

**GENERAL INFORMATION**

**APPLICANT** Tom Daly, Daly Design Group  
**OWNER** Rio Real Properties Orlando, LLC  
**PROJECT NAME** Camino Reale Planned Development (PD)  
**HEARING TYPE** Planned Development / Land Use Plan (PD / LUP)  
**REQUEST** **A-2** (Farmland Rural District) **to**  
**PD** (Planned Development District)

*This request is to rezone 1,032.90 gross and 688 developable acres from A-2 to PD for a mixed-use project with up to 3,000 residential dwelling units (single-family and multi-family) and 330,000 square feet of non-residential uses including hotel, commercial, office, and/or industrial. The project would also feature a public school and parks. A PD Regulating Plan (RP) map depicts four (4) Transect Zones, Adequate Public Facility (APF) lands; and distinct neighborhoods with centralized Community Focal Points; while a PD-RP structure guide addresses transect development standards, street typologies & cross sections, intersection density & connectivity measures, green infrastructure components, etc. This request is associated with and contingent upon the following:*

- *Camino Reale PD / Adequate Public Facilities Agreement;*
- *Camino Reale PD / Transportation Framework and/or Mitigation Agreement (processed through the Road Agreement Committee); and*
- *Orange County Public Schools (OCPS) Capacity Enhancement Agreement (CEA).*

**LOCATION** Generally located two (2) miles south of SR 528 and three-and-a-half (3.5) miles east of the Central Florida Greenway (SR 417).  
**PARCEL ID NUMBER** 01-24-31-0000-00-011  
**TRACT SIZE** 1,032.9 gross acres  
688 developable acres

**PUBLIC NOTIFICATION**

The notification area for this public hearing extended beyond eight hundred feet [*Chapter 30-40(c)(3)(a) of Orange County Code requires 300 feet*]. Eight hundred eleven (811) notices were mailed to those property owners in the mailing area. A community meeting for this rezoning request was held on January 26, 2017 and is summarized in the report below.

**PROPOSED USE**

3,000 residential dwelling units (single-family and multi-family) and 330,000 square feet of non-residential uses including hotel, commercial, office, and/or industrial. The project would also feature a public school and parks.

**STAFF RECOMMENDATION**

**Development Review Committee – (December 6, 2017)**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Camino Reale Planned Development / Regulating Plan (PD/RP), dated “Received December 21, 2017”, subject to approval of the Capacity Enhancement Agreement prior to scheduling this item for the BCC; subject to approval of the Regulating Plan, including any non-substantial changes made by legal; the Term Sheet; and approval of the Adequate Public Facilities (APF) Agreement by the BCC; subject to the following conditions:**

1. Development shall conform to the Camino Reale Planned Development / Regulating Plan (PD / RP) dated "Received December 21, 2017," 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 Regulating 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 December 21, 2017," 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 of County Commissioners ("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, 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.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this Regulating 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. 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.

7. The following Education Condition of Approval shall apply:
  - a) Developer shall comply with all provisions of the Capacity Enhancement Agreement entered into with the Orange County School Board as of November 14, 2006 and January 23, 2018.
  - b) Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits for any residential units in excess of the 12 residential units allowed under the zoning existing prior to the approval of the PD zoning. The County may again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.
  - c) Developer, and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's rights.
  - d) Orange County shall be held harmless by the developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreement.

Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.
8. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this regulating plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.
9. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any direct or indirect conservation area impacts.
10. Unless a Conservation Area Impact (CAI) permit is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland Conservation Areas", prior to Construction Plan approval, no conservation area or buffer

encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect conservation area impacts.

11. 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 & Wildlife Conservation Commission (FWC).
12. The applicant shall comply with the Florida Department of Environmental Protection rule 62-302.700 Special Protection, Outstanding Florida Waters, Outstanding Natural Resource Waters. No degradation of water quality, other than that allowed in Rule 62-4.242(2) and (3), F.A.C., is to be permitted in Outstanding Florida Waters and Outstanding national Resource Waters, respectively, notwithstanding any other Department rules that allow water quality lowering.
13. The Impaired Waters Rule, Chapter 62-303 of the Florida Administrative Code may increase the requirements for pollution abatement treatment and monitoring of stormwater as part of future approvals of the associated Basin Management Action Plans related to this site by the state Department of Environmental Protection (FDEP). The applicant is advised to follow related legislation in order to assure compliance with future regulations.
14. The covenants, conditions, and restrictions (CC&Rs), or as appropriate, a recorded restrictive covenant on the property and a note on the plat shall contain notification to potential purchasers, builders or tenants of this development that within a mile from the project there are two gun ranges, bomb squad training and explosive device testing that may result in periodic temporary conditions that may cause a noise disturbance.
15. The covenants, conditions, and restrictions (CC&Rs), or as appropriate, a recorded restrictive covenant on the property and a note on the plat shall include notification of the prior use of this property as a gun range.
16. The covenants, conditions, and restrictions (CC&Rs), or as appropriate, a recorded restrictive covenant on the property, and a note on the plat shall include notification that portions of this property are, or were, included in a State of Florida RCRA Corrective Action Permit or a Federal Environmental Protection Agency Action to address corrective action and groundwater monitoring. If legally appropriate, this condition may be satisfied in either the Master Declaration or a Sub-Declaration for a particular development site.
17. The covenants, conditions, and restrictions (CC&Rs), or as appropriate, a recorded restrictive covenant on the property and a note on the plat shall prohibit installation or operation of potable and irrigation water supply wells on site.
18. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the

Environmental Protection Division of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.

19. The developer shall comply with the Environmental Land Stewardship Agreement entered into with Orange County, as approved by the BCC on January 26, 2016, and recorded in the Official Records of Orange County, Florida as Document #20160063636 on February 5, 2016.
20. The developer shall obtain water, wastewater and reclaimed water service from Orange County Utilities.
21. A Camino Reale Transmission Systems Master Utility Plan (MUP) shall be submitted to Orange County Utilities prior to approval of the first PSP/DP within Camino Reale. The Transmission Systems MUP shall include demands for the entire PD, and shall include water, wastewater and reclaimed water transmission systems layouts, sizing, and supporting hydraulic calculations.
22. At least thirty (30) days prior to construction plan submittal, the applicant shall submit a Master Utility Plan (MUP) for the PSP/DP, including hydraulically dependent parcels outside PSP/DP boundaries; such MUP shall include supporting calculations showing that the PSP/DP-level MUP is consistent with an approved Camino Reale Transmission Systems MUP, or shall include an update to the Transmission Systems MUP to incorporate any revisions. The MUP(s) must be approved prior to construction plan approval.
23. The Developer shall be responsible for building master utilities transmission and collection infrastructure adequate to serve the project to accommodate the ultimate flows for the entire Camino Reale PD. Utilities infrastructure shall be built connecting to the build-out points of connection approved in the Camino Reale Transmission Systems MUP.
24. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
25. 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.
26. Prior to the first Preliminary Subdivision Plan / Development Plan approval, the applicant shall enter into a Transportation Agreement substantially consistent with the Term Sheet, as approved by the BCC on even date herewith.

**IMPACT ANALYSIS**

**Land Use Compatibility**

The proposed **PD (Planned Development District)** zoning would allow for a transitional land use pattern, to ensure that development is compatible with the surrounding rural area. The proposed mixed use development program consists of up to 3,000 dwelling units (a mix of single-family and multi-family), and 330,000 square feet of non-residential uses (office, commercial, and light industrial). Hotels would also be permitted using a trip conversion matrix. The table below lists the various transects, their acreages, and the proposed development program.

<b>Transect</b>	<b>Transect Acres</b>	<b>Units</b>	<b>Density</b>	<b>Sq. Footage</b>
<b>T-1</b>	409.72	N/A	N/A	N/A
<b>T-2</b>	22.85	45	1.97	N/A
<b>T-3</b>	381.25	1,525	4	N/A
<b>T-4 General</b>	174.08	980	5.63	50,000
<b>T-4 Core</b>	45	450	10	280,000
<b>TOTAL</b>	<b>1,032</b>	<b>3,000</b>	<b>2.9</b>	<b>330,000</b>

The project will also incorporate neighborhood design principles, interconnected open space systems, and streets with a strong pedestrian/bicycle orientation. The proposed transect zones provide a predictable transitional development pattern, whereby lower densities and intensities are located near the project perimeter that abuts existing rural areas; and where higher densities and intensities are primarily oriented toward the center.

**Comprehensive Plan (CP) Consistency**

The subject property has underlying Future Land Use Map (FLUM) designation of Innovation Way (IW). The PD-RP and development program is consistent with the IW FLUM designation and the Innovation Way Comprehensive Plan policies, including but not limited to the following:

**FLU5.2.2 Innovation Way – Planned Development – Regulating Plan**

The IW-PD-RP requires the following during the rezoning phase of a proposed development in Innovation Way:

**A. Regulating Plan:** The Regulating Plan shall finalize the specific transect locations and establish detailed development performance standards. The performance standards in the regulating plan shall be consistent with the adopted Innovation Way Regulating Plan Structure Guide and, at a minimum, address the following:

1. Classification of streets/street hierarchy
2. Location, boundaries and land area of transect zones
3. Location, boundaries and land area for land use districts within the respective transect zones

4. Block and intersection density standards within the transect zones
5. Open space requirements
6. Identification of ELSP lands
7. Maximum building heights by districts/transects
8. Building frontage and placement standards
9. Landscape and streetscape requirements
10. Proposed location of major infrastructure components including water, wastewater, reclaimed water and stormwater
11. General location of public school sites
12. General location and size of proposed parks and open space based on development standards and park and open space types
13. Storm water management and low impact development standards and facilities where appropriate
14. General location of police substations, fire stations, and government buildings (if any).

FLU5.2.3 **Changes to and consistency with an Existing CRP.** Upon adoption of a Comprehensive Plan Amendment and its associated CRP, any addition or deletion of property or substantial changes to the CRP boundaries shall be processed as an amendment to the Comprehensive Plan and shall include an evaluation and analysis of the impacts to the approved or planned land uses, overall densities, adequate public facilities, green belts, schools and other general urban community principles and the ability to meet the conceptual prototypical urban form size and density requirements. Subject to approval by the Board of County Commissioners, the uses within any particular IW-PD-RP may vary in arrangement from the adopted CRP, provided that the overall density for the CRP continues to meet or exceed the minimum density requirements specified in Policy FLU5.1.7.

Approval of variations shall be based on consistency with the CRP, Map 4 of the Future Land Use Map Series, and the Innovation Way policies. The process for the review or approval of those variations shall be established in the Innovation Way land development code.

*Additional Comp Plan Policies*

All applicable policies are those found under Objectives T2.5 and T2.6.

T2.5.1 **GENERAL MMTN PRINCIPLES**

**Designation Criteria.** Existing areas with multimodal characteristics or proposed new areas for multimodal developments (e.g. greenfield developments) may be designated as an MMTN consistent with the following criteria.

- A. **Financial Feasibility.** MMTNs shall be approved only in conjunction with a financially feasible infrastructure plan as defined by the County



and applicable policies in the Comprehensive Plan, including but not limited to Objective CIE1.6 and implementing Policies CIE1.6.5 and 1.6.6.

- B. **Preservation of SIS Facilities.** Proposed MMTNs shall not significantly degrade the adopted level of service standards for facilities designated as part of the Florida – Strategic Intermodal System – major arterial roadways that have the primary function of moving high volumes of statewide and regional traffic – without appropriate mitigation. Any impacts outside the MMTN shall be mitigated within the MMTN to the extent possible.
  
- C. **Required Design Elements.** Proposed MMTNs shall exhibit the following community design elements:
  - 1. An interconnected network of streets and paths designed to encourage walking and bicycle use, with traffic calming where desirable;
  - 2. A complementary mix and range of land uses, including residential, employment, educational, recreational and cultural;
  - 3. Appropriate densities and intensities of land uses within walking distance of transit stops;
  - 4. Daily activities within walking distance of residences and public uses, streets and squares that are safe, comfortable and attractive for the pedestrian, with adjoining buildings open to the street and parking designed so as not to interfere with all transportation modes.

T2.5.7

**Contributions to Multimodal Network.** New development or redevelopment projects shall contribute to providing a safe, convenient, comfortable and aesthetically pleasing transportation environment that promotes walking, cycling, and transit use. Appropriate improvements or enhancements to the multimodal network may be required as a condition of development approval, including, but not limited to the following:

- A. Accommodations for pedestrian access and movement, including shaded sidewalks, benches and enhanced crossings;
- B. Direct connections between the MMTN and the regional bicycle/pedestrian network;
- C. Installation of shared use paths in accordance with the FDOT Bicycle Facilities Planning and Design Guidelines Handbook;
- D. Well-designed accommodations for transfer of passengers at designated transit facilities;

- E. Preferential parking for rideshare participants;
  - F. Well-designed access for motor vehicle passenger drop-offs and pick-ups at designated transit facilities and at commercial and office development sites;
  - G. Accommodations for car sharing, bike sharing, and electric cars, including designated locations, preferential parking, and electric car charging stations, as applicable.
  - H. Weather protection at transit stops.
- T2.5.9.1 To promote communities that are physically connected to each other, and to foster community and connectedness beyond the development, all development plans shall include streets stubbed to the boundary of the development in all major directions. Development plans shall include streets connecting to all streets stubbed to the boundary of adjacent development plans. Street connections shall be made between adjacent development, in order to continue the interconnected street network of the MMTN from one development to the next. The requirements of this policy do not apply if it is demonstrated that a connection cannot be made because the existence of one or both of the following conditions:
- A. Physical conditions preclude development of a connecting street on the adjacent property; or,
  - B. Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude a connection now or in the future, considering the potential for redevelopment.
- T2.5.11.1 Developments adjacent to school properties shall be required to provide right-of-way and a direct safe access path for pedestrian and bicycle travel to existing and planned school sites, and shall connect to the neighborhood's existing pedestrian network.
- T2.6.3 **Access to Parks, Recreation and Open Space.** Where permitted and to advance connectivity and to allow access for the entire community, public access shall be provided to all parks, recreation areas, conservation areas, natural areas, lakes and general open space from a public roadway, sidewalk, or trail. The public roadway, sidewalk, or trail shall be located between private property, including homes, and the park, recreation area, conservation area, natural area, lake, or general open space.
- T2.6.4 **Funding of Capital Improvements.** An IW-TA financially feasible capital improvements plan, as defined by the County, and applicable policies in the Comprehensive Plan, including but not limited to Objective CIE1.6 and implementing Policies CIE1.6.5 and 1.6.6, shall be developed for the network. Funding sources for identified projects may include, but are not

limited to, the following:

- Community Development District
- Road Impact Fees
- General Fund
- Tax Increment Financing District
- Developer Contributions and other Public-Private Partnerships
- Municipal Service Taxing Unit/Municipal Service Benefit Unit
- Farebox Revenues
- Available State or Federal Highway or Transit Funds
- Others as approved by the Board of County Commissioners

**Community Meeting Summary**

Two (2) community meetings were held for this project on May 20, 2014 and January 26, 2017. The meeting on May 20, 2014 focused on the Future Land Use change from Rural (R) to Innovation Way (IW) with 205 people in attendance. The January 26, 2017 meeting was at Moss Park Elementary School with ninety-nine (99) residents in attendance and focused solely on the proposed rezoning and Regulating Plan. The residents expressed concerns for stormwater run-off quality, buffers adjacent to the existing single-family neighborhood southwest of the subject property, wildlife impacts, and aquifer quality.

**SITE DATA**

<b>Existing Use</b>	Undeveloped Land, Farmland and Industrial Uses
<b>Adjacent Zoning</b>	N: Planned Development District - Sunbridge (PD) E: Planned Development District - Sunbridge (PD) W: Farmland Rural District (A-2) Planned Development District - Live Oak Estates (PD) S: Farmland Rural District (A-2) Rural Country Estates (R-CE)
<b>Adjacent Land Uses</b>	N: Undeveloped Land E: Undeveloped Land / Well Fields W: Single-Family Residential / Undeveloped Land / Orange County Shooting Range S: Single-Family Residential / Undeveloped Land

**APPLICABLE / “PRIMARY” PD DEVELOPMENT STANDARDS**

<b>Non Residential Standards</b>	<b>T-4 Core</b>
Maximum FAR	3.0
Minimum Lot Size	N/A
Maximum Lot Coverage	90%**
Setbacks:	
Innovation Way South / N-S Collector Rd	min 0' / max 70'
Internal Roads	min 0' / max 15'
Side setback	min 0' / max 70'
Rear Setback	min 0' / max 70'
Building Separation	min 0'
Minimum Building Height	35'
Maximum Building Height	60'***

\*\*Lot coverage may be increased to 100% if a master stormwater system is provided or a exfiltration or similar stormwater management is approved by Orange County.

\*\*\*Maximum Building Height may be increased to 80' (8 stories) if a parking garage is provided.

<b>Residential Standards</b>	<b>T-4 Core</b>
Minimum Density	10 du/ac
Maximum Density	100 du/ac
Minimum Lot Size	N/A
Maximum Lot Coverage	80%*
Setbacks:	
Innovation Way South / N-S Collector Rd	See Regulating Plan: Building & Lot Types Section 3.0
Internal Roads	See Regulating Plan: Building & Lot Types Section 3.0
Side setback	See Regulating Plan: Building & Lot Types Section 3.0
Rear setback	See Regulating Plan: Building & Lot Types Section 3.0
Building Separation	min 0'
Maximum Building Height	45' (4 stories)***

\*Lot coverage may be increased to 90% if a master stormwater system is provided or if in a mixed-use building.

\*\*Recreation and Open Space is provided within the overall Camino Reale PD boundary via Plazas, APF Park, bike trails, pedestrian trails open space and conservation areas.

\*\*\*Maximum Building Height may be increased to 80' (8 stories) if a parking garage is provided.

Non Residential Standards	T-4 General
Maximum FAR	2.0
Minimum Lot Size	N/A
Maximum Lot Coverage	80%*
Setbacks:	
Innovation Way South / N-S Collector Rd	min 0' / max 70'
Internal Roads	min 0' / max 20'
Side setback	min 0'
Rear Setback	min 0'
Building Separation	min 0'
Maximum Building Height	45'**

\*Lot coverage may be increased to 100% if a master stormwater system is provided or a exfiltration or similar stormwater management is approved by Orange County.

\*\*Maximum Building Height may be increased to 60' (6 stories) if a parking garage is provided with residential use.

Residential Standards	T-4 General
Minimum Density	4 du/ac
Maximum Density	20 du/ac
Minimum Lot Size	N/A
Maximum Lot Coverage	75%*
Setbacks:	
Innovation Way South / N-S Collector Rd	See Regulating Plan: Building & Lot Types Section 3.0
Internal Roads	See Regulating Plan: Building & Lot Types Section 3.0
Side setback	See Regulating Plan: Building & Lot Types Section 3.0
Rear setback	See Regulating Plan: Building & Lot Types Section 3.0
Maximum Building Height	45' (4 stories)**

\*Lot coverage may be increased to 90% if a master stormwater system is provided.

\*\*Maximum Building Height may be increased to 60' (6 stories) if a parking garage is provided.

\*\*\*Recreation and Open Space is provided within the overall Camino Reale PD boundary via Plazas, APF Park, bike trails, pedestrian trails open space and conservation areas.

<b>Non Residential Standards</b>	<b>T-3</b>
Maximum FAR	0.35
Minimum Lot Size	N/A
Maximum Lot Coverage	80%
Setbacks:	
Local Streets	min 0' / max 20'
Side setback	min 0' / max 100'
Rear setback	min 0' / max 100'
Building Separation	0'
Minimum Building Height	20'
Maximum Building Height	45'

\*Residential over Commercial and Live-Work buildings are allowed. Character of the building must match the character of the neighborhood it is located in.

<b>Residential Standards</b>	<b>T-3</b>
Average Overall Density	4 du/ac*
Maximum Density	10 du/ac*
Minimum Lot Size	See Regulating Plan: Building & Lot Types Section 3.0
Maximum Lot Coverage	75%**
Setbacks:	
Internal Roads	See Regulating Plan: Building & Lot Types Section 3.0
Side setback	See Regulating Plan: Building & Lot Types Section 3.0
Rear setback	See Regulating Plan: Building & Lot Types Section 3.0
Building Separation	See Regulating Plan: Building & Lot Types Section 3.0
Minimum Building Height	See Building & Lot Types Section 3.0
Maximum Building Height	35'

\*Maximum overall density is determined by the total number of units divided by the total land within an individual neighborhood as depicted on the PD-RP regulating plan.

\*\*Lot coverage may be increased to 85% to accommodate pools and accessory structures.

\*\*\*Recreation and Open Space is provided per the PD-RP Regulating Plan.

<b>Residential Standards</b>	<b>T-2</b>
Maximum Density	2 du/ac*
Minimum Lot Size	N/A
Maximum Lot Coverage	75%**
Minimum Lot Width	50'
Minimum Lot Depth	120'
Setbacks:	
Local Streets	See Regulating Plan: Building & Lot Types Section 3.0
Side setback	See Regulating Plan: Building & Lot Types Section 3.0
Rear setback	See Regulating Plan: Building & Lot Types Section 3.0
Building Separation	See Regulating Plan: Building & Lot Types Section 3.0
Maximum Building Height	35'
Buffer between T-2 and Lake Mary Jane Rural Settlement	100'

\*Maximum overall density is determined by the total number of units divided by the total land within T-2 transect as depicted on the PD-RP regulating plan.

\*\*Lot coverage may be increased to 85% to accommodate pools and accessory structures.

\*\*\*Recreation and Open Space is provided per the PD-RP Regulating Plan.

## **SPECIAL INFORMATION**

### **Subject Property Analysis**

This request is to rezone 1,032.90 gross and 688 developable acres from A-2 to PD for a mixed-use project with up to 3,000 residential dwelling units (single-family and multi-family) and 330,000 square feet of non-residential uses including hotel, commercial, office, and/or industrial. The project would also feature a public school and parks. A PD Regulating Plan (RP) map depicts four (4) Transect Zones, Adequate Public Facility (APF) lands; and distinct neighborhoods with centralized Community Focal Points; while a PD-RP structure guide addresses transect development standards, street typologies & cross sections, intersection density & connectivity measures, green infrastructure components, etc.

This request is associated with and contingent upon an Adequate Public Facility Agreement, a Transportation Framework Agreement, and an Orange County Public Schools (OCPS) Capacity Enhancement Agreement (CEA).

Consistent with existing Comprehensive Plan provisions, the Camino Reale PD-RP would be subject to a transect-based development framework, with compact and

pedestrian-oriented neighborhoods organized centered around community amenities, open space or other focal points.

**Comprehensive Plan (CP) Amendment**

The subject property has underlying Future Land Use Map (FLUM) designation of Innovation Way (IW). This designation along with an expansion of the Urban Service Area (USA) was approved on January 26, 2016. The proposed uses and development programs are consistent with this designation; therefore, a comprehensive plan amendment is not required.

**Planned Development / Regulating Plan (PD/RP)**

As required by CP Policy FLU5.2.2, this request includes a Planned Development - Regulating Plan (PD-RP) map and structure guide, which describes and depicts the final location of open space and preservation areas, Transect Zones, streets, neighborhoods, schools, trails, and parks. In addition, the PD-RP is intended to address a majority of applicable development guidelines and standards as commonly addressed by the Orange County Land Development Code.

Aside from any standards that may be explicitly deferred to the existing Orange County Land Development Code, the PD-RP provides a process for which unaddressed regulations are interpreted by the Planning and/or Zoning Manager, with the ability to appeal such interpretations to the Development Review Committee (DRC).

**Rural Settlement**

The subject property is not located within a Rural Settlement.

**Joint Planning Area (JPA)**

The subject property is not located within a JPA.

**Overlay District Ordinance**

The subject property is not located within an Overlay District.

**Airport Noise Zone**

The subject property is not located in an Airport Noise Zone.

**Environmental**

The subject property shall comply with all state and federal permitting pertaining to wildlife or plants regarding endangered, threatened, or species of special concern of the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC). The subject property shall also comply with State and Federal regulations for any wetland or associated required upland buffer impact.

All applicable County permits must be obtained prior to construction, clearing, filling, alteration or grading is allowed within or immediately adjacent to wetlands and any applicable upland buffers.

Preservation of natural features, conservation areas and of any associated required upland buffers will be considered in the detailed community design. Where wetlands serve a significant and productive function, any alteration or development affecting such lands should minimize or eliminate any impact. Any request for wetland impacts



shall comply with Orange County Code Chapter 15.

A portion of this property (northern area as outlined in code) is located within the geographic limits of the Econlockhatchee River Protection Ordinance area. Basin-wide regulations apply. Basin regulations of Section 15-442 include, but are not limited to, wetland buffers, habitat preservation and wildlife management, stormwater management, and landscaping with native plant species.

This development shall continue to comply with Orange County Code Chapter 15 Environmental Control, Article XVIII Environmental Land Stewardship known as the Environmental Land Stewardship Program (ELSP). Camino Reale has an executed ELS Agreement for this project, which was approved by the Board of County Commissioners on January 26, 2016.

Areas of this project that are found to be within FDEP 62-302.700 Special Protection, Outstanding Florida Waters, Outstanding Natural Resource Waters shall comply with the state regulation. No degradation of water quality, other than that allowed in Rule 62-4.242(2) and (3), F.A.C., is to be permitted in Outstanding Florida Waters and Outstanding National Resource Waters, respectively, notwithstanding any other Department rules that allow water quality lowering.

An Orange County Conservation Area Determination CAD-13-10-055 has been completed that included this property. The certified survey of the conservation area boundary was approved. CAD-13-10-055 was revised 1/23/2015 and extended to 11/4/2018. This replaced the northern portion of a previous determination #CAD 07-122.

Prior to impacts to any wetlands, or to any associated required upland buffers, the proposed design shall be in compliance with Orange County Code Chapter 15. In any request for an impact, the application shall clearly show why the encroachment cannot be eliminated or avoided, and how the impact is minimized.

**Transportation / Concurrency**

Camino Reale will be required to enter into a Road Network Agreement with the County to identify its proportional contribution and role in delivering key transportation improvements in the Innovation Way corridor, as well as mitigate its impacts on the regional transportation network. Concurrent with its zoning request, the Board of County Commissioners will be asked to consider a Term Sheet that will serve as the basis for the drafting of the Road Network Agreement. The Term Sheet will frame, for the purpose of transportation issues, the analysis and impacts as it relates to phasing and access. The Term Sheet will specify the developer's role in the production and delivery of needed transportation improvements by phase, as well as the coordination of major transportation connections with adjacent development. The Term Sheet will also address needed right-of-way, permitting responsibilities, concurrency satisfaction, and transportation impact fee credits.

Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this regulating

plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.

**Water / Wastewater / Reclaim**

	<i>Existing service or provider</i>
Water:	Orange County Utilities
Wastewater:	Orange County Utilities
Reclaimed:	Orange County Utilities

**Schools**

A Capacity Enhancement Agreement (CEA) was approved on January 23, 2018 in addition to an existing CEA which was previously approved on November 14, 2006. The project provides for a 15-acre elementary school site as outlined in the associated APF Agreement.

**Parks and Recreation**

Parks and Recreation staff have reviewed and approved the final version of the Regulating Plan which includes an alternative location for the 20-acre APF park located on the northern boundary of the Camino PD, adjacent to the park in the Sunbridge PD.

**Code Enforcement**

No code enforcement, special magistrate or lot clearing issues on the subject property have been identified.

**Specific Project Expenditure Report and Relationship Disclosure Forms**

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 – (January 18, 2018)**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Camino Reale Planned Development / Regulating Plan (PD/RP), subject to approval of the Capacity Enhancement Agreement prior to scheduling this item for the BCC; subject to approval of the Regulating Plan, including any non-substantial changes made by legal; the Term Sheet; and approval of the Adequate Public Facilities (APF) Agreement by the BCC; subject to the following conditions which were in the staff report with the addition of condition #27 and #28; and subject to a revised plan to address: 1) Separate Home Occupation criteria from Live Work criteria; 2) Revised park plan; 3) Garage front setback clarification (20 feet); 4) Dark sky lighting for the whole project; 5) On-street bike lane design per the FDOT standards; 6) Street trees planting within the right-of-way; and 7) Clarification on the rear setbacks as well as clarification between the front loaded single-family versus the rear loaded single-family:**

1. Development shall conform to the Camino Reale Planned Development / Regulating Plan (PD / RP) dated "Received February 12, 2018," 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 Regulating 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 February 12, 2018," 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 of County Commissioners ("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, 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.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this Regulating 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. 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.
  
7. The following Education Condition of Approval shall apply:
  - a) Developer shall comply with all provisions of the Capacity Enhancement Agreements entered into with the School Board as of November 14, 2006 and January 23, 2018.
  
  - b) Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreements, the County shall immediately cease issuing building permits for any residential units in excess of the 12 residential units allowed under the zoning existing prior to the approval of the PD zoning. The County may again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreements. The developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreements, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.
  
  - c) Developer, and its successor(s) and/or assign(s) under the Capacity Enhancement Agreements, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's rights.

- d) Orange County shall be held harmless by the developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreements, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreements.

Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreements.

8. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this regulating plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.
9. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any direct or indirect conservation area impacts.
10. Unless a Conservation Area Impact (CAI) permit is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland Conservation Areas", prior to Construction Plan approval, no conservation area or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect conservation area impacts.
11. 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 & Wildlife Conservation Commission (FWC).
12. The applicant shall comply with the Florida Department of Environmental Protection rule 62-302.700 Special Protection, Outstanding Florida Waters, Outstanding Natural Resource Waters. No degradation of water quality, other than that allowed in Rule 62-4.242(2) and (3), F.A.C., is to be permitted in Outstanding Florida Waters and Outstanding national Resource Waters, respectively, notwithstanding any other Department rules that allow water quality lowering.
13. The Impaired Waters Rule, Chapter 62-303 of the Florida Administrative Code may increase the requirements for pollution abatement treatment and monitoring of stormwater as part of future approvals of the associated Basin Management Action Plans related to this site by the state Department of Environmental Protection (FDEP). The applicant is advised to follow related legislation in order to assure compliance with future regulations.
14. The covenants, conditions, and restrictions (CC&Rs), or as appropriate, a recorded restrictive covenant on the property and a note on the plat shall contain notification to potential purchasers, builders or tenants of this development that within a mile from the project there are two gun ranges, bomb squad training and explosive

- device testing that may result in periodic temporary conditions that may cause a noise disturbance.
15. The covenants, conditions, and restrictions (CC&Rs), or as appropriate, a recorded restrictive covenant on the property and a note on the plat shall include notification of the prior use of this property as a gun range.
  16. The covenants, conditions, and restrictions (CC&Rs), or as appropriate, a recorded restrictive covenant on the property, and a note on the plat shall include notification that portions of this property are, or were, included in a State of Florida RCRA Corrective Action Permit or a Federal Environmental Protection Agency Action to address corrective action and groundwater monitoring. If legally appropriate, this condition may be satisfied in either the Master Declaration or a Sub-Declaration for a particular development site.
  17. The covenants, conditions, and restrictions (CC&Rs), or as appropriate, a recorded restrictive covenant on the property and a note on the plat shall prohibit installation or operation of potable and irrigation water supply wells on site.
  18. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.
  19. The developer shall comply with the Environmental Land Stewardship Agreement entered into with Orange County, as approved by the BCC on January 26, 2016, and recorded in the Official Records of Orange County, Florida as Document #20160063636 on February 5, 2016.
  20. The developer shall obtain water, wastewater and reclaimed water service from Orange County Utilities.
  21. A Camino Reale Transmission Systems Master Utility Plan (MUP) shall be submitted to Orange County Utilities prior to approval of the first PSP/DP within Camino Reale. The Transmission Systems MUP shall include demands for the entire PD, and shall include water, wastewater and reclaimed water transmission systems layouts, sizing, and supporting hydraulic calculations.
  22. At least thirty (30) days prior to construction plan submittal, the applicant shall submit a Master Utility Plan (MUP) for the PSP/DP, including hydraulically dependent parcels outside PSP/DP boundaries; such MUP shall include supporting calculations showing that the PSP/DP-level MUP is consistent with an approved Camino Reale Transmission Systems MUP, or shall include an update to the Transmission Systems MUP to incorporate any revisions. The MUP(s) must be approved prior to construction plan approval.

23. The Developer shall be responsible for building master utilities transmission and collection infrastructure adequate to serve the project to accommodate the ultimate flows for the entire Camino Reale PD. Utilities infrastructure shall be built connecting to the build-out points of connection approved in the Camino Reale Transmission Systems MUP.
24. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
25. 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.
26. Prior to the first Preliminary Subdivision Plan / Development Plan approval, the applicant shall enter into a Transportation Agreement substantially consistent with the Term Sheet, as approved by the BCC on even date herewith.
27. There shall be no vehicle access to T M Ranch Road, via Bunkhouse Road.
28. The applicant shall provide a 150-foot natural landscape buffer adjacent to the Lake Mary Jane Rural Settlement that is to be owned and maintained by the newly established Homeowner's Association. The buffer shall contain a parallel row of new trees planted every thirty feet (30') in upland areas where no existing trees are currently present. New plantings shall occur in conjunction with the development of home sites along the opposite side of the buffer from the Lake Mary Jane Rural Settlement boundary, and shall consist only of non-invasive shade and understory trees.

### **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 approval of the requested Camino Reale Planned Development / Regulating Plan (PD / RP), subject to the twenty-six (26) conditions in the staff report and one additional condition prohibiting vehicle access to T M Ranch Road.

Staff indicated that eight hundred eleven (811) notices were mailed to surrounding property owners within a buffer extending beyond 800 feet from the subject property, with nine (9) oppositions received. The applicant was present and agreed with the staff recommendation of approval. There were two members of the public present to speak about this request.

Discussion ensued regarding the buffer between the Lake Mary Jane Rural Settlement and the T2-A neighborhood within Camino Reale. Additional discussion involved lighting, home occupation criteria, street trees, lot widths and setbacks of single-family lots, and on-street bike lane design.

A motion was made by Commissioner DiVecchio to APPROVE the Camino Reale Planned Development / Regulating Plan (PD/RP), dated "Received December 21, 2017", subject to approval of the Capacity Enhancement Agreement prior to scheduling this item for the BCC; subject to approval of the Regulating Plan, including any non-substantial changes made by legal; the Term Sheet; and approval of the Adequate Public Facilities (APF) Agreement by the BCC; subject to the conditions which were in the staff report with the addition of conditions #27 and #28; and subject to a revised plan to address: 1) Separate Home Occupation criteria from Live Work criteria; 2) Revised park plan; 3) Garage front setback clarification; 4) Dark sky lighting for the whole project; 5) On-street bike lane design per the FDOT standards; 6) Street trees planting within the right-of-way; and 7) Clarification on the rear setbacks as well as clarification between the front loaded single-family versus the rear loaded single-family. Commissioner Melwani seconded the motion, which was then carried on an 8-0 vote.

**Motion / Second**            *Pat DiVecchio / Yog Melwani*

**Voting in Favor**            *Pat DiVecchio, Yog Melwani, JaJa Wade, Paul Wean, Tina Demostene, William Gusler, Gordon Spears, and James Dunn*

**Voting in Opposition**    *None*

**Absent**                        *None*

*(Jose Cantero declared a conflict of interest and recused himself from the vote.)*