paved roads and utility lines needed to serve the development.
  - Acreage set aside from development through designation as open space and/or conservation easements.
  - Preservation of native vegetation, wildlife habitat, and aquifer recharge areas.
  - Innovative design techniques such as low-impact development (LID) and Leadership in Energy and Environmental Design (LEED) certification.
  - Maximum lot coverage ratio of each proposed lot equal to or less than 30%. Mitigating conditions such as pervious pavers to compensate for additional lot coverage may be considered by the Development Review Engineer Supervisor when appropriate.

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- D. Prior to approval, the applicant shall be required to submit documentation demonstrating that natural resources are protected, provided a maximum density not to exceed two and one-half dwelling units per net buildable acre.
- E. All conditions necessary for compliance with these standards shall be placed in the subdivision's covenants and restrictions, which covenants and restrictions shall be recorded in the official land records of Seminole County, and which will provide for enforcement of the restrictions by the mandatory homeowner's association established to govern the subject property (SCCP Standards for Plan Amendments within the East Lake Sylvan Transitional Area).
- F. Other citations from the SCCP and LDCSC for consideration by applicants proposing developments within the Protection Area include:
- Introduction Element: Mitigation, Wetlands.
  - Conservation Element: Policies CON 2.5, 2.7, 2.8, 3.4, 3.7, 3.8, 7.2, 7.4, 7.7, and 7.8.
  - Drainage Element: Policy DRG 2.8, 4.5, and 6.3.
  - Future Land Use Element:  
Objective FLU 2.3.  
Policy FLU 2.3.1 through 2.3.14.  
Policies FLU 2.1.6, 2.2.2, 2.2.5, 3.1.2, 3.2.2, 5.1.1, and 6.2.4.  
Zoning Services and Facilities.  
Rural Character, Special Act Area, and Data and Analysis  
Tertiary Methods of Directing Incompatible Uses Away from Wetlands.  
Future Land Use Map.  
Special Areas.  
Unique Planning Techniques.
  - Implementation Element  
Policy IMP 2.5.  
Comprehensive Plan Updates and Amendment Adoption Processes.
  - Potable Water Element  
Policy POT 5.1.
  - Public School Facilities  
Policy PSF 6.1.
  - Recreation and Open Space  
Policy REC 7.2, and 7.3.
  - Transportation Element  
Policies TRA 2.1.4, and 3.4.23.



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### Land Development Code of Seminole County

- Sec 30.3.11- Administrative Waiver.
- Sec 30.3.12-Requirements for Administrative Waiver.
- SECTION 2-Wetland Types.
- Section 2.3-Definitions.
- Section 30.10.5-Wekiva River Protection.
- Section 30.10.9-SR46 Scenic Overlay District.
- Section 30.10.10-SR 46 Lighting Standards.
- Section 60.4-Permits Required.
- Section 60.5-Exemptions.

### Wekiva River Area Future Land Use Map

Please note that the attached Future Land Use Map is updated from time to time; however, the Wekiva Area Boundaries shall remain. The current Seminole County Future Land Use Map is available in digital form at [Seminole County Future Land Use Map](#).

### Additional Information

[Seminole County Comprehensive Plan and Land Development Code of Seminole County](#).

[Wekiva River Protection Act, Chapter 369.301, Part II, Florida Statutes](#).

[Wekiva Parkway and Protection Act \[\(Parkway Act\) Chapter 369.314, Part III, Florida Statutes](#).

[Wekiva Parkway \(SR 429\)](#).

#### Notes and Citations:

- 1988, the Florida Legislature established the Wekiva River Basin Commission (WRBC) to monitor and ensure the implementation of the recommendations of the Wekiva River Basin Coordinating Committee for the Wekiva Study Area. Please see the [East Central Florida Planning Council](#) for additional information regarding the WRBC.
- It is not the intent of the Florida Legislature to place an undue burden on local governments within the Wekiva Study Area. Any required Wekiva Study Area comprehensive plan amendments may be adopted in conjunction with other amendments not required by this part (369.315(4), FS, Intent).
- On October 13, 2000, the U.S. Congress enacted Public Law 106-299, designating the Wekiva River a federally designated Wild and Scenic River.
- In 2000, the U.S. Congress established the Wekiva River System Advisory Management Committee (WRSAMC) to assist in the development of the comprehensive management plan for the Wekiva River system. In partnership with the WRSAMC, the U.S. National Park System provides technical assistance, staff support and funding (contingent on appropriated

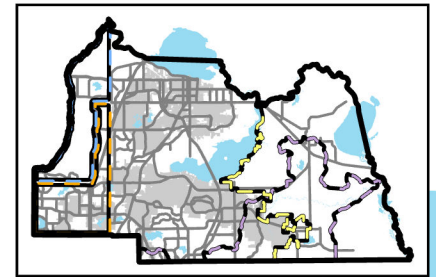


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funds) to assist in development and implementation of the comprehensive river management plan. Please see the [Wekiva River System Advisory Management Committee](#) for additional information.

- Please see the Seminole County Comprehensive Plan and Land Development Code of Seminole County for additional policies and exhibits regarding the Wekiva River Area. Periodic updates to the SCCP and LDCSC may result in amendments to these documents.
- Questions regarding this Consistency Form may be addressed to the Seminole County Planning and Development Division, Room 2028, 1101 East First Street, Sanford, Florida 32771 407-665-7371, or email at [plandesk@seminolecountyfl.gov](mailto:plandesk@seminolecountyfl.gov) Updated November 2024.

















# Seminole County Future Land Use Map Wekiva Study Area

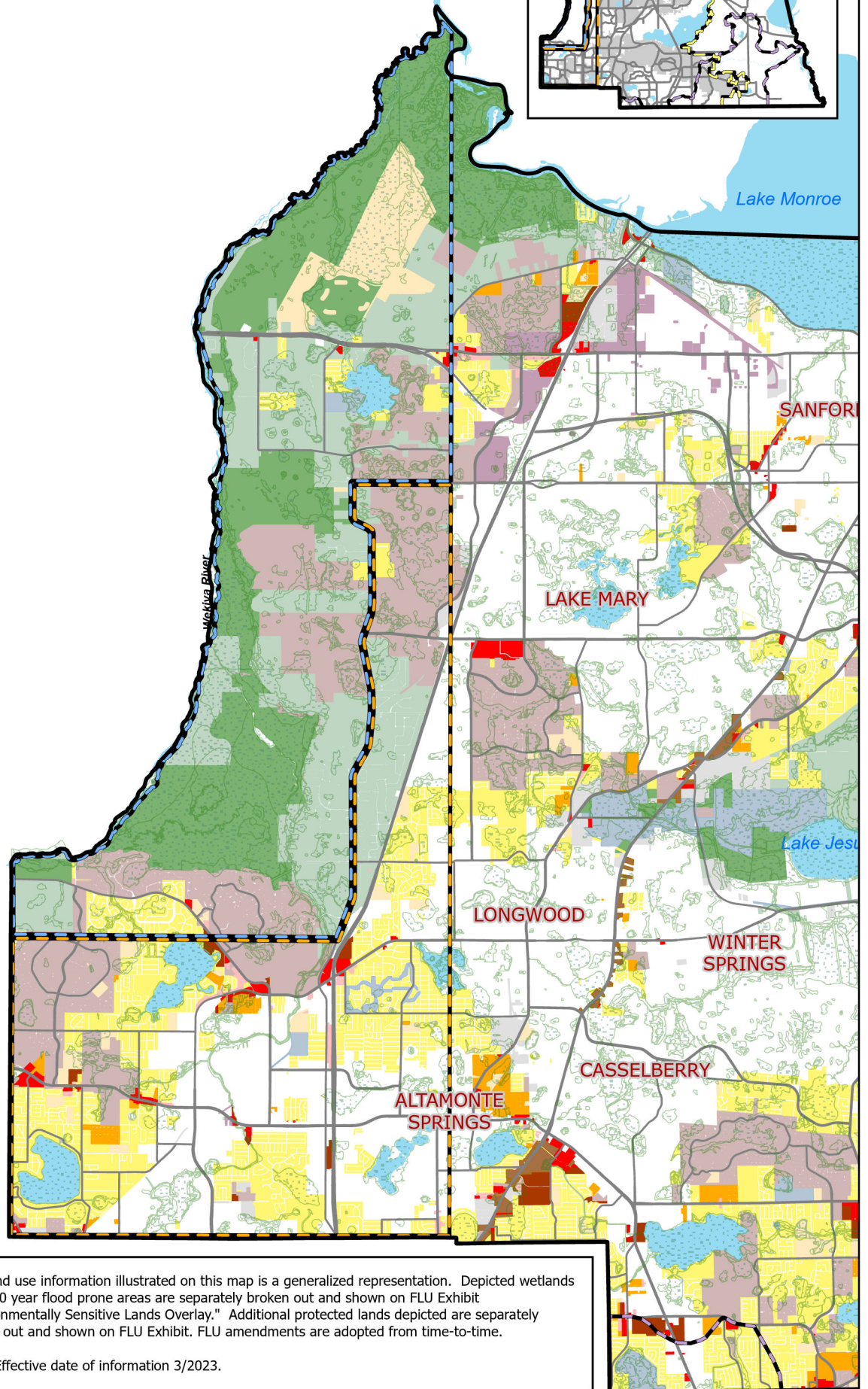


## Legend

-  Urban Rural Boundary
-  Wekiva Study Area
-  Wekiva Protection/Study Area
-  Econ Protection Area
-  Water Bodies
-  Environmentally Sensitive Lands Overlay

## Future Land Use

-  Preservation/ Managed Lands (Max FAR 0.30)
-  Recreation (Max FAR 0.50)
-  Public/Quasi-Public (Max FAR 0.65)
-  Rural 10 (Max 1 DU / 10 AC)
-  Rural 5 (Max 1 DU / 5 AC)
-  Rural 3 (Max 1 DU / 3 AC)
-  Suburban Estates (Max 1 DU / AC)
-  Low Density Res (Max 4 - 7 DU / AC)
-  Medium Density Res (Max 10 DU / AC)
-  High Density Res (Max 20 DU / AC; See HDR def for bonuses)
-  Mixed Development (Max 30 DU / AC Res; Max FAR 0.80 Nonres; See MXD def for incentives/bonuses)
-  Planned Development (Density Determined by use noted on FLU map)
-  Office (Max FAR 0.35)
-  Commercial (Max FAR 0.35)
-  Industrial (Max FAR 0.65)
-  Higher Intensity PD, Transitional (Max 20 DU / AC, Res; Max FAR 0.35); Higher Intensity PD, Target Industry (20 DU / AC Abutting Res; 50 DU / AC Abutting Other Areas; FAR 0.35 Abutting Res; FAR 1.0 Abutting Other Areas); Higher Intensity PD, Airport (Max 50 DU / AC, Res; Max FAR 1.0)



The land use information illustrated on this map is a generalized representation. Depicted wetlands and 100 year flood prone areas are separately broken out and shown on FLU Exhibit "Environmentally Sensitive Lands Overlay." Additional protected lands depicted are separately broken out and shown on FLU Exhibit. FLU amendments are adopted from time-to-time.

FLU - Effective date of information 3/2023.