



Interoffice Memorandum

DATE: August 30, 2024

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

FROM: Tanya Wilson, AICP, Director
Planning, Environmental, and Development Services
Department

**CONTACT PERSON: Jason Sorensen, AICP, Chief Planner
407-836-5602**

SUBJECT: Adoption Public Hearing – September 24, 2024, Small-Scale
Future Land Use Map Amendment and Concurrent PD
Rezoning Request
Applicant: Doug Kelly
Case numbers: SS-24-04-001 and LUP-24-02-033
District 5

A handwritten signature in blue ink, appearing to be "Tanya Wilson", written over the "FROM:" field.

Please find the attached staff report and associated back-up material for the Small-Scale Future Land Use Map Amendment and concurrent Rezoning Request scheduled for a Board adoption public hearing on September 24, 2024.

The subject property is located at 2726 and 2740 North Dean Road, on the west side of North Dean Road, south of Buck Road. The request is to change the Future Land Use Map designation from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR) and change the zoning from R-1A (Single-Family Dwelling District) to PD (Planned Development District) in order to allow for up to 76 townhome units. A community meeting was held on April 8, 2024, with 46 residents in attendance who were in opposition to the request with concerns for incompatibility and flooding.

The adoption public hearing for Small-Scale Development Amendment SS-24-04-001 (and concurrent rezoning LUP-24-02-033) was conducted before the Planning and Zoning Commission / Local Planning Agency on August 15, 2024. After a brief discussion on the existing flooding issue in the area, density of surrounding neighborhoods which is all single-family homes, and a request by the PZC to reduce the number of units to which the applicant offered a reduction of two units, the request was recommended for denial on a successful vote of 5-3, after a motion for approval failed.

Small-Scale Amendment Board Adoption Public Hearing
Case numbers SS-24-04-001 and LUP-24-02-033
September 24, 2024
Page 2

If the Board adopts the proposed amendment, the Small-Scale Development Amendment will become effective 31 days after the public hearing, provided no challenges are brought forth for this amendment.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch, Manager, Planning Division, at 407-836-5802 or Alberto.Vargas@ocfl.net, or Jason Sorensen, AICP, Chief Planner, Current Planning Section, at 407-836-5602 or Jason.Sorensen@ocfl.net.

**ACTION REQUESTED: Make a finding of inconsistency with the Comprehensive Plan and deny the Low-Medium Density Residential (LMDR) Future Land Use map designation, deny the associated ordinance, and deny the PD (Planned Development District) zoning.
District 5**

AAV/jhs

**Small-Scale Future Land Use Map Amendment and Rezoning Staff Report
Orange County Planning Division
BCC Hearing Date: September 24, 2024**

**CASE # SS-24-04-001 &
LUP-24-02-033**
Commission District: #5

GENERAL INFORMATION

APPLICANT: Doug Kelly

OWNERS: Barbara Weaver, Kelly Clarke Weaver, and Jesse Thurstone Weaver

HEARING TYPE: Planning and Zoning Commission

FLUM REQUEST: **Low Density Residential (LDR) to Low-Medium Density Residential (LMDR)**

REZONING REQUEST: **R-1A (Single-Family Residential District) to PD (Planned Development) (North Dean Road Townhomes PD)**

LOCATION: 2726 and 2740 North Dean Road, generally located south of Buck Road and west of Dean Road.

PARCEL ID NUMBERS: 07-22-31-0000-00-077 and 07-22-31-0000-00-027

SIZE / ACREAGE: 9.52 acres

PUBLIC NOTIFICATION: The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Four hundred sixty-eight (468) notices were mailed to those property owners in the surrounding area.

COMMUNITY MEETING: A community meeting was held on April 8, 2024, and is summarized further in this report.

PROPOSED USE: Up to 76 single-family attached residential dwelling units (Townhome Units)

STAFF RECOMMENDATION

Future Land Use Map Amendment

Make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of Amendment SS-24-04-001 amending the Future Land Use designation of the property from Low Density Residential (LDR) to Low Medium Density Residential (LMDR).

Rezoning (Development Review Committee (DRC) Recommendation) - July 10, 2024

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the North Dean Road Townhomes Planned Development/Land Use

Plan dated "Received June 13, 2024" subject to the following seventeen (17) conditions of approval:

1. Development shall conform to the North Dean Road Townhomes Land Use Plan (LUP) dated "Received June 13, 2024," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received June 13, 2024," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.
3. Pursuant to Section 125.022, Florida Statutes, as may be amended, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and

responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.

5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. If applicable, an Acknowledgement of contiguous Sustainable Agricultural Land pursuant to Section 163.3163, Florida Statutes, as may be amended, must be executed and recorded in the Public Records of Orange County, Florida, prior to issuance of any permits associated with this plan and a copy of such Acknowledgment shall be submitted with all future permit applications for this project.
7. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal and must be approved prior to Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.
8. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish and Wildlife Conservation Commission (FWC).
9. In compliance with FEMA regulations, property owner/engineer may be required to provide a series of FEMA Letter of Map Change (LOMC). For development within the 1% annual chance flood (100-year flood) floodplain without established Base Flood Elevations (BFE), depicted as Zone A, the owner/engineer shall perform a study to establish the BFE and obtain FEMA approval prior to construction plan approval. For modifications to determined BFE (Zone AE), floodway, or flood hazard area boundaries on the Flood Insurance Rate Maps (FIRMs), a Conditional Letter of Map Revision (CLOMR) shall be submitted by the owner/engineer to FEMA for approval. A subsequent Letter of Map Revision (LOMR) reflecting final construction will be required. The LOMR application shall be submitted to FEMA by the owner/engineer within 30-days of the project completion for FEMA approval. Compensation Storage for all projects within the 1% annual chance flood (100-year flood) floodplain shall be provide on a 'cup for cup' basis in accordance with Chapter 19.

10. Pursuant to Article XII, Chapter 30, Orange County Code, as may be amended, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential properties must obtain concurrency prior to approval of the plat; non-residential properties that are required to plat must obtain concurrency for any lot with an assigned use prior to approval of the plat (lots without an assigned use shall be labeled as "future development") and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until later in the development process, the County will not be responsible for any delays caused by the applicant's failure to obtain concurrency in a timely fashion.
11. A Master Utility Plan (MUP) for the PD shall be submitted to Orange County Utilities at least thirty (30) days prior to submittal of the first set of construction plans. Construction plans within this PD shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The MUP and updates must be approved prior to Construction Plan approval.
12. The developer shall obtain water and wastewater service from Orange County Utilities subject to County rate resolutions and ordinances.
13. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code, as may be amended.
14. Short term/transient rental is prohibited. Length of stay shall be for 180 consecutive days or greater.
15. Tree removal/earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
16. Construct a 235-foot northbound left turn deceleration lane on Dean Road at the proposed access driveway.
17. Those unit facades immediately adjacent to Dean Road shall feature primary façade architectural elements such as additional glazing/windows and similar detailing as those facades facing the internal right-of-way.

SUBJECT PROPERTY ANALYSIS

Overview

The proposal is to change the Future Land Use Map (FLUM) designation of the subject property, generally located south of Buck Road and west of Dean Road, from Low Density Residential (LDR) to Low Medium Density Residential (LMDR), in order to construct up to

76 single-family dwelling units attached (townhomes). The FLUM request is concurrent with a rezoning request (LUP-24-02-033) from R-1A (Single-Family Residential District) to Planned Development (PD).

The applicant is seeking to rezone the subject property from R-1A (Single-Family Residential District) to PD (Planned Development District) with a proposed development program of up to 76 single-family attached residential dwelling units. No waivers from Orange County Code are requested. The property is adjacent to single-family detached, and in the surrounding area with duplex, and multi-family residential uses.

The subject property consists of two parcels totaling 9.52 acres located on the west side of Dean Road, south of Buck Road and Nonda Lee Road, and north of Nicoma Lane. Parcel 07-22-31-0000-00-077 is approximately 5.22 acres in size and Parcel 07-22-31-0000-00-027 is 4.3 acres. The two parcels of record are currently zoned R-1A, each developed with a single-family home. The site is surrounded by single family residential neighborhoods to the north, south, and west, and a single-family residential neighborhood to the east across Dean Road.

The current Future Land Use Map designation of the subject property is Low Density Residential (LDR), which allows for the development of residential homes at four (4) dwelling units per net developable acre. The property can currently develop up to 36 detached dwelling units, on 75' wide lots.

The requested Low Medium Density Residential (LMDR) Future Land Use designation (FLUM) allows for 10 dwelling units per net developable acre and is the appropriate FLUM designation for townhome development. If approved, the subject property intends to construct up to 76 townhomes at a maximum height of 35 feet: a density of 8 dwelling units per acre. This development will be constructed in one phase.

On July 10, 2024, the DRC unanimously approved the North Dean Road Townhomes Land Use Plan after some discussion. Discussion ensued regarding the product type of the request. Planning stated that since there are no existing townhomes near the property, they could not support townhomes and suggested a duplex product be considered instead of townhomes. The applicant stated that due to the stormwater requirements, townhomes are what can be accommodated on this site. The applicant will explore diminishing the number of units along Dean Road. Staff requested that the applicant provide architectural treatments on the buildings along the right-of-way facing Dean Road. Staff asked if access can be moved further west however, if moved, it will be in front of a stormwater pond. Staff also stated that the pump station needs to be 50' from the lot line or any recreational areas and also expressed concerns with the dead end shown on the concept plan as trucks need the ability to turn around.

Land Use Compatibility

The Low-Medium Density Residential (LMDR) Future Land Use Map designation would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Comprehensive Plan (CP) Consistency

The underlying Future Land Use Map (FLUM) designation of the subject property is Low Density Residential (LDR). The proposed Low Medium Density Residential (LMDR) Future Land Use Map request and the proposed Rezoning request from R-1A to P-D is consistent with the following Comprehensive Plan provisions:

FLU1.4.2 states that Orange County shall ensure that land uses changes are compatible with and serve existing neighborhoods.

FLU1.4.4 states that the disruption of residential areas by poorly located and designed commercial activities shall be avoided.

FLU8.1.1 states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

OBJ FLU8.2 states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU8.2.1 states that land use changes shall be required to be compatible with existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.2 states that continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

H1.3.8 states that in order to stabilize and improve existing neighborhoods, Orange County shall continue to support compatible infill development in existing neighborhoods where infrastructure already exists.

FLU8.2.11 states that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as

if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400 or AsbestosInquiriesOrangeCounty@ocfl.net. Reference OC Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 4 Asbestos requirements, Sec.108 Notification procedure and requirements, Subsection A(1).

Habitat Protection - Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled species (endangered, threatened, or species of special concern). The applicant is responsible to determine the presence of these concerns and to verify and obtain, if necessary, any required habitat permitting of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

Existing Septic and Well - If any existing septic tanks or wells are required or in use, the applicant shall notify the Florida Department of Health (FDOH) and local Water Management District, about the system permit application, modification or abandonment prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies. Contact the FDOH for the septic system and both FDOH and the Water Management District for wells. Refer to Orange County Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal for details on Individual On-Site Sewage Disposal.

Solid Waste Disposal - Any miscellaneous regulated solid waste found or generated onsite including land clearing debris, construction and demolition debris, tires, garbage, and hazardous waste shall be properly managed through recycling and/or off-site disposal in accordance with local, state, and federal regulations.

Transportation / Access

Amendment SS-24-04-001 (Dean Road Townhomes)

Project Specifics	
Parcel ID	07-22-31-0000-00-027 & 07-22-31-0000-00-077
Location	2726 N Dean Road & 2740 N Dean Road
Acreage	~9.50
Request FLUM	Low Density Residential (LDR) to Low-Medium Density Residential (LDMR)
Request Zoning	Single-Family Dwelling Districts (R-1A) to Planned Development (PD)
Existing Development	Two single-family dwelling units on each parcel
Development Permitted Under Current FLUM	Thirty-eight (38) single-family dwelling units
Proposed Density/Intensity	Eighty (80) Townhomes

Trip Generation (ITE 11 th Edition)			
Land Use Scenario	PM Peak Hour Trips	% New Trips	New PM Peak Hour Trips
Existing Use: Two (2) Single Family Dwelling Units	3	100%	3
Proposed Use: Eighty (80) Townhomes	55	100%	55
Net New Trips (Proposed Development less Allowable Development)	52		52

Future Roadway Network	
Road Agreements	No road agreements are associated with this parcel.
Planned and Programmed Roadway Improvements	No projects are associated with this parcel.
Right of Way Requirements	No right-of-way needs are associated with this parcel.

The Applicant is requesting to change ~9.50 acres from LDR to LDMR and rezone from R-1A to PD to construct up to 80 townhomes.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed development will result in an increase in the number of pm peak trips and therefore will impact the area roadways. The subject property is located on Dean Road. Based on the Concurrency Management System (CMS) database dated November 29, 2023, four (4) roadways currently operate at Level of Service F and capacity is not available to be encumbered. All other roadway segments within the project impact area operate at acceptable levels of service. This information is dated and is subject to change.

The Applicant's transportation study indicates that the project trips representing less than 1% of the total segment capacity is considered insignificant and therefore the applicant will likely not be subject to proportionate share mitigation. The LUP includes a proposed left turn lane from Dean Road and 20 feet of additional right of way dedication for Nonda Lee Road along the northern boundary of the development.

Roadway Capacity Analysis

A Traffic Study was submitted with the case for review and comment.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the County's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

Schools

Orange County Public Schools reviewed Application OC-24-013 North Dean Townhomes and determined that school capacity is available. This determination of available school capacity expires on December 7, 2024.

Parks and Recreation

No comments.

Community Meeting Summary

A community meeting was held on April 8, 2024, with 46 residents in attendance who were in opposition to the request with concerns for incompatibility with the surrounding area and flooding.

Utilities Service Area (Availability of services may vary)

Water: Orange County Utilities

Wastewater: Orange County Utilities

Reclaim Water: Orange County Utilities

Detailed Utility Information:

This property is within Orange County Utilities Water, Wastewater, and Reclaimed Water Service Areas. In accordance with Orange County Code Chapter 37:

Potable Water: Development within this property will be required to connect to Orange County Utilities Water system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Wastewater: Development within this property will be required to connect to Orange County Utilities wastewater system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Reclaimed water: There are no reclaimed water mains within the vicinity of this property. Reclaimed water is considered not available. Connection is not required.

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Specific Project Expenditure Report and Relationship Disclosure Form

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – August 15, 2024

Future Land Use Map Amendment

Make a finding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested Low-Medium Density Residential (LMDR) Future Land Use Map designation.

Rezoning

Make a finding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested PD (Planned Development District) zoning.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend adoption of the requested Low-Medium Density Residential (LMDR) Future Land Use Map designation and recommend APPROVAL of the requested PD (Planned Development District) zoning, subject to seventeen (17) conditions of approval. The applicant was present and agreed with the staff recommendation. Eight members of the public spoke in opposition of the request stating concerns for flooding and incompatibility.

Discussion ensued regarding the proposed request and one of the residents' concerns of flooding. The resident happens to live in a low-lying area. It was stated by the applicant that during the preliminary subdivision plan review process, the flow of water would be engineered into the stormwater pond that is currently proposed near the area that is currently being flooded as mentioned by the resident. The Commission members also discussed nearby uses and densities and asked the applicant to consider reducing the proposed development program. The applicant offered to reduce the number of townhomes from 76 units to 74 units.

The first motion was made by Commissioner Spears and seconded by Commissioner Gray to recommend ADOPTION and APPROVAL of the applicant's request, however the motion failed by a vote of 3-5 with Commissioners Spears, Gray and Fernandez voting in-favor and Commissioners Evans, Cardenas, Wiggins, Arrington, and Boers voting in opposition. Commissioner Pena was absent.

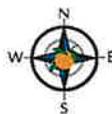
The second motion was made by Commissioner Evans and seconded by Commissioner Arrington to recommend DENIAL of the applicant's request. The motion carried by a vote of 5-3.

Motion / Second	<i>Camille Evans / Michael Arrington</i>
Voting in Favor	<i>Camille Evans, George Wiggins, Michael Arrington, David Boers, and Evelyn Cardenas</i>
Voting in Opposition	<i>Gordon Spears, Eric Gray, and Eddie Fernandez</i>
Absent	<i>Nelson Pena</i>

LUP-24-02-033



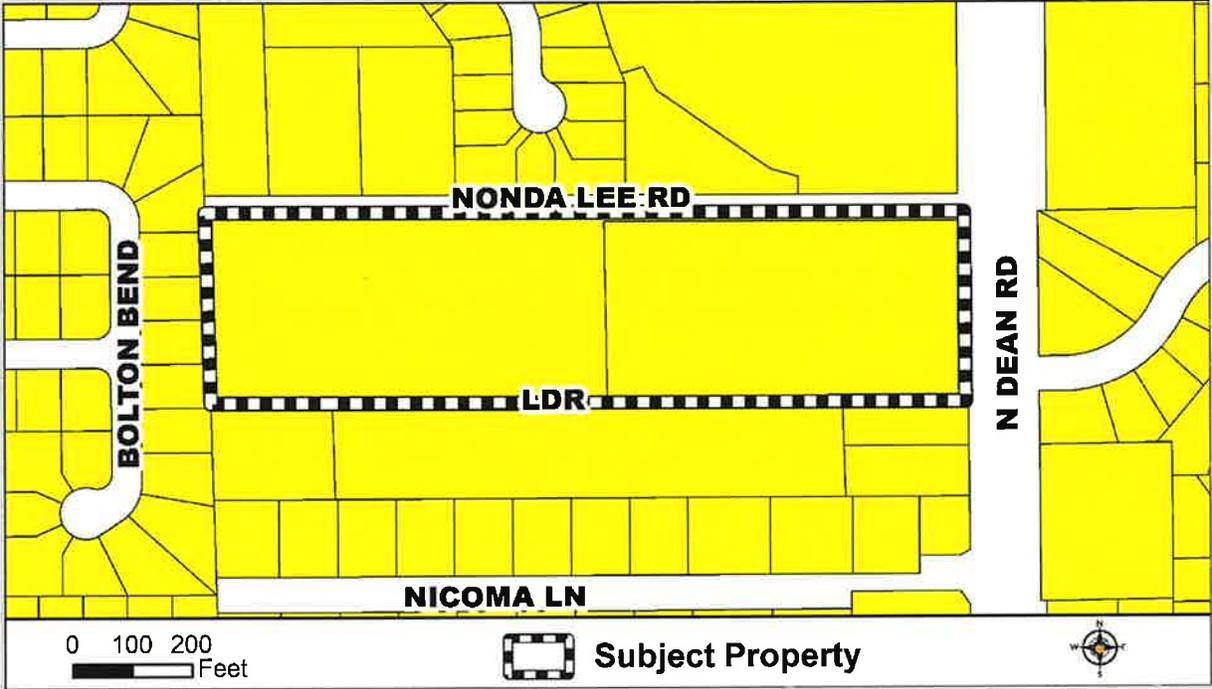
 Subject Property



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Feet

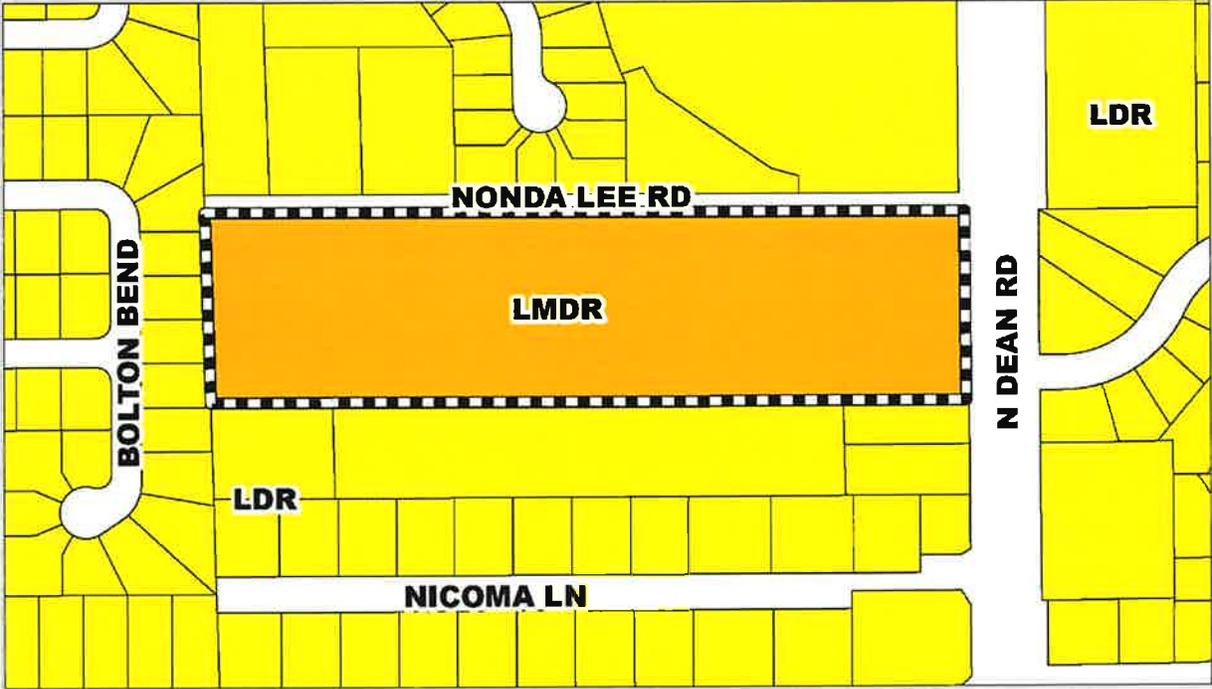
FUTURE LAND USE – CURRENT

Low Density Residential (LDR)



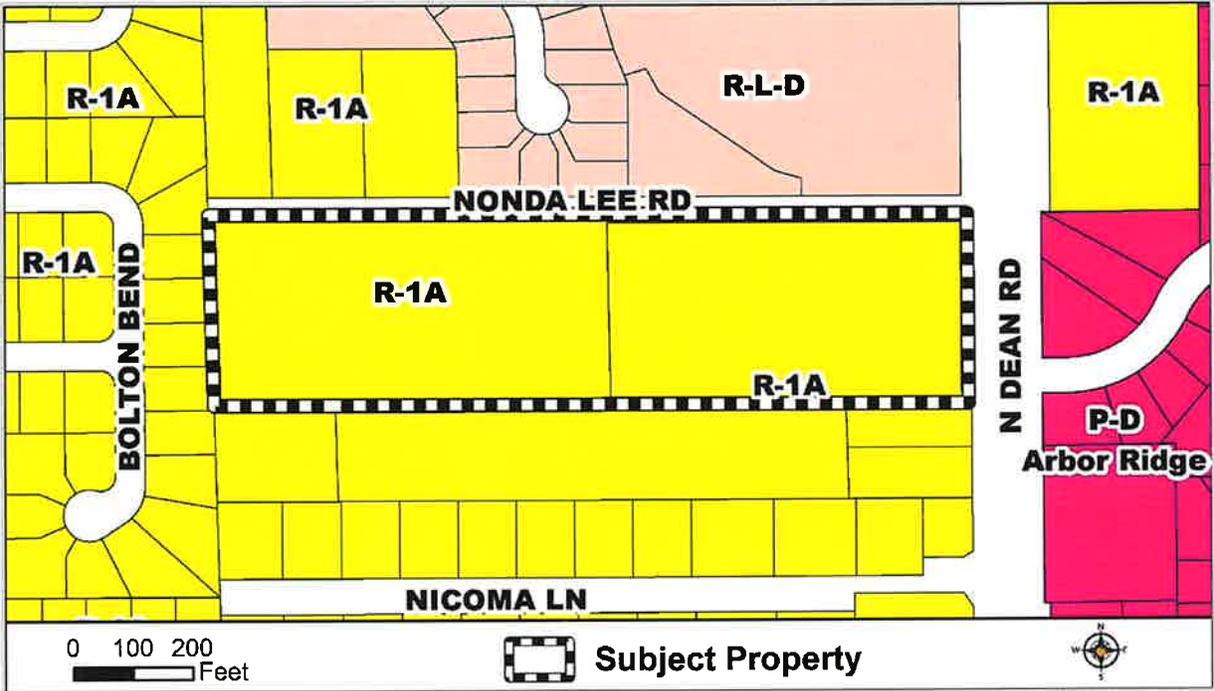
FUTURE LAND USE – CURRENT

Low Medium Density Residential (LMDR)



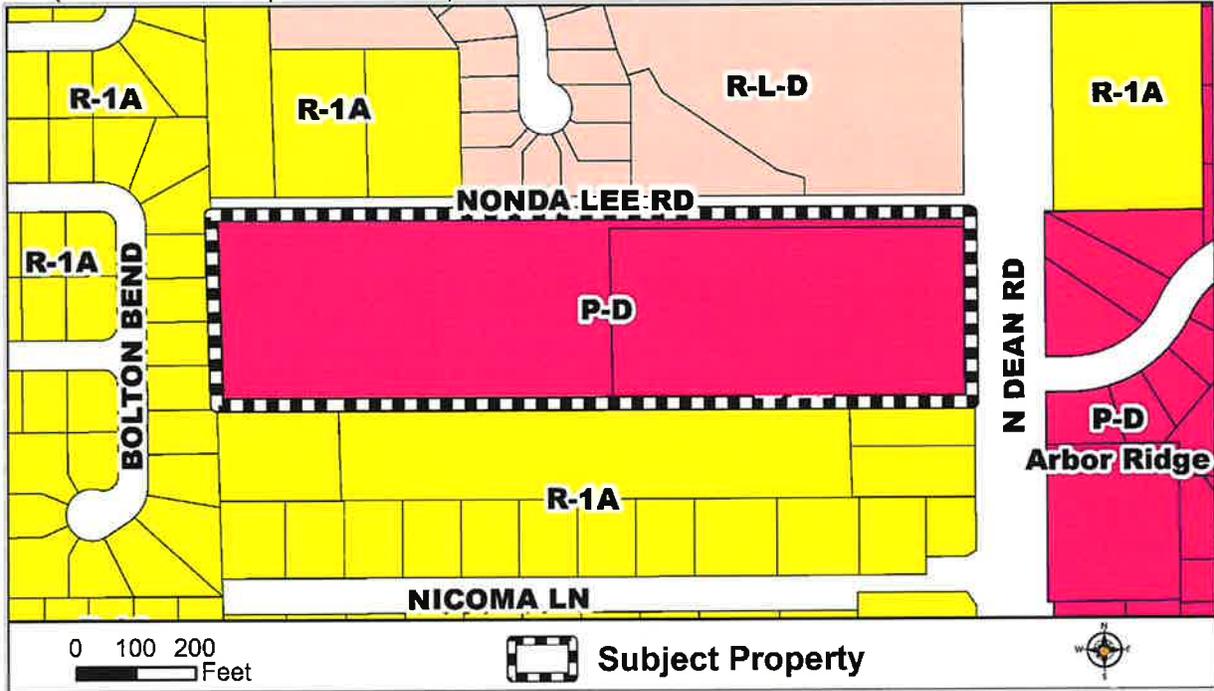
ZONING – CURRENT

R-1A (Single-Family Dwelling District)



ZONING – PROPOSED

PD (Planned Development District)



NOTIFICATION MAP



Public Notification Map

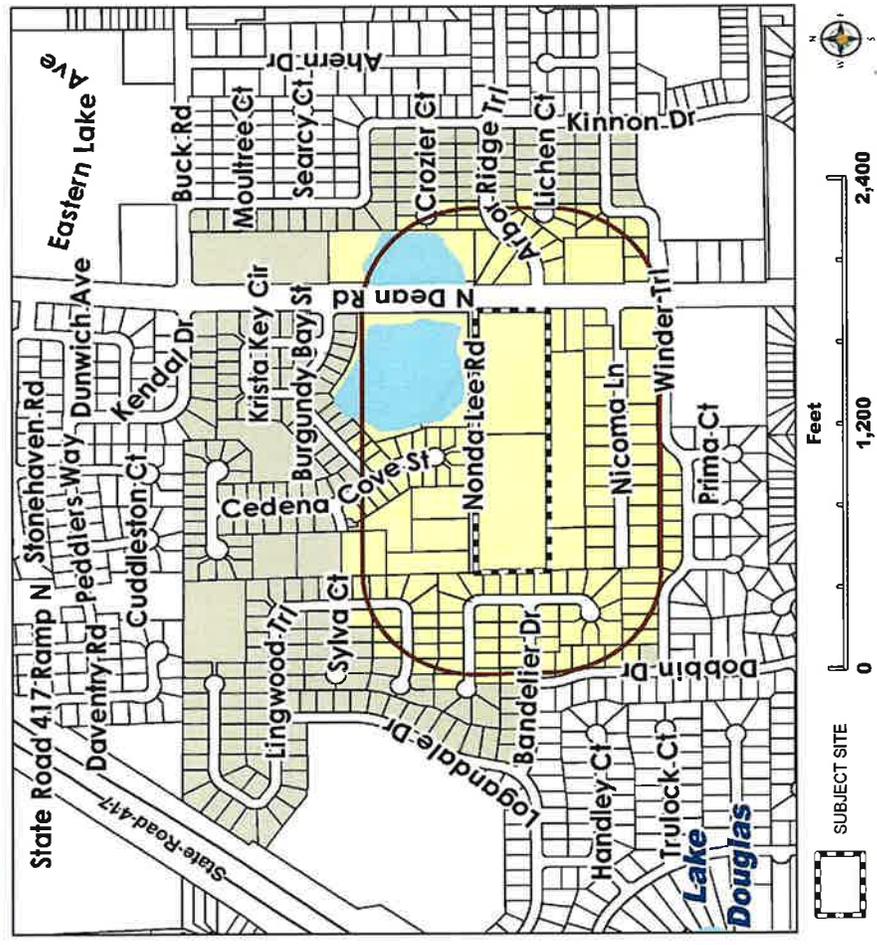
SS-24-04-001 & LUP-24-02-033

\\ocs\gimdept\Business Systems\Board Administrators\SUBSTANTIAL CHANGE\2024\North Dean Road Townhomes LUP-24-02-033\LUP-24

MAP LEGEND

	SUBJECT SITE		PARCELS
	500FT BUFFER		NOTIFIED PARCELS
	1 MILE BUFFER		COURTESY PARCELS
	HYDROLOGY		

BUFFER DISTANCE: 500
OF NOTICES: 468



ORDINANCE NO. 2024-_____

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE “2010-2030 COMPREHENSIVE PLAN,” AS AMENDED, BY ADOPTING A SMALL SCALE DEVELOPMENT AMENDMENT PURSUANT TO SECTION 163.3187, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Legislative Findings, Purpose, and Intent.

a. Part II of Chapter 163, Florida Statutes, sets forth procedures and requirements for a local government in the State of Florida to adopt a comprehensive plan and amendments to a comprehensive plan;

b. Orange County has complied with the applicable procedures and requirements of Part II of Chapter 163, Florida Statutes, for amending Orange County’s 2010-2030 Comprehensive Plan; and

c. On September 24, 2024, the Board of County Commissioners held a public hearing on the adoption of the proposed amendment to the Comprehensive Plan, as described in this ordinance, and decided to adopt it.

Section 2. Authority. This ordinance is adopted in compliance with and pursuant to Part II of Chapter 163, Florida Statutes.

Section 3. Amendment to Future Land Use Map. The Comprehensive Plan is hereby amended by amending the Future Land Use Map designation as described at **Appendix “A,”**

31 attached hereto and incorporated herein.

32 * * *

33 **Section 4. Effective Dates for Ordinance and Amendment.**

34 (a) This ordinance shall become effective as provided by general law.

35 (b) Pursuant to Section 163.3187(5)(c), Florida Statutes, the small scale development
36 amendment adopted in this ordinance may not become effective until 31 days after adoption.
37 However, if an amendment is challenged within 30 days after adoption, the amendment that is
38 challenged may not become effective until the Department of Commerce or the Administration
39 Commission issues a final order determining that the adopted amendment is in compliance.

40 (c) In accordance with Section 163.3184(12), Florida Statutes, any concurrent zoning
41 changes approved by the Board are contingent upon the related Comprehensive Plan amendment
42 becoming effective. Aside from any such concurrent zoning changes, no development orders,
43 development permits, or land uses dependent on this amendment may be issued or commence
44 before the amendment has become effective.

45 ADOPTED THIS 24TH DAY OF SEPTEMBER, 2024.

46 **ORANGE COUNTY, FLORIDA**
47 By: Board of County Commissioners

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50
51 By: _____
52 Jerry L. Demings
53 Orange County Mayor

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55 ATTEST: Phil Diamond, CPA, County Comptroller
56 As Clerk to the Board of County Commissioners

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60 By: _____
61 Deputy Clerk

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APPENDIX "A"
FUTURE LAND USE MAP AMENDMENT

<i>Appendix A*</i>		
<i>Privately Initiated Future Land Use Map Amendment</i>		
Amendment Number	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:
SS-24-04-001	Low Density Residential (LDR)	Low-Medium Density Residential (LMDR)
*The Future Land Use Map (FLUM) shall not depict the above designation until such time as it becomes effective.		

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