

BCC Mtg. Date: March 15, 2016

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS' MEETING

Date: Tuesday, January 26, 2016
Location: Commission Chambers, Orange County Administration Center,
First Floor, 201 S. Rosalind Avenue, Orlando, Florida
Members Present: County Mayor Teresa Jacobs; Commissioners S. Scott Boyd, Pete
Clarke, Jennifer Thompson, Ted Edwards, Victoria P. Siplin;
Commissioner Bryan Nelson joined the meeting where indicated.
Others Present: County Comptroller Martha Haynie as Clerk, County Administrator
Ajit Lalchandani, County Attorney Jeffrey J. Newton, Deputy Clerk
Katie Smith, Senior Minutes Coordinator Craig Stopyra

- CALL TO ORDER, 9:05 a.m.
- OFFICIALS RECOGNIZED: Former Orange County Mayor Richard Crotty
Orange County Clerk of Circuit Court Tiffany Moore
Russell
- INVOCATION - Pastor Mel Oquendo, Living Word Church
- MEMBER JOINED: Commissioner Nelson
- PLEDGE OF ALLEGIANCE
- PRESENTATION
Proclamation designating February as Black History Month
- PRESENTATION
Resolution recognizing the Bishop Moore Catholic High School Football Team as 2015
Florida Class 5A State Champions
- RECOGNITION
County Mayor Jacobs recognized Walter A. Ketcham Jr., former Board Chairman of the
Central Florida Expressway Authority.
- OFFICIALS RECOGNIZED: Former Orange County Mayor Richard Crotty
Lake County Commissioner Welton Cadwell
Osceola County Commissioner Fred Hawkins, Jr.
- PRESENTATION
Proclamation recognizing Walter A. Ketcham Jr., for his service to Central Florida.
- PRESENTATION
Art in the Chambers

- PUBLIC COMMENT

The following persons addressed the Board for public comment:

- Maria Bolton-Joubert
- Christine Cavagnaro
- Trini Quiroz
- Augustin Martinez
- Doug Head

- COUNTY CONSENT AGENDA

Motion/Second: Commissioners Clarke/Thompson

AYE (voice vote): All members

Action: The Mayor

- Deferred action on County Attorney Item 3 for consideration with public hearing for Ordinance pertaining to Emergency and Non-Emergency Medical Care Transportation
- Deferred action on Community, Environmental and Development Services Department Item 2 for consideration with public hearing for Thomas Daly, Rio Reale Properties Orlando, LLC, Regular Cycle Privately-Initiated Text and Future Land Use Map Amendment 2014-2-A-4-4

and further, the Board approved the balance of the County Consent Agenda items as follows:

County Comptroller

1. Approval of the minutes of the November 17 and December 1, 2015, meetings of the Board of County Commissioners. (Clerk's Office)
2. Approval of the check register authorizing the most recently disbursed County funds, having been certified that same had not been drawn on overexpended accounts. Periods are as follows:
 - December 31, 2015, to January 7, 2016; total of \$85,644,549.86
 - January 8, 2016, to January 14, 2016; total of \$27,250,639.09
 - January 15, 2016, to January 21, 2016; total of \$62,003,219.14.

(Finance/Accounting)

County Administrator

1. Receipt and filing of the minutes received by the Agenda Development Office of various advisory board meetings for the official county record. (Agenda Development Office)
2. Approval of Amendment to the FY 2016 Grant Agreement between Black Business Investment Fund and Orange County, Florida. (Office of Economic, Trade and Tourism Development)
3. Approval of Resolution 2016-M-05 of the Orange County Board of County Commissioners regarding ADP, LLC Qualified Target Industry Tax Refund. (Office of Economic, Trade and Tourism Development)
4. Approval for the Orange County Sheriff's Office to spend \$157,300 from the FY 2016 Law Enforcement Trust Fund for the purchase of protective podiums (\$156,300), and to provide an eligible contribution to Youth Central Connection (\$1,000). (Office of Management and Budget)
5. Approval of budget amendments #16-13, #16-14, #16-15, and #16-16. (Office of Management and Budget)
6. Approval of Service Funding Agreement by and between Orange County, Florida and LYNX for FY 2015-16. All Districts. (Office of Regional Mobility)
7. Approval of ratification of payment of Intergovernmental claims of November 5, 2015, November 19, 2015, December 3, 2015, and December 17, 2015 totaling \$1,368,609.69 (Risk Management Division)

County Attorney

1. Approval of proposed new Administrative Regulation, titled "Neighborhood Grant Program."
2. Approval of proposed revisions to Administrative Regulation 8.07.05 and 8.07.06, titled "Vehicle Take-Home Assignment Policy and Vehicle E-Pass Transponder Assignment Policy."

3. Approval of Resolution of the Orange County Board of County Commissioners regarding the Orange County Emergency Medical Services Advisory Council; Reconstituting Such Board as to Duties, Number of Members and Membership Qualifications; Reorganizing the Board's Responsibilities and Authorities; effect of Resolution to replace and supersede all prior Resolutions concerning the Emergency Medical Services Advisory Council; and Providing an effective date.

(This item was deferred.)

Convention Center

1. Approval of Change Order No. 3, Contract Y13-7019 with RUSH Construction, Inc. in the amount of \$53,258, for a revised contract amount of \$1,992,258. (Convention Center)

Administrative Services Department

1. Approval to award Invitation for Bids Y16-145-LC, HVAC Repair and Replacement Countywide, to the low responsive and responsible bidders, Air Mechanical and Service Corporation (AMSCO), as the primary contractor in the estimated annual contract of \$1,000,000 and Shaw Mechanical Services, LLC and Johnson Controls, Inc. as secondary contractors each in the contract amount of \$500,000. Although the total estimated contract awards amount to \$2,000,000, the total contract expenditure against these contracts will not exceed the budget of \$1,000,000 for these services. Further, authorized the Procurement Division to renew the contracts for four additional 1-year periods. ([Administrative Services Department Facilities Management Division] Procurement Division)
2. Approval to award Invitation for Bids Y16-708-PH, Orange County Utilities Supervisory Control and Data Acquisition (SCADA) Replacement Phase I, to the low responsive and responsible bidder, Curry Controls Company for the total contract award amount of \$4,749,000. ([Utilities Department Engineering Division] Procurement Division)
3. Approval of Amendment No. 5, Contract Y15-138-MA, Work Uniforms, with Designlab, Inc. in the estimated amount of \$127,390.25 for a revised total estimated contract amount of \$2,015,254.25. ([Convention Center] Procurement Division)
4. Selection of Federation of Families of Central Florida, Inc. to provide Family and Youth Recovery Services (Wraparound Orange), Request for Proposals Y16-153-LC in the amount of \$233,998.40. Further, authorized the Procurement Division to negotiate and execute a 1-year contract with three additional 1-year renewals. ([Health Services Department Mental Health and Homeless Issues Division] Procurement Division)

5. Selection of HRS Group, Inc. dba Alertchecks to provide Background Checks under Request for Proposals Y16-141-JS. Further, authorized negotiation and execution of the final contract by the Procurement Division in the not-to exceed contract amount of \$275,625 for a three-year contract with two 1-year renewals. ([Office of Accountability Office of Professional Standards Division] Procurement Division)
6. Approval to award contracts for Request for Proposals Y16-152-LC, Wraparound Orange Services to Aspire Health Partners in the amount of \$178,859.20; Devereux Florida in the amount of \$334,172.80; IMPOWER, Inc. in the amount of \$192,939.20; The Children's Home Society of Florida in the amount of \$338,686.40 and Youth Advocate Programs, Inc. in the amount of \$412,927.80. Further, authorized the Procurement Division to negotiate and execute 1-year contracts with three additional 1-year renewals. ([Health Services Department Mental Health and Homeless Issues Division] Procurement Division)
7. Approval and execution of License Agreement between Reedy Creek Improvement District and Orange County and delegation of authority to the Real Estate Management Division to execute commencement certificate and to exercise renewal options, if needed, for office space, Sheriff's Office – Sector Six, License Agreement #2070, 2700 Village Services Trail, Lake Buena Vista, Florida 32830. District 1. (Real Estate Management Division)
8. Approval and execution of Utility and Ingress-Egress Easement Agreement between Sea World of Florida LLC and Orange County and authorization to disburse funds to pay all recording fees and record instrument for Sea World Water Meter Easement. District 1. (Real Estate Management Division)
9. Approval of Memorandum of Understanding between Orange County Public Works Department and Orange County Utilities Department, approval and execution of Notice of Reservation and authorization to disburse funds to pay recording fees and record instrument for Pump Station No. 3586 (Donnybrook). District 3. (Real Estate Management Division)
10. Approval and execution of Terminations of Easements and authorization to record instruments for Clarcona-Ocoee Rd (Ocoee-Apopka Rd to Hiawassee Rd). District 2. (Real Estate Management Division)
11. Approval and execution of Utility Easement between The School Board of Orange County, Florida and Orange County and authorization to record instrument for New Independence ES OCU File No. 77586. District 1. (Real Estate Management Division)
12. Approval and execution of Amendment to Non-Exclusive Drainage Easement and Joint Utilization Agreement (S.C. Orlando, L.L.C./Orange County) between JY-TV ASSOCIATES, LLC and Orange County, approval of Subordination of Encumbrances to Property Rights to Orange County from WELLS FARGO BANK,

N. A. and authorization to record instruments for Promenade Grande Lakes Apts. (Permit # B14903551). District 4. (Real Estate Management Division)

13. Approval of Access Easement between GB Curry Pine LLC and Orange County with Consent and Subordination by Mortgagee from BRANCH BANKING AND TRUST COMPANY and Consent to Access Easement from Wawa Florida, LLC, approval and execution of Access Easement between Orange County and GB Curry Pine LLC and authorization to record instruments for Curry Ford Rd. /Young Pine Rd. Retention Pond Re-Design. District 4. (Real Estate Management Division)
14. Approval of Purchase Price Above Appraised Value, Purchase Agreement between McKinnon Groves, LLLP, and Orange County, Utility Easement between McKinnon Groves, LLLP and Orange County and the City of Orlando and authorization to disburse funds to pay purchase price, recording fees and record instrument for Water Conserv II Utility Easement – Turnout 8T-05. District (Lake County). (Real Estate Management Division)
15. Approval of Temporary Utility Easement between Vineland Express, LLC and Orange County and authorization to record instrument for Village F Parcels N-1 & N-2 Offsite Utilities OCU Permit: 14-E-107 OCU File #: 79185. District 1. (Real Estate Management Division)
16. Approval of Conservation Easement between D.R. Horton, Inc. and Orange County and authorization to record instrument for Creekstone Reserve (aka Bishop Property). District 4. (Real Estate Management Division)
17. Approval of Purchase Price Above Appraised Value, Contract For Sale and Purchase, Special Warranty Deed, Access Easement, and Temporary Construction Easement between Gold MIL Railroad Holdings, LLC and Orange County and authorization to disburse funds to pay purchase price and closing costs and perform all actions necessary and incidental to closing for Pump Station 3437 (Orange Avenue 2) and Pump Station 3222 (Watts Avenue). District 3. (Real Estate Management Division)

Community, Environmental and Development Services Department

1. Approval of School Concurrency Mitigation Agreement OC-15-003 Project Name: Ruby Lake – Parcel ID#: 15-24-28-7774-00-002; 15-24-28-7774-00-022; 15-24-28-7774-00-020; 15-24-28-7774-00-010; 15-24-28-7774-00-001 by and between The School Board of Orange County, Orange County, Florida, Pulte Home Corporation, and Jen Florida XXI, LLC. District 1. (Concurrency Management Office)

2. Approval of Environmental Land Stewardship Agreement Camino Reale Project by and between Camino Reale Properties, LLC, and Orange County. District 4. (Environmental Protection Division)

(This item was deferred.)

3. Acceptance of Recommendation of the Environmental Protection Commission to approve the recommendation of the Environmental Protection Officer's decision (Orange County Code, Chapter 15, Article IX, Section 15-349) to issue the modification to boat dock permit BD-15-05-069 for Mary Oakes. District 1. (Environmental Protection Division)
4. Acceptance of Recommendation of the Environmental Protection Commission, pursuant to Orange County Code, Chapter 15, Article IX, Section 15-350(b), to approve the request for after the fact waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b), and approve the request for after the fact variance to Section 15-343(a) for the Macias After the Fact Dock Construction Permit number BD-15-01-003 with a payment of \$725 to the Conservation Trust Fund. District 1. (Environmental Protection Division)
5. Approval of Proportionate Share Agreement for Reams Road Self Storage Facility Reams Road Improvements: From Summerlake Park Boulevard to Delmar Avenue by and between Reams Development, LLC and Orange County for a proportionate share payment in the amount of \$138,372. District 1. (Roadway Agreement Committee)
6. Approval of Memorandum of Agreement The State of Florida, Department of Transportation and Orange County, a Charter County and a Political Subdivision of the State of Florida to provide for \$300,000 to mitigate and offset impacts to the Conway Acres subdivision from the widening and improvement of Hoffner Avenue (S.R. 15). Districts 1 and 3. (Roadway Agreement Committee)
7. Approval of Proportionate Share Agreement for Taco Bell Pizza Hut Lakeside Village Center South PD Reams Road Improvements: From Center Drive (f/k/a Cast Drive) to Delmar Avenue by and between Lakeside II Partners, LLC and Orange County for a proportionate share payment in the amount of \$128,034. District 1. (Roadway Agreement Committee)

Family Services Department

1. Approval of the Federally-Funded Subgrant Agreement, CFDA Number: 93.568, Contract Number: 16EA-0F-12-00-01-022, between the State of Florida, Department of Economic Opportunity and Orange County, Florida for the Low-Income Home Energy Assistance Program (LIHEAP) in the amount of \$3,064,275 for the period of March 1, 2016 through March 31, 2017; and approval for the

County Mayor or designee to approve any increases, decreases or modifications in the award amount. (Community Action Division)

2. Approval of License Agreement between Orange County, Florida and Boy Scouts of America, Troop 219 Regarding the use of Orange County's Community Centers for East Orange Community Center. (Community Action Division)
3. Authorization to accept the Chase Settlement Award Agreement between the Office of the Attorney General and Orange County, Florida for \$80,877.52. (Community Action Division)
4. Approval of Florida Department of Children and Families Application for a License to Operate a Child Care Facility at Bithlo Head Start. This application is only executed by Orange County. (Head Start Division)
5. Receipt and filing of Head Start Policy Council Program Information and Updates December 2015 and Head Start Policy Council Meeting Minutes November 19, 2015 for the official county record. (Head Start Division)
6. Approval of the December 2015 Business Assistance for Neighborhood Corridors Program Grant for Soiree Event and Conference Center (\$5,000). District 6. (Neighborhood Preservation and Revitalization Division)

Fire Rescue Department

1. Approval of Federally-Funded Subaward and Grant Agreement Contract Number: 16-DS-T9-06-58-01-____, CFDA Number 97.067 between the State of Florida, Division of Emergency Management and Orange County in the amount of \$92,873. There is no local match required. (Operations Division)
2. Approval of Federally-Funded Subaward and Grant Agreement Contract Number: 16-DS-T9-06-58-01-____, CFDA Number 97.067 between the State of Florida, Division of Emergency Management and Orange County in the amount of \$178,020. There is no local match required. (Operations Division)

Health Services Department

1. Approval of Orange County Health Services Department Physician Employment Agreement by and between Orange County and Robert Buck, D.O., for the position of Medical Director, Corrections Health Services effective February 21, 2016. (Health Services Department)

Public Works Department

1. Approval and Execution of Use Agreement between Duke Energy Florida, LLC and Orange County to construct, operate and maintain a fence to screen cell site

improvements within the County's right of way. District 1. (Development Engineering Division)

2. Approval and Execution of Use Agreement between Westside Shoppes, LLC and Orange County to install, construct and maintain Roads A,B and C improvements within County's right-of-way. District 1. (Development Engineering Division)

Utilities Department

1. Approval and execution of a) Third Amendment to Orange County/City of Ocoee Water Service Territorial Agreement (Contract No. W-88-06) by and between The City of Ocoee and Orange County and b) Fourth Amendment to Orange County/City of Ocoee Sewer Service Territorial Agreement (Contract No. S-87-8) by and between The City of Ocoee and Orange County. Districts 1 and 2.

• INFORMATIONAL ITEMS

County Comptroller

1. Receipt of the following items to file for the record: (Clerk's Office)
 - a. Minutes of the May 14, June 9, July 9, August 13, September 10, October 8, and November 12, 2015, Charter Review Commission.
 - b. City of Orlando Voluntary Annexation Request: 6933 Curry Ford Road-ANX2015-00006; Copy of proposed advertisement, Notice of Proposed Enactment. On January 25, 2016 the Orlando City Council will consider proposed Ordinance 2015-38, entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally located north of Curry Ford Rd., east and south of Camellia Garden Dr., and west of Colton Dr., addressed as 6933 Curry Ford Rd., and comprised of 44.74 acres, more or less; amending the City's adopted Growth Management Plan to designate the property as Residential Low Intensity on the City's Official Future Land Use Maps; providing for amendment of the City's Official Future Land Use Maps; providing findings, amendment of the City's boundary description, and for amendment of the City's official maps; providing for severability, correction of scrivener's errors, and an effective date. The public hearing and request for the second reading and adoption of the annexation ordinance is scheduled for the City Council meeting on January 25, 2016. The first reading of this ordinance was approved on July 27, 2015.
 - c. City of Orlando Voluntary Annexation Request: 1730 E. Jersey Ave.-ANX2015-00016; Copy of proposed advertisement, Notice of Proposed Enactment. On February 8, 2016 the Orlando City Council will consider proposed Ordinance 2016-3, entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally

located north of Michigan St., east of Dickson Ave., south of E. Jersey Ave., and west of Ives Ave., addressed as 1730 E. Jersey Ave., and comprised of 0.324 acres of land, more or less; amending the City's adopted Growth Management Plan to designate the property as Residential Low Intensity in part, and Mixed Use Corridor Medium Intensity, in part, on the City's Official Future Land Use Maps; designating the property as the MU-1 Medium Intensity Mixed Use Corridor District along with the traditional City overlay district, in part, and the R-2/A 1-2 Family District along with the traditional City Overlay District, in part, on the City's Official Zoning Maps; providing for amendment of the City's Official Future Land Use and Zoning Maps; providing for severability, correction of scrivener's errors, and an effective date. The public hearing and request for the second reading and adoption of the annexation ordinance is scheduled for the City Council meeting on February 8, 2016. The first reading of this ordinance is scheduled for January 25, 2016.

*With respect to informational items, Board action is neither required nor necessary, and Board approval (or disapproval) is not to be implied:

- COUNTY DISCUSSION AGENDA

County Administrator

1. Appointment to the International Drive Master Transit and Improvement District Advisory Board of an individual to succeed Doug Gehret with a term expiring December 31, 2019.

Commissioner Siplin nominated Tom Smith.

AYE votes cast by voice vote for Tom Smith as follows: County Mayor Jacobs; Commissioners Boyd, Nelson, Clarke, Thompson, Edwards, Siplin.

Tom Smith received a majority to succeed Doug Gehret to the International Drive Master Transit and Improvement District Advisory Board with a term expiring December 31, 2019; no further votes were cast.

2. Approval of funding in the amount of \$25,000 to the Metro Orlando Defense Task Force, and authorization for the Mayor to execute an agreement with the Metro Orlando Defense Task Force on behalf of the Board of County Commissioners. (Office of Economic, Trade and Tourism Development)

Lt. General Tom Baptiste, USAF (Ret), President and CEO, National Center for Simulation, presented an update on the efforts of the Metro Orlando Defense Task, the threats to the Modeling, Simulation and Training Industry, and future initiatives related to these programs.

Motion/Second: Commissioners Clarke/Thompson

AYE (voice vote): All members

Action: The Board approved continued support from Orange County (\$25,000 in 2016) to help fund Metro Orlando Defense Task Force (MODTF) actions to complete the task and mitigate Team Orlando's Base, Realignment, and Closure (BRAC) risk.

- MEMBER EXITED: Commissioner Thompson

Administrative Services Department

1. Selection of one firm and one ranked alternate to provide Evaluation, Cultural and Linguistic Competence Services (Wraparound Orange), for Request for Proposals Y16-154-LC, from the following firms listed alphabetically:

- Covian Consulting, Inc.

- Visionary Vanguard Group, Inc.

Request authority for the Procurement Division to negotiate and execute a 1-year contract with a budget amount of \$200,000. The Procurement Division also requests the authority to renew the contract for three additional 1-year periods. ([Health Services Department Mental Health and Homeless Issues Division] Procurement Division)

Motion/Second: Commissioners Siplin/Edwards

Absent: Commissioner Thompson

AYE (voice vote): All present members

Action: The Board selected one firm, Visionary Vanguard Group, Inc., and an alternate, Covian Consulting, Inc., to provide Evaluation, Cultural and Linguistic Competence Services (Wraparound Orange); further, authorized the Procurement Division to negotiate and execute a 1-year contract with a budget amount of \$200,000; and further, authorized the Procurement Division to renew the contract for three additional 1-year periods, for Request for Proposals Y16-154-LC.

- COUNTY WORK SESSION AGENDA

Community, Environmental and Development Services Department

1. Affordable Housing in Bithlo and Tiny Homes. All Districts. (Planning Division)

County staff also provided a brief overview of Orange County's specific affordable housing policies and initiatives. County staff outlined the County's approach in transforming a specific property challenged by Code Enforcement with a potential partnership with Habitat for Humanity in Bithlo. The presentation included a summary of the County's broader Habitat for Humanity's partnership and other housing types including Tiny Homes and their applicability based on best practices.

- MEMBER RE-ENTERED: Commissioner Thompson

- RELINQUISHED CHAIR

County Mayor Jacobs relinquished the Chair to Vice-Mayor Nelson.

Board discussion ensued.

- REASSUMED CHAIR

County Mayor Jacobs reassumed the Chair from Vice-Mayor Nelson.

Board discussion ensued.

Action: None

- COUNTY DISCUSSION AGENDA (CONTINUED)

Commissioner's Report

1. Commissioner Boyd would like to discuss Garbage and Recycling Collection Transition.

Commissioner Boyd requested Board discussion of the recent transition to the new Garbage and Recycling Collection system implemented in Orange County.

County staff presented an update on the recent transition to the new Garbage and Recycling Collection system, which included challenges and improvements with the new system.

Board discussion ensued.

Action: None

- EXECUTIVE SESSION

DUE TO THE NATURE OF THE DISCUSSION, THIS MEETING IS NOT OPEN TO THE PUBLIC

County Administrator

1. Fraternal Order of Police (FOP) Special Magistrate Hearing.

- MEETING RECESSED, 11:54 a.m.

- MEETING RECONVENED, 2:07 p.m.

Members Present: County Mayor Teresa Jacobs; Commissioners S. Scott Boyd, Bryan Nelson, Pete Clarke, Jennifer Thompson, Ted Edwards, Victoria P. Siplin

Others Present: County Comptroller Martha Haynie as Clerk, County Administrator Ajit Lalchandani, County Attorney Jeffrey J. Newton, Deputy County Attorney Joel Prinsell, Senior Minutes Coordinator Noelia Perez, Senior Minutes Coordinator Craig Stopyra

- PRESENTATION

Proclamation designating February 5, 2016 as School Crossing Guard Appreciation Day

- OFFICIAL RECOGNIZED: Orange County Sheriff Jerry Demings

- RECOMMENDATIONS

December 17, 2015 Planning and Zoning Commission Recommendations

Motion/Second: Commissioners Boyd/Clarke

AYE (voice vote): All members

Action: The Board accepted the recommendations of the Orange County Planning and Zoning Commission under the date of December 17, 2015, with the exception of and authorizing a public hearing be scheduled for Case # RZ-15-12-048, Clarence Hoenstine (Appeal filed); subject to the usual right of appeal by any aggrieved party.

- PUBLIC HEARINGS

Budget Amendment

1. Amending Fiscal Year 2015-16 Budget

Consideration: Recognition of encumbrance rollovers, grant rollovers, fund balance adjustments, capital improvement adjustments, and to make other necessary adjustments

County staff presented to the Board an overview and outline of the annual budget amendments for Fiscal Year 2015-2016.

The following person addressed the Board: County Comptroller Haynie.

Motion/Second: Commissioners Boyd/Edwards

AYE (voice vote): All members

Action: The Board approved the following Budget Amendments:

- 16-17, Fund Balance
- 16-18, Encumbrance Rollover
- 16-19, Grants Rollover
- 16-20, Capital Improvement Rebudgets

and further, approved twelve (12) new positions as follows:

- six (6) Utility Positions
- six (6) Building Positions

Board discussion ensued.

• **NONAGENDA**

Commissioner Boyd discussed with the Board an incident involving a car accident that occurred on the Southbound Turnpike SR 408 lane and the response time between the first and second 9-1-1 call. Commissioner Boyd indicated a FDOT camera was located at the site of the accident and inquired about the ability of departments to access/share information from cameras in order for rescue vehicles to reach the scene of an accident as quickly as possible. County staff provided the Board an update on the ability to access the information from cameras, the ability to process the information received from the cameras, and procedures that will be updated within the Fire Rescue Communications Center.

Board discussion ensued.

Petition to Vacate

2. Brooks Stickler, P.E., on behalf of U.S. Bank National Association, Trustee of the Anheuser-Busch Foundation, Petition to Vacate #15-10-021; District 1

Applicant: Brooks Stickler, P.E., on behalf of U.S. Bank National Association, Trustee of the Anheuser-Busch Foundation

Consideration: Resolution granting Petition to Vacate # 15-10-021, vacating a portion of a 10 ft wide utility easement, containing approximately 0.070 acres

Location: District 1; property located at 6901 Westwood Boulevard; S11/T24/R28; Orange County, Florida (legal property description on file)

• **RELINQUISHED CHAIR**

County Mayor Jacobs relinquished the Chair to Vice-Mayor Nelson.

The following person addressed the Board: Tyler Suddeth.

Motion/Second: Commissioners Boyd/Clarke

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board adopted a resolution granting Petition to Vacate # 15-10-021 vacating a portion of a 10 ft wide utility easement, containing approximately 0.070 acres, on the described property.

3. David Wiercinski II on behalf of Joseph Bathalter and Frank Trytek, Petition to Vacate # 15-06-019; District 1

Applicant: David Wiercinski II on behalf of Joseph Bathalter and Frank Trytek

Consideration: Resolution granting Petition to Vacate # 15-06-019, vacating a portion of an unopened and unimproved 50 ft wide right-of-way known as Piney Road containing approximately 0.413 acres

Location: District 1; properties located at 8400 Piney Road and 4978 Washington Avenue; S15/T23/R28; - Orange County, - Florida (legal property description on file)

The following person addressed the Board: David Wiercinski.

Motion/Second: Commissioners Boyd/Clarke

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board adopted a resolution granting Petition to Vacate # 15-06-019 vacating a portion of an unopened and unimproved 50 ft wide right-of-way known as Piney Road containing approximately 0.413 acres, on the described property.

Shoreline Alteration/Dredge and Fill

4. DR Horton, Inc., Fish-Pocket Canal, permit, District 1

Applicant: DR Horton, Inc.

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit in order to dredge 0.2 acre of canal bottom and 0.3 acre of adjacent uplands in order to create a navigable connection from the property to the Fish-Pocket Canal, pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigation Control District; Section 33-129(d).

Location: District 1; on property located adjacent to Fish-Pocket Canal, located at 10018 and 10024 Serene Waters Court, Orlando, Florida 32836; Section 09, Township 24 South, Range 28, East; Orange County, Florida (legal property description on file in Environmental Protection Division)

- REASSUMED CHAIR

County Mayor Jacobs reassumed the Chair from Vice-Mayor Nelson.

County staff identified this permit as (SADF-15-07-010).

The following persons addressed the Board:

- Ben Shoemaker
- Anna Long
- Donna Brown Klinka
- Jonathan Klinka
- William Fogle

- RELINQUISHED CHAIR

County Mayor Jacobs relinquished the Chair to Vice-Mayor Nelson.

The following materials were presented to the Board prior to the close of the public hearing:

- Exhibit 1, from Ben Shoemaker
- Exhibit 2, from William Fogle

The following material was received by the Clerk prior to the close of the public hearing. The material referenced by the speaker was not presented to the Board: Submittal 1, from Donna Brown Klinka.

- REASSUMED CHAIR

County Mayor Jacobs reassumed the Chair from Vice-Mayor Nelson.

Motion/Second: Commissioners Boyd/Clarke

AYE (voice vote): All members

Action: The Board approved the request by DR Horton, Inc. for a Shoreline Alteration/Dredge and Fill Permit (SADF-15-07-010) to dredge 0.2 acre of canal bottom and 0.3 acre of adjacent uplands in order to create a navigable connection from the property to the Fish-Pocket Canal, on the described property, subject to the following conditions:

Specific Conditions

1. This permit shall become final and effective upon expiration of the thirty (30) calendar day appeal period following the date of issuance, unless an appeal has been filed within this timeframe. Any appeal shall stay the effective date of this permit until any and all appeals are resolved.

2. Construction activities shall be completed in accordance with the plans created by PE Group, LLC, dated received on December 3, 2015, by the Environmental Protection Division (EPD).
3. The permitted work must be commenced within six (6) months and completed within one year from the date of issuance of the permit. In the event that project has not commenced within six (6) months or completed within a year this permit is void.
4. Any permit time extensions for the approved construction may be approved by way of Consent Agenda, if there are no changes.
5. No filling is approved with this permit.
6. All dredged materials must be removed to a contained upland location (behind silt fencing) until utilized on site, or removed to an approved landfill.
7. Side slopes of the reconfigured canal must be stabilized with sod within 7 days of completion of final contours to minimize erosion into the canal.
8. Within 30 days of completion of the permitted activities, an as-built survey of the area is required to be submitted to EPD for review and a subsequent inspection will be conducted by EPD to confirm compliance with the permit specifications.
9. Turbidity and sediments shall be controlled to prevent violations of water quality pursuant to Rule 62-302.500, 62-302.530(70) and 62-4.242 Florida Administrative Code (FAC). Best Management Practices, as specified in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual, shall be installed and maintained at all locations where the possibility of transferring suspended solids into wetlands and/or surface waters due to the permitted activity. The site-specific "Sediment and Erosion Control Plan" (attached) shall be implemented prior to start of construction. The sediment and erosion control methods shall be updated and continually monitored during the construction activities and after completion until the area has become stabilized.
10. The permittee shall monitor water quality conditions before, during, and after the dredging activities with sampling frequencies and parameters as identified in the attached Water Quality Monitoring Plan dated received by EPD on December 1, 2015, from Bio-tech Consulting. In addition: a) samples are to be collected at a minimum of three locations as identified in the plan and documented by GPS; b) depth of the collection shall be at 0.5 meters; c) laboratory analyses shall be completed by a NELAC certified lab; d) field measured conditions calibration error allowances shall be that as listed in FDEP SOP FT 10000.
11. A baseline monitoring report that clearly shows water quality conditions prior to dredging activity must be submitted to EPD a minimum of 48 hours prior to the

start of the permitted activity. This report needs to include, at a minimum, the following information: site location sampling location documented by GPS; sampling parameters; sampling methodology; fish and wildlife observations; and results of the initial sampling and discussion.

12. The permittee is required to submit weekly monitoring reports to EPD. Each report needs to include, at a minimum the following information: site location; sampling location documented by GPS; sampling parameters; sampling methodology; comparison of the gathered data; baseline information and State Water quality standards; fish and wildlife observations; results; and discussion. If at any time the parameters fail to meet Class III surface water quality criteria as listed in F.A.C. 62-302 work shall cease until those parameters are in compliance.
13. The permittee is required to maintain the turbidity and sedimentation barriers until EPD has approved (in writing) the post-activity Water Quality Monitoring report that indicates the project area meets pre-construction water quality conditions as listed in Florida Administrative Code (FAC) 62-302. The Fish-Pocket Canal is considered part of the Butler Chain of Lakes Outstanding Florida Waters and therefore, as required by FAC 62-302.700, no degradation is allowed within that adjacent resource.
14. A copy of this permit, along with EPD stamped and approved drawings should be taken to the Orange County (OC) Zoning Division at 201 South Rosalind Avenue for approval in order to obtain a building permit. For further information, please contact the OC Zoning Division at (407) 836-5525.
15. After approved by OC Zoning, the certified site plans will need to be reviewed by the OC Building Division in order to obtain a building permit. For further information, please contact the OC Division of Building Safety at (407) 836-5550.

General Conditions

16. Subject to the terms and conditions herein, the permittee is hereby authorized to perform or cause to be performed, the impacts shown on the application and approved drawings, plans, and other documents attached hereto or on file with EPD. The permittee binds itself and its successors to comply with the provisions and conditions of this permit. If EPD determines at any time that activities, including without limitation the performance of the required mitigation, are not in accordance with the conditions of the permit, work shall cease and the permit may be revoked immediately by the Environmental Protection Officer. Notice of the revocation shall be provided to the permit holder promptly thereafter.
17. Prior to construction, the permittee shall clearly designate the limits of construction on-site. The permittee shall advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.

18. Construction plans shall be submitted to EPD prior to initiating any construction activities for review and approval. The construction plans shall include, but are not limited to, a site plan clearly depicting the location and acreage of the impacts and preservation.
19. The permittee shall require the contractor to maintain a copy of this permit, complete with all approved drawings, plans, conditions, attachments, exhibits, and modifications in good condition at the construction site. The permittee shall require the contractor to review the permit prior to commencement of the activity authorized by this permit. The complete permit shall be available upon request by Orange County staff.
20. Issuance of this permit does not warrant in any way that the permittee has riparian or property rights to complete the dredging activity permitted herein and any such dredging is done at the sole risk of the permittee. In the event that any part of activity permitted herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent property owner's riparian or other property rights, permittee agrees to either obtain written consent, or to restore the encroachment within sixty days from the date of the adjudication. Failure to comply shall constitute a material breach of this permit and shall be grounds for its immediate revocation.
21. This permit does not release the permittee from complying with all other federal, state, and local laws, ordinances, rules and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities upon property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 33, Article IV of the Orange County Code. If these permit conditions conflict with those of any other regulatory agency the permittee shall comply with the most stringent conditions. Permittee shall immediately notify EPD of any conflict between the conditions of this Permit and any other permit or approval.
22. The permittee is hereby advised that Section 253.77, Florida Statutes, states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
23. Should any other regulatory agency require changes to the property, permitted activities, or approved mitigation, the permittee shall provide written notification to

EPD of the change prior to implementation so that a determination can be made whether a permit modification is required.

24. The permittee shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.
25. EPD staff, with proper identification, shall have permission to enter the site at any reasonable time to either, at a minimum: inspect, sample, or test to ensure conformity with the plans and specifications approved by the permit.
26. The permittee shall hold and save the County harmless from any and all damages, claims or liabilities, which may arise by reason of the activities authorized by the permit.
27. All costs, including attorney's fees, incurred by the County in enforcing the terms and conditions of this permit shall be required to be paid by the permittee.
28. Permittee agrees that any dispute arising from matters relating to this permit shall be governed by the laws of Florida, and initiated only in Orange County.
29. Pursuant to Section 125.022, Florida Statutes, issuance of this 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.
30. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Substantial Change

5. John Townsend, Donald W. McIntosh Associates, Inc., Orangewood Neighborhood 1 PD / Westwood at Orangewood Preliminary Subdivision Plan – Substantial Change – Case # CDR-15-06-177, amend plan; District 1

Applicant: John Townsend, Donald W. McIntosh Associates, Inc., Orangewood Neighborhood 1 PD / Westwood at Orangewood Preliminary Subdivision Plan – Substantial Change – Case # CDR-15-06-177

Consideration: Substantial change request to add parcel 12-24-28-0000-00-028 to the existing Orangewood Neighborhood 1 PD / Westwood at Orangewood PSP and allow for a 25,363 square foot addition to the existing 74,575 square foot Central Florida Behavioral Hospital; pursuant to Sections 34-69 and 30-89, Orange County Code.

Location: District 1; property generally located Northwest corner of Central Florida Parkway & Sea Harbor Drive; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: John Florio.

Motion/Second: Commissioners Boyd/Nelson

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan; and further, approved the substantial change request by John Townsend, Donald W. McIntosh Associates, Inc., Orangewood Neighborhood 1 PD / Westwood at Orangewood Preliminary Subdivision Plan – Substantial Change – Case # CDR-15-06-177, to add parcel 12-24-28-0000-00-028 to the existing Orangewood Neighborhood 1 PD / Westwood at Orangewood PSP and allow for a 25,363 square foot addition to the existing 74,575 square foot Central Florida Behavioral Hospital; which constitutes a substantial change to the development on the described property; subject to the following conditions:

1. Development shall conform to the Orangewood PD Land Use Plan; Orange County Board of County Commissioners (BCC) approvals; Neighborhood 1 - Westwood at Orangewood Preliminary Subdivision Plan dated "Received September 22, 2015," and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC. In the event of a conflict or inconsistency between a condition of approval of this preliminary subdivision plan and the preliminary subdivision plan dated "Received September 22, 2015," 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 at the public hearing where this development was approved, 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. 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 or 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. Prior to commencement of any earth work or construction, if one acre or more of land will be disturbed, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.
5. No vertical permit will be issued until the functionality of the proposed underground stormwater system has been adequately demonstrated.
6. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan / preliminary subdivision plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
7. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated September 11, 1979, shall apply:
 - a. Average Daily Traffic generated by all development in Westwood shall be limited to 22,096.
 - b. Uses shall be limited to uses permitted in the C-1, C-2, and P-O Districts provided that the Development Review Committee shall review for compatibility with tourist commercial development and use permitted within said districts determined by the Zoning Director to be incompatible or any other use proposed by the developer. Said determination of the Development Review Committee shall be subject to review by the Board.
 - c. The original PD plan for the Westwood area (Neighborhood 1) provided 84 acres of open space. A minimum of 44.5 acres of open space shall be provided by the developer within the Westwood area. The remaining 39.5 acres of open space (equaling the 84 acres originally provided) shall be provided in Neighborhood #2 as park area through the development of the remaining land owned by Florida Land Company in the Orangewood PD. The location of this acreage must be identified before final 90 acres of the Westwood project area are processed for final development approval.

- d. Provision of adequate fire protection in accordance with the Subdivision Regulations. No structure over three stories high shall be constructed unless and until aerial fire protection equipment and personnel are available to the Taft Fire Control District to serve the proposed high-rise development.
 - e. Orange County will have no operation and maintenance responsibilities for either on or off-site retention. The County's responsibility will be limited to those closed drainage systems with the County dedicated right of way and any systems serving runoff from any roadway systems.
 - f. The Valencia Drainage District and/or individual site owners will be responsible for the construction, operation and maintenance of all stormwater management systems other than those described in (7) above.
 - g. A culvert system shall be installed along Westwood Boulevard for drainage with treatment of the first inch of runoff on each development site outside of the Westwood Boulevard right of way. The design and installation of the drainage system shall be subject to the approval of the Public Works and Pollution Control Directors and shall conform to County standards. All utility poles and sign structures shall be located so they do not interfere with the normal maintenance of the drainage system.
6. Dennis Seliga, Lakeside Village Commercial Venture, LLC, Lakeside Village Center South Planned Development / Land Use Plan (PD / LUP), Case # CDR-15-10-306, amend plan; District 1

Applicant: Dennis Seliga, Lakeside Village Commercial Venture, LLC, Lakeside Village Center South Planned Development / Land Use Plan (PD / LUP), Case # CDR-15-10-306

Consideration: Substantial change request to add Auto Service Station as an approved use on Parcel ID 36-23-27-0000-00-004 only; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 1; property generally located between Winter Garden Vineland Road (County Road 535) and Village Lake Road, immediately north of Silverlake Park Drive; Orange County, Florida (legal property description on file)

County staff noted that Condition of Approval #4 was modified to correct the spelling of the word "principle" found in the staff report.

Condition of Approval #4 to read as follows:

Auto Service Station shall be a permitted use on Parcel ID Number 36-23-27-0000-00-004 only. If the auto service station is to include fuel pumps, the fuel pumps shall be located to the rear of the principal structure.

The following person addressed the Board: Jim Willard.

Motion/Second: Commissioners Boyd/Nelson

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan; and further, approved the substantial change request by Dennis Seliga, Lakeside Village Commercial Venture, LLC, Lakeside Village Center South Planned Development / Land Use Plan (PD / LUP), Case # CDR-15-10-306, to add Auto Service Station as an approved use on Parcel ID 36-23-27-0000-00-004 only; which constitutes a substantial change to the development on the described property; subject to the following conditions:

1. Development shall conform to the Lakeside Village Center South Planned Development / Land Use Plan (PD/LUP) dated "Received November 6, 2015," 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 November 6, 2015," 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 at the public hearing where this development was approved, 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. 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 or 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. Auto Service Station shall be a permitted use on Parcel ID Number 36-23-27-0000-00-004 only. If the auto service station is to include fuel pumps, the fuel pumps shall be located to the rear of the principal structure.
5. 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 land use plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.
6. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated April 8, 2014, shall apply:
 - a. The following waivers from Orange County Code are granted:
 - 1) A waiver from Section 38-1382(i) to allow the APF Park in Tract 7 of the Frye Center PD to count toward the required public open space and public tracts requirements.
 - 2) A waiver from Section 38-1389(c)(4) to allow the maximum allowable gross floor area per retail establishment (for pharmacy, home improvement store and multi-tenant retail building uses only) to be fifteen thousand (15,000) square feet, in lieu of a maximum allowable gross floor area per retail establishment (excluding grocery stores) of seven-thousand five hundred (7,500) square feet.
 - 3) A waiver from Sections 38-1389(b), 38-1389(d)(3)(g), and 38-1389(d)(3)(g)(1) to:
 - a) Allow for the build-to line of all primary buildings, structures, walks, and fences to be a maximum of seventy feet (70') from all public street frontages, in lieu of ten feet (10');

- b) Allow 100% of the required build-to line frontage to consist of only landscaped street-walls, in lieu of a maximum fifty percent (50%) of the required build-to line frontage to consist of landscaped street-walls.
 - c) Allow for one hundred percent (100%) of any street frontage of a building to vary from the build-to line, up to a maximum of seventy feet (70'), in lieu of the requirement that up to twenty-five percent (25%) of any street frontage of a building may vary from the build-to line.
- 4) A waiver from Section 38-1389(d)(3)(g)(4) to allow at least one primary building street-facing façade to have a minimum of fifty percent (50%) transparency on the ground floor, and a minimum of twenty-five percent (25%) transparency or agreed-upon architectural features as part of DP review on the ground floors of all other street facing building facades, in lieu of the requirement that street-facing facades for ground floors of all buildings shall have a minimum of fifty percent (50%) transparency.
- 5) A waiver from Section 38-1389(d) (4) (d) to:
 - a) Allow parking lots to be located along all Village Lake Road and Silverlake Park Drive frontage when a knee wall and landscaping are placed between the parking area and the road, in lieu of the requirement that parking lots shall be located on a maximum of sixty-five percent (65%) of these right-of-way frontages; and
 - b) Allow a maximum three hundred foot (300') frontage per lot for parking lots along any street, in lieu of the requirement that the maximum frontage for parking lots along any other street shall be two-hundred feet (200').
- 6) A waiver from Section 38-1389(d)(4)(g)(1) to allow parking lots and garages to abut street intersections and civic use areas, in lieu of not allowing parking lots and garages to abut street intersections and civic use areas.
- 7) A waiver from Section 38-1389(d)(4)(h) to allow one (1) drive aisle and one (1) row of parking in front of buildings located along Village Lake Road and Silverlake Park Drive, and one (1) drive aisle in front of buildings located along CR 535, in lieu of the requirement that off-street parking be located to the rear or side of buildings.
- 8) A waiver from Sections 38-1389(d)(4)(h) and 38-1476(a) to allow a reduced parking ratio for banks and other financial / lending institutions of

one space per 200 square feet, in lieu of the required parking ratio of one space per 100 square feet.

- 9) The following waivers from Orange County Code Section 38-1389(d)(5), which are also documented on the Lakeside Village Center South PD Master Sign Plan, are granted:
 - a) A waiver from Sections 38-1389(d)(5)(b)(1)(i) and (ii) to:
 - Allow two (2) ground signs per access drive, not to exceed 130 square feet per sign, in lieu of one (1) ground sign per access drive, not to exceed sixty (60) square feet per sign; and
 - Allow a maximum of one (1) ground sign per lot within the PD up to a maximum of seven (7) ground signs for the entire PD, in lieu of the requirement of a maximum of two (2) ground signs per principal parcel or project.
 - b) A waiver from Section 38-1389(d)(5)(b)(1)(v) to allow a minimum separation for ground signs of thirty feet (30'), in lieu of a minimum separation for ground signs of one-hundred feet (100').
 - c) A waiver from Section 38-1389(d)(5)(b)(2)(i) to allow a maximum copy area of one (1) square foot for each one (1) linear foot of building frontage, up to a maximum of seventy-five (75) square feet per establishment for wall or fascia signs, in lieu of the maximum copy area requirements set forth in Section 38-1389(d)(5)(b)(2)(i)(1) - (5).
 - d) A waiver from Section 38-1389(d)(5)(b)(2)(vi) to allow signs to be erected on any building face for any outparcel or lot, in lieu of allowing signs to be erected on any building face for any outparcel only.
- 10) A waiver from Section 38-1389(d)(6)(d)(3) to eliminate the requirement that the edge of vehicle use areas which abut an adjacent property be planted with shrubs at least three feet (3') high at the time of planting with a maximum spacing of thirty inches (30") on center with canopy trees and understory trees, when the vehicle areas of such adjacent properties are shared and located internal to the overall Village Center District. This waiver shall not be applicable to the frontages of parcels or tracts located along County Road 535.
- b. Prior to or as a part of platting, this development shall join the MSBU for street lighting that has been created for this area. Developer shall be responsible for the installation of street lights along Silverlake Park Drive and Village Lake Road.

- c. All acreages regarding 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.
- d. The developer shall obtain water, wastewater, and reclaimed water service from Orange County Utilities.
- e. The developer shall be responsible for building master utilities transmission and collection infrastructure adequate to serve the PD and to accommodate the ultimate flows for the entire Village (SAP).
- f. Construction plans with this PD shall be consistent with an approved and up-to-date Master Utility Plan (MUP).
- g. Any proposed self-storage facility design guidelines shall be subject to approval by the Board of County Commissioners at a public hearing.
- h. Billboards and pole signs shall be prohibited. Ground and fascia signs shall comply with the Horizon West Village Center standards with the exception of any waivers / variances granted by the Board of County Commissioners, and as reflected on the approved Master Sign Plan.
- i. This property shall comply with the applicable Horizon West development standards, unless explicitly waived by the Board of County Commissioners.
- j. Outdoor sales, storage and display shall be prohibited with the exception of the special events location as depicted on the Land Use Plan.
- k. 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.
- l. Special events may be held on the area designated as "Special Event Area" on the PD Land Use Plan throughout the calendar year. The Zoning Manager in consultation with the Division of Building Safety and the Fire Rescue Department shall review special events, and all special events shall be subject to all applicable permits. With the exception of a farmers' market, a special event shall not have duration beyond 72 hours. In no instance shall the following be permitted:
 - 1) Car sale events, i.e., events featuring or promoting the sale of new or used vehicles;
 - 2) Boat sale events, i.e., events featuring or promoting the sale of new or used boats; or

- 3) Special events featuring the sale of merchandise which is not customarily sold by uses permitted in the Orange County Commercial (C-1) Zoning District.
- m. The following conditional uses are permitted:
- 1) Drive-through, in conjunction with drug stores, banks, and restaurants, including fast food, which shall not be oriented so as to face County Road 535 or Village Lake Road;
 - 2) Child care centers;
 - 3) Freestanding car washes that are enclosed on two (2) sides; and
 - 4) Self-storage facilities
- n. All of the lands within the Lakeside Village Center South PD (the "PD Property") were previously located within the geographic boundaries of the Lake Reams Neighborhood PD and the Frye PD, and were therefore subject to either: (i) that certain "Lake Reams Neighborhood PD Development Agreement" between Ashton Woods Orlando Limited Partnership ("AW") and Orange County, Florida ("County") approved August 25, 1998, as amended by that certain "First Amendment to Lake Reams Neighborhood PD (Adequate Public Facilities) Development Agreement" between AW and County approved August 25, 1998, and recorded on January 23, 2007, in Official Records Book 9078, Page 0223, and on February 1, 2007, in Official Records Book 9094, Page 4310, of the Public Records of Orange County, Florida (collectively, the "Lake Reams PD APF Agreement"); or (ii) that certain "Amended and Restated Frye Center PD Adequate Public Facilities Agreement" among GS Properties, LLC ("GS"), Lakeside Village Center, LLC ("LVC"), and County approved July 8, 2008, and recorded on July 22, 2008, in Official Records Book 9733, Page 8846, of the Public Records of Orange County, Florida, as amended by that certain "First Amendment to the Amended and Restated Frye Center PD Adequate Public Facilities Agreement" among GS, LVC, and County approved July 13, 2010, and recorded on July 16, 2010, in Official Records Book 10076, Page 2001, of the Public Records of Orange County, Florida (collectively, the "Frye Center PD APF Agreement").

Division 2 of Article XIV of Chapter 30 of the Orange County Code, as amended (the "APF/TDR Ordinance"), requires that Owner either convey to County, or enter into a developer's agreement addressing the conveyance to County of, adequate public facilities lands ("APF Lands"). Both the Lake Reams PD APF Agreement and the Frye Center PD APF Agreement are "developer's agreements" within the meaning of Division 2 of the APF/TDR Ordinance. All portions of the PD Property to be conveyed to County as APF

Lands pursuant to either the Lake Reams PD APF Agreement or the Frye Center PD APF Agreement have been conveyed to County prior to the date of the approval of the Lakeside Village Center South PD, or are obligated to be conveyed to County pursuant to the developer's agreements. As such, prior to the date of the approval of the Lakeside Village Center South PD, the PD Property has satisfied the requirements of Division 2 of the APF/TDR Ordinance.

- o. Developer shall provide documentation of the legal right to use and join the Master Stormwater System of the Lake Reams Neighborhood PD / Sharp PSP.

NOTE: THE FOLLOWING PUBLIC HEARINGS WERE CONSIDERED TOGETHER.

Substantial Change

- 7. Raymond Stangle, Jordan & Associates, LLC, Vista Centre Planned Development (PD), Case # CDR-15-06-164, amend plan; District 1 (Continued from December 15, 2015)

Applicant: Raymond Stangle, Jordan & Associates, LLC, Vista Centre Planned Development (PD), Case # CDR-15-06-164

Consideration: Substantial change request to amend the Vista Centre PD by amending PD Parcel 4 development entitlements from 7,000 square feet of commercial (restaurant with 280 seats) to 14,100 square feet of commercial (restaurant, gift shop, and tourist information kiosk). In addition, the following five (5) waivers are requested from Orange County Code:

1. A waiver from Chapter 38-1234(3)(d) to provide a minimum open space of twenty-three percent (23%) in lieu of a minimum twenty-five percent (25%) open space.
2. A waiver from Section 38-1272(a)(1) to allow a maximum impervious coverage of eighty-two (82) percent for commercial development, in lieu of a maximum impervious coverage of seventy (70) percent for commercial development.
3. A waiver from Section 38-1287(1) & (2) to allow a minimum thirty-five (35) foot building setback from an abutting arterial right-of-way for the proposed tourist information kiosk and main building, in lieu of a minimum sixty (60) foot building setback from an abutting arterial right-of-way.
4. A waiver from Section 38-1287 (2) & (4) to allow a minimum five (5) foot setback from the northern side property line only, in lieu of a minimum thirty (30) foot side property line setback, and a minimum seven and one-half (7.5) foot paving setback.
5. A waiver to allow required parking for this development to be determined by the provisions of Chapter 38-1478 only, in lieu of the

parking calculation requirements for "restaurants" and "general business establishments" as otherwise listed in Chapter 38-1476(a); pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1, property located at 12399 S. Apopka Vineland Road; generally located on the east of S.R. 535, approximately 400 feet south of Palm Parkway; Orange County, Florida (legal property description on file)

Court Reporter: Jan Osteen, First Choice Reporting

and

Development Plan

8. Raymond Stangle, Jordan & Associates Consulting, LLC, Vista Centre PD / Black Angus Development Plan (DP) – Case # DP-15-06-162; District 1 (Continued from December 15, 2015)

Applicant: Raymond Stangle, Jordan & Associates Consulting, LLC, Vista Centre PD / Black Angus Development Plan (DP) – Case # DP-15-06-162

Consideration: Vista Centre PD / Black Angus Development Plan (DP) submitted in accordance with Article II of the Orange County Subdivision Regulations; This request is to construct a 7,860 square foot gift shop, a 6,000 square foot (196 seat) restaurant, an 80 square foot tourist information kiosk and a small miniature golf area on 1.16 acres.

Location: District 1, property located at 12399 S. Apopka Vineland Road; generally located on the east of S.R. 535, approximately 400 feet south of Palm Parkway; Orange County, Florida (legal property description on file in Planning Division)

Court Reporter: Jan Osteen, First Choice Reporting

The following person addressed the Board: Jo Thacker.

Motion/Second: Commissioners Boyd/Clarke

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan; further, approved the substantial change request by Raymond Stangle, Jordan & Associates, LLC, Vista Centre Planned Development (PD), Case # CDR-15-06-164, to amend the Vista Centre PD by amending PD Parcel 4 development entitlements from 7,000 square feet of commercial (restaurant with 280 seats) to 14,100 square feet of commercial (restaurant, gift shop, and tourist information kiosk); and further, the following five (5) waivers are requested from Orange County Code:

1. A waiver from Chapter 38-1234(3)(d) to provide a minimum open space of twenty-three percent (23%) in lieu of a minimum twenty-five percent (25%) open space.

2. A waiver from Section 38-1272(a)(1) to allow a maximum impervious coverage of eighty-two (82) percent for commercial development, in lieu of a maximum impervious coverage of seventy (70) percent for commercial development.
3. A waiver from Section 38-1287(1) & (2) to allow a minimum thirty-five (35) foot building setback from an abutting arterial right-of-way for the proposed tourist information kiosk and main building, in lieu of a minimum sixty (60) foot building setback from an abutting arterial right-of-way.
4. A waiver from Section 38-1287 (2) & (4) to allow a minimum five (5) foot setback from the northern side property line only, in lieu of a minimum thirty (30) foot side property line setback, and a minimum seven and one-half (7.5) foot paving setback.
5. A waiver to allow required parking for this development to be determined by the provisions of Chapter 38-1478 only, in lieu of the parking calculation requirements for "restaurants" and "general business establishments" as otherwise listed in Chapter 38-1476(a);

which constitutes a substantial change to the development on the described property; subject to the following conditions:

1. Development shall conform to the Vista Centre Planned Development / Land Use Plan (PD/LUP) dated "Received November 10, 2015" 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, ordinance 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 of this zoning and the land use plan dated "Received November 10, 2015," 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 at the public hearing where this development was approved, 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. 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 or 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. Outdoor sales, storage and display shall be prohibited.
5. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with the Master Sign Plan.
6. Consistent with the policies for the International Drive Activity Center, right of way is required for a 15-foot transit easement and a separate 20-foot landscape, pedestrian and utility easement is required for future roadway improvements. The applicant will be required to coordinate conveyance of ROW with the Road Agreement Committee.
7. The following waivers from Orange County Code are granted and applicable to PD Parcel 4 only:
 - a. A waiver from Section 38-1234(3)(d) to provide a minimum open space of twenty-three percent (23%) in lieu of a minimum twenty-five percent (25%) open space.
 - b. A waiver from Section 38-1272(a)(1) to allow a maximum impervious coverage of eighty-two (82) percent for commercial development, in lieu of a maximum impervious coverage of seventy (70) percent for commercial development.
 - c. A waiver from Section 38-1287(1) to allow a minimum thirty-five (35) foot building setback from an abutting arterial right-of-way for the proposed tourist information kiosk and main building, in lieu of a minimum sixty (60) foot building setback from an abutting arterial right-of-way.
 - d. A waiver from Section 38-1287(2) & (4) to allow a minimum five (5) foot setback from the northern side property line only, in lieu of a minimum thirty (30) foot side property line setback, and a minimum seven and one-half (7.5) foot paving setback.
 - e. A waiver to allow required parking for this development to be determined by the provisions of Section 38-1478 only, in lieu of the parking calculation

requirements for "restaurants" and "general business establishments" as otherwise described in Section 38-1476(a).

8. Use of any proposed parking lift within PD Parcel 4 shall be limited to employees only.
9. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated May 1, 1984, shall apply:
 - a. The proposed uses would be those permitted under C-1 and C-2 zoning district with the following exceptions:
 - 1) Service stations / auto repair
 - 2) Fast food restaurant
 - 3) Sales of new or used automobiles, motor cycles, mobile homes, boats, recreational vehicles
 - 4) Outdoor storage of merchandise parts or equipment visible from a public right-of-way
 - 5) Portable signs
 - b. Extensive buffering will be required the length of the property where the property abuts R-CE zoned property.
 - c. Building setbacks from SR 535 are 110 feet from centerline and 60 feet or right-of-way from the centerline, or as otherwise approved by the BCC.
 - d. Street Improvements:
 - 1) Reconstruction of State Road 535 to six-lanes from Palm Parkway to Interstate 4 shall be provided by the developer of the Camino Real PD prior to certificates of occupancy being issued beyond the reduced Phase 1, which shall consist of 43% of the total approved projected traffic generation, and is equivalent to the prime hotel site (640 rooms), 30,000 square feet of commercial and 3.2 acres for the spa/tennis tract. The developer will enter into a developer's agreement with the County to the foregoing effect prior to development plan approval.
 - 2) At the time of submittal of development plans for Phase 2 and 3, the developer shall provide for a two lane public road connection to Lakes Avenue, the developer shall be required to pave Lake Avenue through a two lane facility, from the eastern boundary of the Camino Real property to Apopka-Vineland Road when access is required by Orange County.

- 3) At the time of submittal of the development plans, provision shall be made for participation in the adopted southwest corridor mass transit facility plan.
- 4) All roads shall be designed in accordance with the manual on uniform standards for design, construction and maintenance for streets and highways, State of Florida and at the time of plan submittal, the engineer of record shall submit certification that the project complies with the minimum standards for street design.
- 5) Prior to engineering approval of construction plans, the developer shall submit a soils report including soil borings at a maximum interval along street centerlines of 500 feet. The minimum depth of boring shall be five (5) feet below profile grade, or two (2) feet below the storm or sanitary sewer, whichever is greater. Not less than two borings shall be taken per street, AASHTO soils classification, gradation, determination of water table elevation (24 hour test), and anticipated wet/dry season fluctuation shall be included in said report.
- 6) The typical road cross section shall conform to County standards. Swale drainage will be permitted only if the subgrade soil conditions are suitable as certified soils engineer and provided that the wet weather water table elevation is at least two (2) feet below the invert of the swales.
- 7) Intersection improvements are required at SR 535 and Palm Parkway. Specific improvement shall be identified by the development review committee at the time of submission of development plans.
- 8) Dedication of access rights to Orange County from all lots adjacent to SR 535, Palm Parkway and Lake Avenue, except at location approved by the County Engineer.

e. Stormwater Management:

- 1) A Stormwater Management Plans shall comply with the Orange County Ordinance #81-19 and shall be subjected to the approval of the County Engineer. Discharge of stormwater from this site shall be in accordance with the Reedy Creek Drainage District and Orange County Agreement, which limits discharge to 13 CSM, unless otherwise amended by agreement with Reedy Creek. The Storm water Management design shall conform to all jurisdictional regulatory agency criteria and any contractual or jurisdictionally imposed requirement in force at the time of development. If the proposed Lake System is to be utilized as an amenity, then upland retention will be required for pollution purposes only unless an alternative system is acceptable to the County Engineer.

- 2) Developer will sign a developer's agreement to run with the land specifying maintenance and liability responsibility to property owner's association.
 - 3) Provide easements for retention areas and record developer's agreement for maintenance.
 - 4) Upland retention facility shall be designed with a "Dry Bottom".
 - 5) A detailed lot grading plan shall be required prior to construction plan approval.
- f. Fire protection and Public Utilities:
- 1) The developer shall be required to participate in the funding and equipment of a new fire substation. The amount to be paid is \$56.80 per ERU as a maximum and if there is a lesser county wide assessment fee payment will be for a lesser amount. Based on 114,000 square feet of commercial use the fee shall be \$22,361.00. The commercial fee will be paid in proportion to the square footage at the time of issuance of certificate of occupancy. Total fee amount to \$101,426.00.
 - 2) Fire protection shall be in accordance with the subdivision regulations.
 - 3) The developer shall obtain water and wastewater service from Orange County subject to County resolutions and Ordinances
- g. Permitted heights of development in the general commercial area shall be permitted up to, but limited to, five (5) story construction.
- h. Assurance from FHA/VA shall be provided concerning the continued availability of FHA/VA loans to adjoining residential property since this property's percolation pond will be located only 300 feet from the adjacent residential property. If such assurances cannot be provided, the percolation pond shall be relocated a minimum of 400 feet from the adjacent residential properties.

Motion/Second: Commissioners Boyd/Clarke

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan; and further, approved Vista Centre PD / Black Angus Development Plan (DP) – Case # DP-15-06-162 on the described property, subject to the following conditions:

1. Development shall conform to the Vista Centre Planned Development; Orange County Board of County Commissioners (BCC) approvals; Black Angus

Development Plan dated "November 20, 2015"; and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC.

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 at the public hearing where this development was approved, 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. 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 or 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. Prior to commencement of any earth work or construction, if one acre or more of land will be disturbed, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.
5. Outside sales, storage, and display shall be prohibited.
6. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with the Master Sign Plan.
7. Prior to construction plan approval, documentation must be provided certifying that this project has the legal right to tie into the master drainage system.
8. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and

must apply for and obtain a capacity reservation certificate prior to issuance of the initial certificate of occupancy. Nothing in this condition and nothing in the decision to approve this development plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

9. Consistent with the policies for the International Drive Activity Center, right of way is required for a 15-foot transit easement and a separate 20-foot landscape, pedestrian and utility easement is required for future roadway improvements. The applicant will be required to coordinate conveyance of ROW with the Road Agreement Committee.
10. The mechanical parking lift system will be used by employees only and will not be available for public use.
11. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water and wastewater systems have been designed to support all development within the DP.

NOTE: THE FOLLOWING ITEMS WERE CONSIDERED TOGETHER.

Ordinance

9. Amending Orange County Code, Chapter 20, pertaining to Emergency and Non-Emergency Medical Care and Transportation

Consideration: AN ORDINANCE RELATING TO EMERGENCY AND NONEMERGENCY MEDICAL CARE AND TRANSPORTATION; AMENDING SECTION 20-56 OF THE ORANGE COUNTY CODE REGARDING THE EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL; AMENDING SECTION 20-92 REGARDING APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY; AMENDING SECTION 20-93 REGARDING DISPOSITION OF APPLICATIONS; AMENDING SECTION 20-96 REGARDING MODIFICATION AND RENEWAL OF CERTIFICATES; AMENDING SECTION 20-134 REGARDING MODIFICATION AND RENEWAL OF LICENSES AND PERMITS FOR ALTERNATIVE TRANSPORTATION SERVICES AND VEHICLES; AND PROVIDING AN EFFECTIVE DATE

and

• COUNTY CONSENT AGENDA (CONTINUED)

County Attorney (Deferred)

3. Approval of Resolution of the Orange County Board of County Commissioners regarding the Orange County Emergency Medical Services Advisory Council; Reconstituting Such Board as to Duties, Number of Members and Membership Qualifications; Reorganizing the Board's Responsibilities and Authorities; effect of Resolution to replace and supersede all prior Resolutions concerning the Emergency Medical Services Advisory Council; and Providing an effective date.

Motion/Second: Commissioners Clarke/Thompson

AYE (voice vote): All members

Action: The Board adopted Ordinance 2016-01 of the Board of County Commissioners of Orange County, Florida, relating to Emergency and Non-Emergency Medical Care and Transportation amending Sections 20-56, 20-92, 20-93, 20-96, and 20-134 of the Orange County Code; and further, approved Resolution 2016-M-06 regarding the Orange County Emergency Medical Services Advisory Council; Reconstituting Such Board as to Duties, Number of Members and Membership Qualifications; Reorganizing the Board's Responsibilities and Authorities.

Comprehensive Plan

- 10 Amending Orange County Code, adopting Session II 2015-2 Regular Cycle and Small Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP)

County staff announced this is the second Session of the 2015-2 Session 2 Regular Cycle and Small Scale Comprehensive Plan Amendments. It also includes two amendments from the 2014-2 Cycle relating to Innovation Way. Furthermore, Regular Cycle Privately-Initiated Future Land Use Map Amendment 2015-2-A-1-3 and the Majorca Concurrent Substantial Change public hearing was withdrawn and will not be heard.

SMALL SCALE DEVELOPMENT PRIVATELY-INITIATED FUTURE LAND USE
ELEMENT MAP AMENDMENT

Amendment: 2015-2-S-2-1

Applicant/Owner: Javier Omana, CNU-a, CPH, Inc./ Pizzuti Equities, Inc.

Consideration: Rural Settlement 1/1 (RS 1/1) to Commercial (C) (Rural Settlement) (RS)

Location: 8222 and 8236 Clarcona Ocoee Rd. and 5401, 5449, and 8069 N. Apopka Vineland Rd.; Generally described as located on the south side of Clarcona Ocoee Rd. and the east side of N. Apopka

Vineland Rd., north of Kimbro Ln.; Parcel ID#'s 34-21-28-0000-00-016/045/047/048/049/056/060; 8.46 gross ac.

County staff announced that following the December 17, 2015, Local Planning Agency (LPA) hearing, the applicant informed staff he intended to ask for the Planned Development-Commercial (PD-C) Rural Settlement future land use designation. County staff supports the applicant's amended request of the future land use designation.

The following person addressed the Board: Javier Omana.

The applicant requested to modify their original request of Rural Settlement 1/1 to Commercial to Planned Development-Commercial within the Rural Settlement.

The following material was presented to the Board prior to the close of the public hearing: Exhibit 1, from Javier Omana.

Motion/Second: Commissioners Nelson/Boyd

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan (see Future Land Use Element Objective FLU8.2; Policies FLU1.4.4, FLU6.2.2, FLU6.2.9, FLU6.2.10, FLU8.2.1, and FLU8.2.10; Neighborhood Element Objective N1.1; and Open Space Element Policy OS1.3.6); further, determined that the proposed amendment is in compliance; and further, adopted the Small Scale Development Privately-Initiated Future Land Use Element Map Amendment 2015-2-S-2-1, Rural Settlement 1/1 (RS 1/1) to Planned Development-Commercial (PD-C) Rural Settlement (RS).

NOTE: THE FOLLOWING ITEMS WERE CONSIDERED TOGETHER.

SMALL SCALE DEVELOPMENT PRIVATELY-INITIATED FUTURE LAND USE
ELEMENT MAP AMENDMENT AND CONCURRENT REZONING REQUEST

Amendment: 2015-2-S-6-1

Applicant/Owner: Anthony R. Greco, Multiple Owners

Consideration: NC (Neighborhood Center) to C (Commercial)

Location: Generally described as the block located at the southeast corner of W. Michigan St. and S. Orange Blossom Trl, Parcel ID#'s 03-23-29-0180-61-060/130/160/240/010/020/230/031/110/ 180/200; 3.48 gross ac.

and

REZONING PUBLIC HEARING

Applicant: Anthony R. Greco, Case # RZ-15-03-009
Consideration: Request to rezone from NC (Neighborhood Center) and C-3 (Wholesale Commercial District) to C-3 (Wholesale Commercial District)
Location: Generally described as the block located at the southeast corner of W. Michigan St. and S. Orange Blossom Trl, Parcel ID#'s 03-23-29-0180-61-060/130/160/240/010/020/230/031/110/ 180/200; 3.48 gross ac.

The following persons addressed the Board:

- Michael Manley
- Anthony Greco
- Emmett O'Dell
- Max Spann

The following material was received by the Clerk prior to the close of the public hearing: Submittal 1, from Vanessa Pinkney.

Based upon input from the District Commissioner, the following prohibitive uses were added to the rezoning:

- Tire dealerships
- New and used automobile pickup or van dealerships

Board discussion ensued.

Motion/Second: Commissioners Siplin/Edwards

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goal FLU1, Objectives FLU1.1 and FLU1.4, and Policies FLU1.1.1, FLU1.1.4, FLU1.4.1, FLU1.4.2, and FLU1.4.3, and Economic Element Policy E2.3.2); further, determined that the proposed amendment is in compliance; and further, adopted the Small Scale Development Privately-Initiated Future Land Use Element Map Amendment 2015-2-S-6-1, Neighborhood Center (NC) to Commercial (C).

Motion/Second: Commissioners Siplin/Edwards

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goal, Objective and Policies FLU1, FLU1.1, FLU1.1.1, FLU1.1.4, FLU1.4, FLU 1.4.1, FLU 1.4.2, FLU 1.4.3 and Economic Element Policy E2.3.2); and further, approved the request by Anthony R. Greco, Case # RZ-15-03-009, to rezone from NC (Neighborhood Center) and C-3 (Wholesale Commercial District) to

C-3 (Wholesale Commercial District), on the described property; subject to the following restrictions:

Restrictions

1. The following land uses shall be prohibited:

Prohibited Uses

- Labor pools and labor halls, as defined by F.S. 448.22(1) and (3) respectively
- Any business which, as a material part of its services, provides loans secured by vehicle titles (often known as "car-title loans"), but not including financial institutions such as banks, credit unions, trust companies, consumer finance and retail installment lenders
- Any business commonly known as "check cashing," or any business which, as a material part of its services, provides future employment wages or other compensation (often known as "payday loans," or "payday advances"), but not including retail businesses which provide a check cashing services as an incidental part of their business and financial institutions such as banks, credit unions, and trust companies;
- Tattoo, body art, or body piercing businesses;
- Pawnshops, as defined by section 539.001, Florida Statutes;
- Bail bond agencies, as defined by section 648.25(1), Florida Statutes;
- Flea markets, except for those operating in conjunction with not-for-profit functions;
- Fortune tellers, tarot cards readers, palm readers, psychics, and similar businesses;
- Dating services, escort services, or valet services;
- Outdoor storage of tires and vehicles, including boats;
- Bottle clubs;
- Fireworks retailers
- Tire dealerships
- New and used automobile pickup or van dealerships

2. New pole signs and billboards shall be prohibited.

SMALL SCALE ORDINANCE/COMPREHENSIVE PLAN PUBLIC HEARING

Amending Orange County Code, adopting Second Cycle 2015-2 Small Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3184, and Section 163.3187 F.S.

Consideration: 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 SMALL SCALE DEVELOPMENT AMENDMENTS PURSUANT TO SECTION 163.3187, FLORIDA STATUTES; AND PROVIDING EFFECTIVE DATES

- MEMBER EXITED: Commissioner Nelson

Motion/Second: Commissioners Edwards/Thompson

Absent: Commissioner Nelson

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan; further, determined that the amendments are in compliance; further, adopted Small Scale Comprehensive Plan Amendment Ordinance 2016-02, consistent with today's actions; and further, approved the proposed Future Land Use Map Amendments.

NOTE: THE FOLLOWING ITEMS WERE CONSIDERED TOGETHER.

REGULAR CYCLE PRIVATELY-INITIATED FUTURE LAND USE MAP AND CONCURRENT SUBSTANTIAL CHANGE REQUEST

Amendment: 2015-2-A-1-3

Applicant/Owner: Jim Hall, VHB, Inc. / WPFF Majorca Land Investor, LLC

Consideration: Commercial (C) to High Density Residential (HDR)

Location: Generally described as located on the west side of Majorca Pl., west of Turkey Lake Rd., north of W. Sand Lake Rd., south of Toscana Blvd., and east of Dr. Phillips Blvd., Parcel ID#s 26-23-28-5411-00-030/031; 24.31 gross ac.

and

SUBSTANTIAL CHANGE PUBLIC HEARING

Applicant: Jim Hall, VHB, Inc. / WPFF Majorca Land Investor, LLC, Majorca Planned Development (PD), Case # CDR-15-07-205

Consideration: Substantial change request to the Majorca PD to add 325 multi-family residential dwelling units to the development program with the following waiver requests:

- 1) A waiver from Orange County Code Section 38-1258(a) to allow a maximum height of 85 feet and 5 stories for multi-family buildings located within 25 feet of single-family residential, in lieu of a maximum height of a single-story for multi-family buildings located within 100 feet of single-family zoned property;
- 2) A waiver from Orange County Code Section 38-1258(b) to allow a maximum height of 85 feet and 5 stories for 100% of the multi-family buildings located between 100 feet and 150 feet from single-family zoned property; in lieu of varying multi-family building heights, with a maximum of 50% of the buildings being a maximum of 3 stories and 40 feet and the remaining buildings being 1 or 2 stories when located between 100 feet and 150 feet from single-family zoned property;

- 3) A waiver from Orange County Code Section 38-1258(c) to allow a maximum height of 85 feet and 5 stories for multi-family buildings located within 150 feet of single-family zoned property, in lieu of a maximum building height of 3 stories and 40 feet for multi-family buildings located within 150 feet of single-family zoned property;
- 4) A waiver from Orange County Code Section 38-1258(d) to allow a maximum multi-family building height of 85 feet and 5 stories, in lieu of a maximum multi-family building height of 40 feet and 3 stories;
- 5) A waiver from Orange County Code Section 38-1258(e) to allow paved areas for multi-family development to be located 7 feet from any single-family zoned property, in lieu of 25 feet; and
- 6) A waiver from Orange County Code Section 38-1258(f) to eliminate the requirement to construct a six-foot high masonry, brick, or block wall when multi-family development is located adjacent to any single-family zoned property.

Location: Generally described as located on the west side of Majorca Pl., west of Turkey Lake Rd., north of W. Sand Lake Rd., south of Toscana Blvd., and east of Dr. Phillips Blvd., Parcel ID#s 26-23-28-5411-00-030/031; 24.31 gross ac.

(Privately-Initiated Future Land Use Map Amendment 2015-2-A-1-3 and Majorca Planned Development, Case # CDR-15-07-205 Substantial Change public hearing were withdrawn.)

NOTE: THE FOLLOWING ITEMS WERE CONSIDERED TOGETHER.

REGULAR CYCLE PRIVATELY-INITIATED FUTURE LAND USE TEXT AMENDMENT

Amendment: 2015-2-P-FLUE-2
 Consideration: Text amendment to Future Land Use Element establishing Policy FLU6.2.16 related to Rural Settlement Low Density (RSLD) Future Land Use designation

and

REGULAR CYCLE PRIVATELY-INITIATED FUTURE LAND USE MAP (FLUM) AMENDMENT AND CONCURRENT REZONING REQUEST

Amendment: 2015-2-A-1-5
 Applicant/Owner: Robert Holston & Major Stacy for Fire Creek at Gotha LLC, et al
 Consideration: Rural Settlement 1/1 (RS 1/1) to Rural Settlement Low Density (RSLD)

Location: Generally described as located on the north side of Moore Rd. and Park Ridge Gotha Rd., east of 7th Ave., and west of Dingens Ave.; 27.5 ac.

and

REZONING PUBLIC HEARING

Applicant/Owner: Robert Holston & Major Stacy for Fire Creek at Gotha LLC, et al, Fire Creek at Gotha Planned Development (PD), Case # LUP-15-09-248

Consideration: Request to rezone from A-1 (Citrus Rural District) and R-CE (Country Estate District) to PD (Planned Development), with the following waivers:

- 1) A waiver from the R-1AAA District Standards of Orange County Code Sec. 38-1405(g) to allow for a side street corner setback of 12.5 feet, in lieu of 15 feet;
- 2) A waiver from the R-1AAA District Standards of Orange County Code Sec. 38-1501, to allow a 20 foot front yard building setback, in lieu of 30 feet; and a 20 foot rear yard building setback, in lieu of 35 feet; and
- 3) A waiver from the R-1AAA District Standards of Orange Code Sec. 38-1501, to allow a 7.5 foot side yard building setback, in lieu of 10 feet.

Location: Generally described as located on the north side of Moore Rd. and Park Ridge Gotha Rd., east of 7th Ave., and west of Dingens Ave.; Parcel ID#s 33-22-28-3100-20-180/ 181/201; 33-22-28-3100-24-030/071; 33-22-28-3104-04-090/111; 33-22-28-3104-05-280/301/311/320/332; and 33-22-28-3100-15-110; 28.4 ac.

• MEMBER RE-ENTERED: Commissioner Nelson

The following persons addressed the Board:

- Bob Holston
- Kurt Ardaman
- Major Stacy
- Rick Geller
- Mohammed Abdallah
- Alan Byrd
- Jane Kennedy
- Michele Bumbier
- Mary Francis Fisher Howard
- Louise Meador
- Caroline Chomanics
- Stuart Rogers

- Marc Price
- Harry Strange
- Asim Ardaman
- Kathleen Klare
- Colleen Ardaman

• RELINQUISHED CHAIR

County Mayor Jacobs relinquished the Chair to Vice-Mayor Nelson.

The following persons addressed the Board:

- Margaret Ann Hornsby
- Rita Schoeffler
- Ray Schoeffler
- Maria Bolton-Joubert

• REASSUMED CHAIR

County Mayor Jacobs reassumed the Chair from Vice-Mayor Nelson.

The following persons addressed the Board:

- Theresa Schretzmann-Myers
- Angela Withers
- Ricardo Cumberbatch
- Rainer Richter
- Eric Papalini
- Rob Morris
- James Reinert
- Stephen Skipper
- Tom Wilson
- Gail Holder

• RELINQUISHED CHAIR

County Mayor Jacobs relinquished the Chair to Vice-Mayor Nelson.

The following persons addressed the Board:

- Conner Leigh Morris
- Linda O'Keefe
- Frank Baloun
- Eric Baloun
- Mike Kelsey
- Terry Rodgers
- Donna Johnson

- REASSUMED CHAIR

County Mayor Jacobs reassumed the Chair from Vice-Mayor Nelson.

The following persons addressed the Board:

- Joseph Smucz
- Dante Gabriel
- Doreen Hargreaves

- MEMBER EXITED: Commissioner Nelson

The following persons addressed the Board:

- Stephanie Josephs
- Kristin Harris
- Denzell Simmons
- Neal McFarland
- Debra Posgai
- Scott Richman
- Ron Blessing
- Bill Hohns
- Mary Solik

The following materials were presented to the Board prior to the close of the public hearing:

- Exhibit 1, from Bob Holston
- Exhibit 2, from Kurt Ardaman
- Exhibit 3, from Major Stacy
- Exhibit 4, from Rick Geller
- Exhibit 5, from Mohammed Abdallah
- Exhibit 6, from Alan Byrd
- Exhibit 7, from Eric Papalini
- Exhibit 8, from Donna Johnson
- Exhibit 9, from Donna Johnson
- Exhibit 10, from Joseph Smucz
- Exhibit 11, from Dante Gabriel
- Exhibit 12, from Doreen Hargreaves
- Exhibit 13, from Doreen Hargreaves
- Exhibit 14, from Neal McFarland
- Exhibit 15, from Scott Richman
- Exhibit 16, from Bob Hohns
- Exhibit 17, from Alan Byrd

The following materials were received by the Clerk prior to the close of the public hearing. The materials referenced by the speaker were not presented to the Board.

- Submittal 1, from Alan Byrd
- Submittal 2, from Doreen Hargreaves
- Submittal 3, from Denzel Simmons

Board discussion ensued.

(Privately-Initiated Text Amendment 2015-2-P-FLUE-2, Privately-Initiated Future Land Use Map Amendment 2015-2-A-1-5 and Fire Creek at Gotha Planned Development (PD), Case # LUP-15-09-248 Rezoning public hearing were withdrawn.)

Amendments 2014-2-C-CP-1, 2014-2-A-4-4 and 2015-2-B-FLUE-4, which deal with Innovation Way, were deferred for consideration until after the Board heard testimony of Public Hearing H11 pertaining to the proposed repeal of the Jobs-To-Housing Linkage Program Ordinance.

Ordinance

11. Repealing Orange County Code, Article XVI of Chapter 30, pertaining to the Jobs-To-Housing Linkage program for the Innovation Way Overlay

Consideration: AN ORDINANCE OF ORANGE COUNTY, FLORIDA, REPEALING THE JOBS-TO-HOUSING LINKAGE PROGRAM ORDINANCE FOR THE INNOVATION WAY OVERLAY, ADOPTED AS ORDINANCE NO. 2010-05 AND CODIFIED AT SECTION 30-751 THROUGH SECTION 30-761 OF ARTICLE XVI OF CHAPTER 30 OF THE ORANGE COUNTY CODE; AND PROVIDING AN EFFECTIVE DATE.

The following person addressed the Board: Suzanne Arnold.

Motion/Second: Commissioners Clarke/Thompson

Absent: Commissioner Nelson

AYE (voice vote): All present members

Action: The Board adopted Ordinance 2016-03, consistent with today's actions, repealing the "Jobs-to-Housing Linkage Program Ordinance for the Innovation Way Overlay", codified at Section 30-751 through Section 30-761 of Article XVI of Chapter 30 of Orange County Code.

Comprehensive Plan (Continued)

- 10 Amending Orange County Code, adopting Session II 2015-2 Regular Cycle and Small Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP)

REGULAR CYCLE STAFF-INITIATED COMPREHENSIVE PLAN MAP AND TEXT AMENDMENT DEFERRED

Amendment: 2014-2-C-CP-1

Consideration: Amendments to the Goals, Objectives, and Policies and maps in the Comprehensive Plan related to the Innovation Way Overlay

County staff presented to the Board a proposed modification to add the following language to the end of Policy FLU5.1.5 to read as follows:

Implementation and Transect-Based Approach. Transect-based planning shall be used to design complete communities requiring walkable streets, mix of uses, transportation options, and housing diversity. Transect-based planning and incremental urbanism allows for communities to evolve sustainably over generations. The IW-PD-RP shall identify and locate transects and districts to ensure the basis for a complete neighborhood structure within which a development program is planned that includes a mix of residential and nonresidential uses and furthers the Innovation Way vision. Development programs are based on the net developable land area which excludes natural water bodies and conservation (wetland) areas. The Innovation Way transect zones and corresponding Innovation Way districts are ~~outlined~~ described in FLU5.1.5A and FLU5.1.5B, respectively. The IW-PD-RP shall also include a proposed plan for the provision of a diversity of housing types including housing supportive of planned workforce in the RP area. In addition, if applicable, strategies shall be included linking the provision of land for high value jobs and economic catalyst industries in balance with the provision of housing within the project.

County staff proposed additional changes to Policies FLU5.2.1, FLU5.5.1 and FLU5.5.3 regarding Innovation Way to read as follows:

FLU5.2.1

~~Innovation Way Future Land Use Map Amendment~~ FLUM. A Future Land Use Map amendment for properties within the Innovation Way Overlay shall require the following:

C. Environmental Land Stewardship: Identification of the amount and type of land to be dedicated to Orange County to satisfy the requirements of the Environmental Land Stewardship Program, consistent with Ordinance 2010-04. Data must be based on professionally acceptable standards and analysis and identification of ELSP lands shall be based on ~~consistent~~ with the following sources: the Innovation Way Study, Florida Natural Areas Inventory, St. Johns River and South Florida Water Management District

Databases, Florida Land Use and Cover Classification Systems, National Soil Natural Resources Conservation Service, Federal Emergency Management Agency, Florida Fish and Wildlife Conservation Commission Habitat Model Data, and specific site indicators such as topography, vegetation, soils data, floodplain information, and other field observations.

FLU5.5.1

The requirement for Innovation Way property owners to participate in the Environmental Land Stewardship Program (ELSP) is hereby incorporated into the Comprehensive Plan pursuant to Chapter 163, Florida Statutes. Once established, land within an environmental land stewardship area may not be removed through a plan amendment. The requirements for the ELSP program, referred to in the following Policies as the "Program" have been adopted by Ordinance No. 2010-04.

The ELS Program shall include measures to ensure perpetual protection of certain ecologically important lands within the Innovation Way Study Area consistent with the principles identified in FLU 5.5.2. These lands include conservation areas, certain developable areas, stewardship lands and preservation areas. The Innovation Way ELSP Conceptual Map 2009 is a guiding document that conceptually shows the location of lands to be included in the ELSP.

FLU5.5.3

All property owners seeking a CRP and/or IW-PD-RP, ~~DRI Development Order (DO) or rezoning~~ within the Innovation Way Area Overlay must commit to the protection of stewardship Lands or dedicate suitable lands to the County or a County-approved conservation-oriented public or private entity. The proposed Stewardship lands also shall be reflected on all relevant rezoning applications pursuant to the requirements of the ELSP Ordinance. If the proposed stewardship land is either partially or completely within the Econlockhatchee Basin, the land to be protectd or development rights to be dedicated shall be uplands within or abutting the River Protection Zone as defined by Chapter 15, Article XI, Section 15-443(1) as amended from time to time.

Motion/Second: Commissioners Thompson/Edwards

Absent: Commissioner Nelson

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan; further, determined that the proposed amendment is in compliance; and further, adopted the Staff-Initiated Comprehensive Plan Map Amendment 2014-2-C-CP-1, with the following changes to Policies FLU5.1.5, FLU5.2.1, FLU5.5.1 and FLU5.5.3 as follows:

FLU5.1.5

Implementation and Transect-Based Approach. Transect-based planning shall be used to design complete communities requiring walkable streets, mix of uses, transportation options, and housing diversity. Transect-based planning and incremental urbanism allows for communities to evolve sustainably over generations. The IW-PD-RP shall identify and locate transects and districts to ensure the basis for a complete

neighborhood structure within which a development program is planned that includes a mix of residential and nonresidential uses and furthers the Innovation Way vision. Development programs are based on the net developable land area which excludes natural water bodies and conservation (wetland) areas. The Innovation Way transect zones and corresponding Innovation Way districts are ~~outlined~~ described in FLU5.1.5A and FLU5.1.5B, respectively. The IW-PD-RP shall also include a proposed plan for the provision of a diversity of housing types including housing supportive of planned workforce in the RP area. In addition, if applicable, strategies shall be included linking the provision of land for high value jobs and economic catalyst industries in balance with the provision of housing within the project.

FLU5.2.1

~~Innovation Way Future Land Use Map Amendment~~ FLUM. A Future Land Use Map amendment for properties within the Innovation Way Overlay shall require the following:

C. Environmental Land Stewardship: Identification of the amount and type of land to be dedicated to Orange County to satisfy the requirements of the Environmental Land Stewardship Program, consistent with Ordinance 2010-04. Data must be based on professionally acceptable standards and analysis and identification of ELSP lands shall be based on consistent with the following sources: the Innovation Way Study, Florida Natural Areas Inventory, St. Johns River and South Florida Water Management District Databases, Florida Land Use and Cover Classification Systems, National Soil Natural Resources Conservation Service, Federal Emergency Management Agency, Florida Fish and Wildlife Conservation Commission Habitat Model Data, and specific site indicators such as topography, vegetation, soils data, floodplain information, and other field observations.

FLU5.5.1

The requirement for Innovation Way property owners to participate in the Environmental Land Stewardship Program (ELSP) is hereby incorporated into the Comprehensive Plan pursuant to Chapter 163, Florida Statutes. Once established, land within an environmental land stewardship area may not be removed through a plan amendment. The requirements for the ELSP program, referred to in the following Policies as the "Program" have been adopted by Ordinance No. 2010-04.

The ELS Program shall include measures to ensure perpetual protection of certain ecologically important lands within the Innovation Way Study Area consistent with the principles identified in FLU 5.5.2. These lands include conservation areas, certain developable areas, stewardship lands and preservation areas. The Innovation Way ELSP Conceptual Map 2009 is a guiding document that conceptually shows the location of lands to be included in the ELSP.

FLU5.5.3

All property owners seeking a CRP and/or IW-PD-RP, ~~DRI Development Order (DO) or rezoning~~ within the Innovation Way Area Overlay must commit to the protection of stewardship Lands or dedicate suitable lands to the County or a County-approved

conservation-oriented public or private entity. ~~The proposed Stewardship lands also shall be reflected on all relevant rezoning applications pursuant to the requirements of the ELSP Ordinance.~~ If the proposed stewardship land is either partially or completely within the Econlockhatchee Basin, the land to be protected or development rights to be dedicated shall be uplands within or abutting the River Protection Zone as defined by Chapter 15, Article XI, Section 15-443(1) as amended from time to time.

NOTE: THE FOLLOWING ITEMS WERE CONSIDERED TOGETHER.

REGULAR CYCLE PRIVATELY-INITIATED FUTURE LAND USE MAP (FLUM)
AMENDMENT DEFERRED

Amendment: 2014-2-A-4-4
Applicant/Owner: Thomas Daly, Daly Design Group for Rio Reale Properties Orlando, LLC.
Consideration: Rural (R) to Innovation Way (IW) and Urban Service Area (USA)
Expansion
Location: Bunkhouse Rd.; Generally described as located south of Wewahootee Rd., north of TM Ranch Rd., Parcel ID# 01-24-31-0000-00-011; 1032.90 gross ac.

and

• COUNTY CONSENT AGENDA (CONTINUED)

Community, Environmental and Development Services Department (Deferred)

2. Approval of Environmental Land Stewardship Agreement Camino Reale Project by and between Camino Reale Properties, LLC, and Orange County. District 4. (Environmental Protection Division)

The following person addressed the Board: Tom Daly.

Motion/Second: Commissioners Thompson/Edwards
Absent: Commissioner Nelson
AYE (voice vote): All present members
Action: The Board made a finding of consistency with the Comprehensive Plan (see Future Land Use Element Policies FLU1.1.1, OBJ FLU1.2, FLU1.2.1 FLU1.2.2, OBJ FLU1.3, FLU1.3.1A, FLU1.3.2(f), GOAL FLU5, OBJ FLU5.1, FLU5.1.2, FLU5.1.5, FLU5.1.5A, FLU5.1.5B, FLU5.1.6, OBJ FLU5.2, FLU5.2.1, FLU5.2.2, FLU8.2.1, and Capital Improvements Element Policy CIE1.6.6, and Transportation Element Objectives OBJ T2.5 and OBJ T2.6); further, determined that the proposed amendment is in compliance; and further, adopted the Privately-Initiated Future Land Use Element Text Amendment 2014-2-A-4-4, Rural (R) to Innovation Way (IW).

Motion/Second: Commissioners Thompson/Clarke
Absent: Commissioner Nelson
AYE (voice vote): All present members
Action: The Board approved the Environmental Land Stewardship Agreement Camino Reale Project by and between Camino Reale Properties, LLC, and Orange County.

REGULAR CYCLE STAFF-INITIATED COMPREHENSIVE PLAN MAP AND TEXT AMENDMENT DEFERRED

Amendment: 2015-2-B-FLUE-4
Consideration: Text amendment to Future Land Use Element Policy FLU1.2.4 regarding allocation of additional lands to the Urban Service Area (USA)

Motion/Second: Commissioners Thompson/Edwards
Absent: Commissioner Nelson
AYE (voice vote): All present members
Action: The Board made a finding of consistency with the Comprehensive Plan; further, determined that the proposed amendment is in compliance; and further, adopted the Staff-Initiated Comprehensive Plan Text Amendment 2015-2-B-FLUE-4.

REGULAR CYCLE STATE-EXPEDITED REVIEW COMPREHENSIVE PLAN AMENDMENTS ORDINANCE

Amending Orange County Code, adopting Second Cycle 2015-2 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3184 and Section 163.3187, F.S.

Consideration: 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 AMENDMENTS PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2015 CALENDAR YEAR (SECOND CYCLE); AND PROVIDING EFFECTIVE DATES

Motion/Second: Commissioners Clarke/Thompson
Absent: Commissioner Nelson
AYE (voice vote): All present members
Action: The Board made a finding of consistency with the Comprehensive Plan; further, determined that the amendments are in compliance; further, adopted Ordinance 2016-04, consistent with today's actions; and further, approved the proposed Future Land Use Map and Text Amendments.

12. Amending Orange County Code, Chapter 15, relating to the Environmental Land Stewardship Program

Consideration: AN ORDINANCE AFFECTING THE USE OF LAND IN ORANGE COUNTY BY AMENDING CHAPTER 15 OF THE ORANGE COUNTY CODE RELATING TO THE ENVIRONMENTAL LAND STEWARDSHIP PROGRAM; AND PROVIDING AN EFFECTIVE DATE

Motion/Second: Commissioners Clarke/Thompson

Absent: Commissioner Nelson

AYE (voice vote): All present members

Action: The Board adopted Ordinance 2016-05, for the revisions to the Environmental Land Stewardship Program, consistent with today's actions.

• ADJOURNMENT, 7:45 p.m.


ATTEST:


County Mayor Teresa Jacobs

Date: MAR 15 2016

ATTEST SIGNATURE:

Martha O. Haynie
County Comptroller as Clerk


Deputy Clerk

