




Interoffice Memorandum

DATE: July 19, 2024

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

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

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

SUBJECT: Adoption Public Hearing – August 13, 2024, Regular Cycle  
Future Land Use Map Amendment, Staff-Initiated Text  
Amendment and Concurrent Planned Development Rezoning  
Request  
Applicant: Erika Hughes, VHB, Inc.  
2023-1-A-1-2, 2023-1-B-FLUE-6, and LUP-22-11-334  
District 1

Please find the attached staff report and associated back-up material for the 2023-1 Regular Cycle Future Land Use Map Amendment, Staff-Initiated Text Amendment, and Concurrent Rezoning request scheduled for a Board adoption public hearing on August 13, 2024.

The 13.56-acre subject property is located at 14331 Avalon Road; generally located east of Avalon Road, south of Lake Gifford Way, and north of Arrowhead Boulevard. The request is to change the Future Land Use Map designation from Commercial (C) to Growth Center - Planned Development - Medium-High Density Residential (GC-PD-MHDR), rezone the property from A-1 (Citrus Rural District) to PD (Planned Development District), and an associated staff-initiated text amendment to record the development program in Comprehensive Plan Policy FLU8.1.4. The applicant is proposing to construct 250 multi-family dwelling units. Also requested are two waivers from Orange County Code related to building height. The property is within the U.S. 192 Growth Center.

On April 10, 2024, the Development Review Committee recommended approval of the PD/LUP, subject to twenty-one conditions of approval.

On June 20, 2024, the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) made a finding of consistency with the Comprehensive Plan and recommended

adoption of the future land use map amendment, staff-initiated text amendment and recommended approval of the concurrent PD zoning by a vote of 5-1. Commissioner Eric Gray voted in opposition, earlier stating concerns for development outside of the Urban Service Area.

A community meeting was held on February 28, 2023, with three members of the public in attendance who expressed concerns about traffic, congestion, the amount of multi-family development already approved for the surrounding area, the need for additional school capacity to support the residential component of the project, transportation infrastructure, protecting the quality of lakes, and stormwater management.

The amendment requests were heard by the PZC/LPA at a transmittal public hearing on January 19, 2023, and by the Board at a transmittal hearing on March 7, 2023. The amendments were reviewed by the Florida Department of Commerce ("DOC") and other state and regional agencies. On May 26, 2023, DOC issued a comment letter, which did not contain any concerns about the amendments undergoing the State-Expedited Review process. Pursuant to 163.3184, Florida Statutes, the proposed amendments must be adopted within 180 days of receipt of the comment letter. On November 15, 2023, an extension to this deadline was given until May 20, 2024. On May 9, 2024, staff requested an extension of this deadline to November 20, 2024, which was granted. The Regular Cycle Amendments undergoing the State-Expedited Review process will become effective 31 days after DOC notifies the County that the plan amendment package is complete. Therefore, these amendments are expected to become effective in September 2024, provided no challenges are brought forth for any of the amendments.

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

**ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan and ADOPT the Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR) Future Land Use Map designation (2023-1-A-1-2); ADOPT staff-initiated text amendment to Policy FLU8.1.4 (2023-1-B-FLUE-6); ADOPT the associated ordinance, and APPROVE the concurrent PD (Planned Development District) (Sutton Grande PD/LUP) zoning (LUP-22-11-334), subject to twenty-one conditions of approval including two waivers from Orange County Code. District 1**



**Applicant/Owner:**  
 Erika Hughes, VHB, Inc./  
 Sutton Grande, LLC

**Location:** 14331 Avalon Road; generally located east of Avalon Road, south of Lake Gifford Way, and north of Arrowhead Boulevard

**Existing Use:** Undeveloped land

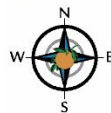
**Parcel ID Number:**  
 31-24-27-0000-00-012

**Tract Size:** 13.56 gross acres

The following meetings and hearings have been held:		Project Information	
Report/Public Hearing	Outcome		
✓	A community meeting was held February 28, 2023, with three attendees.	Concerns included traffic, infrastructure timing, and a preference for commercial.	
✓	Staff Report	Recommend Transmittal	
✓	LPA Transmittal January 19, 2023	Recommend Transmittal (7-0)	
✓	BCC Transmittal April 11, 2023 (continued from March 7, 2023)	Transmit (5-1)	
✓	State Agency Comments May 26, 2023	No comments were received.	
✓	LPA Adoption June 20, 2024	Recommend Adoption and Approval, subject to twenty-one (21) conditions (6-0)	
	BCC Adoption	August 13, 2024	
		<p><b>Request:</b> Commercial (C) to Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR) and Staff-Initiated Text Amendment to incorporate the proposed development program into Future Land Use Element Policy FLU8.1.4</p> <p><b>Proposed Development Program:</b> Up to 250 multi-family dwelling units.</p> <p><b>Public Facilities and Services:</b> Please see the Public Facilities &amp; Services Appendix for analysis of each facility.</p> <p><b>Environmental:</b> Conservation Area Determination CAD-22-12-240, issued March 20, 2023, identified 2.73 acres of Class II wetlands and 1.07 acres of Class III wetlands. This determination expires March 20, 2028.</p> <p><b>Transportation:</b> The proposed use will result in a decrease of 1,663 p.m. peak hour trips and, therefore, will not impact the area roadways.</p> <p><b>Utilities:</b> The subject property is located within the Toho Water Authority's potable water and wastewater service areas. Reclaimed water service is currently unavailable.</p> <p><b>Schools:</b> Per School Capacity Determination OC-22-069, capacity is available at the elementary, middle, and high schools expected to serve the project.</p> <p><b>Concurrent PD/LUP Rezoning:</b> Case LUP-22-11-334 Rezone from A-1 (Citrus Rural District) to PD (Planned Development District) (Sutton Grande PD/LUP). On April 10, 2024, DRC recommended approval, subject to twenty-one (21) conditions of approval.</p>	



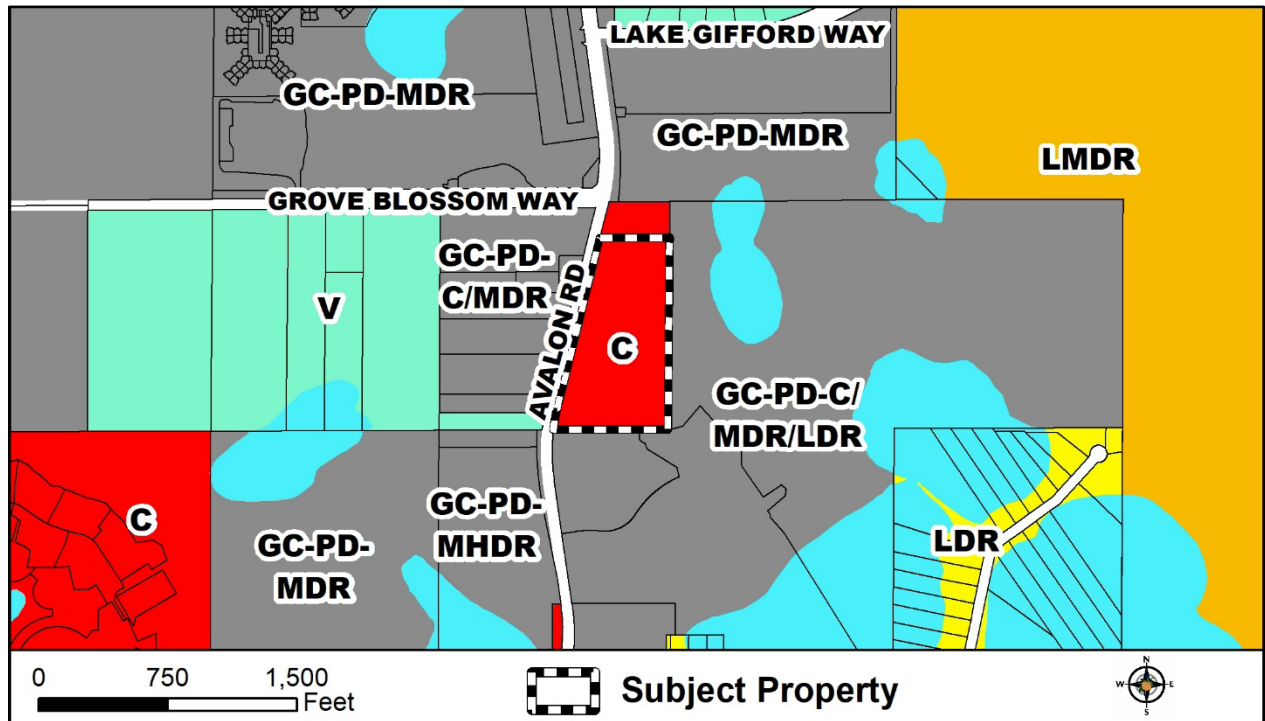
 Subject Property



0 500 1,000  
Feet

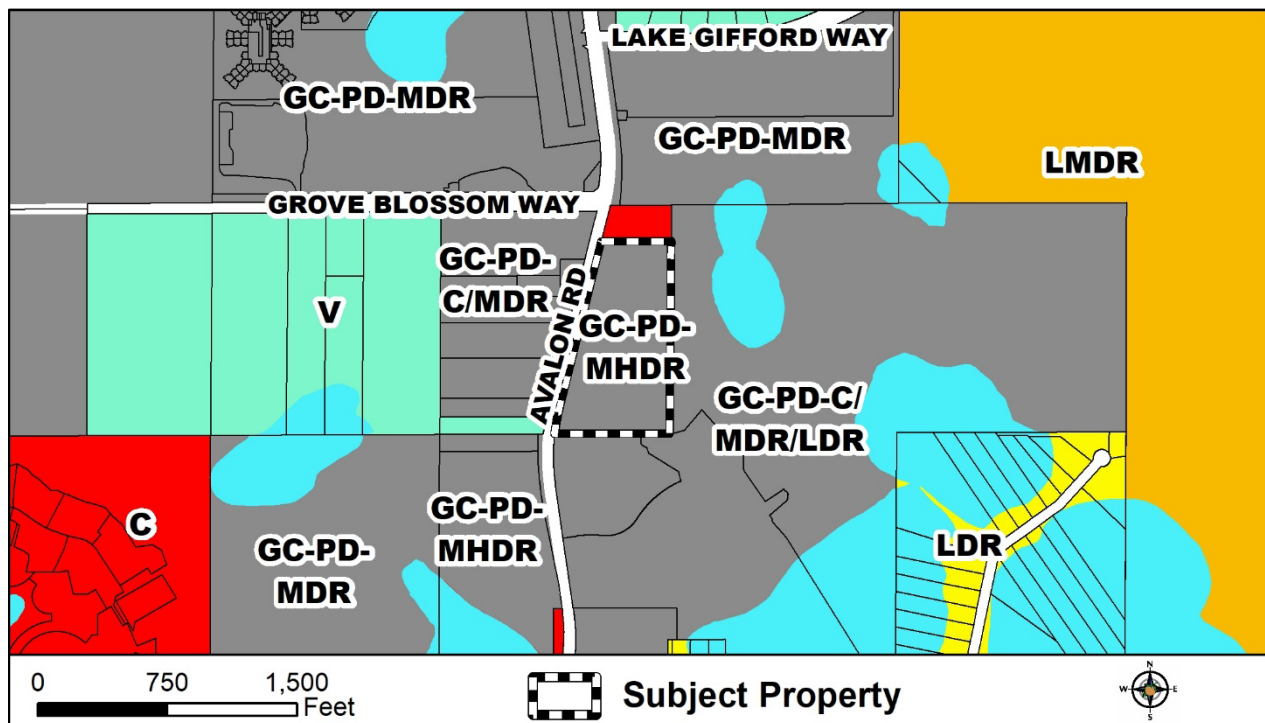
### FUTURE LAND USE - CURRENT

Commercial (C)



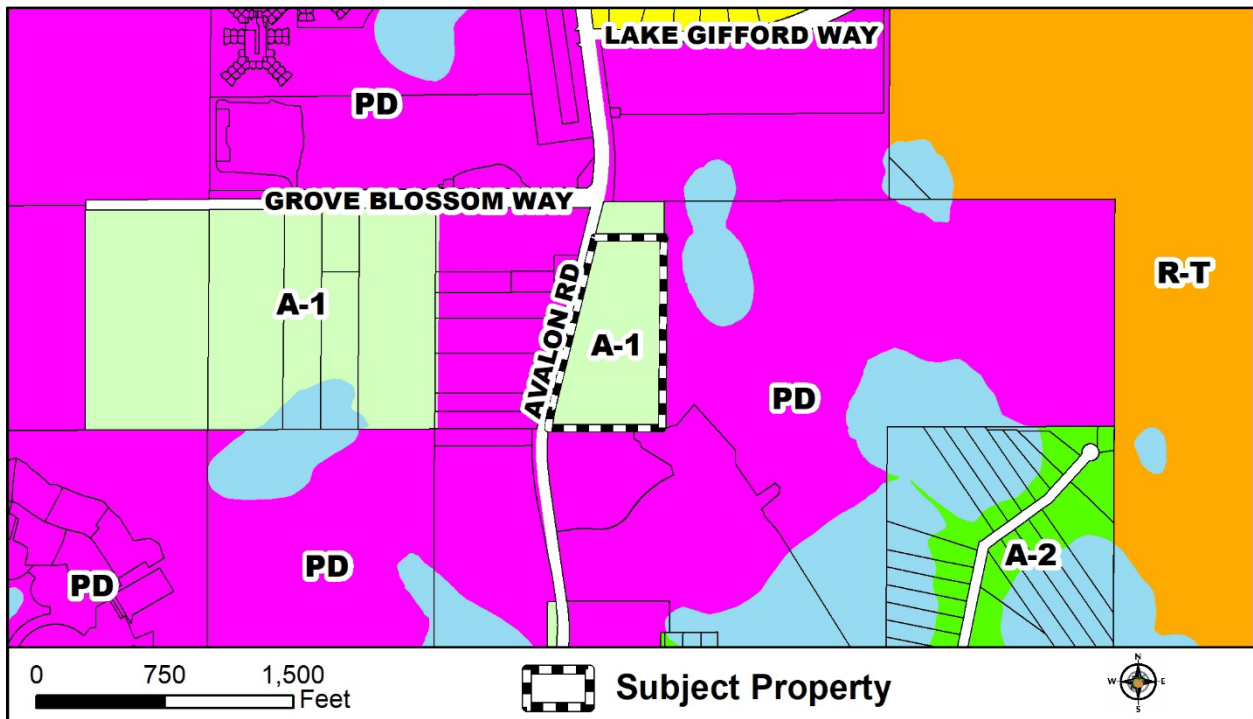
### FUTURE LAND USE – PROPOSED

Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR)



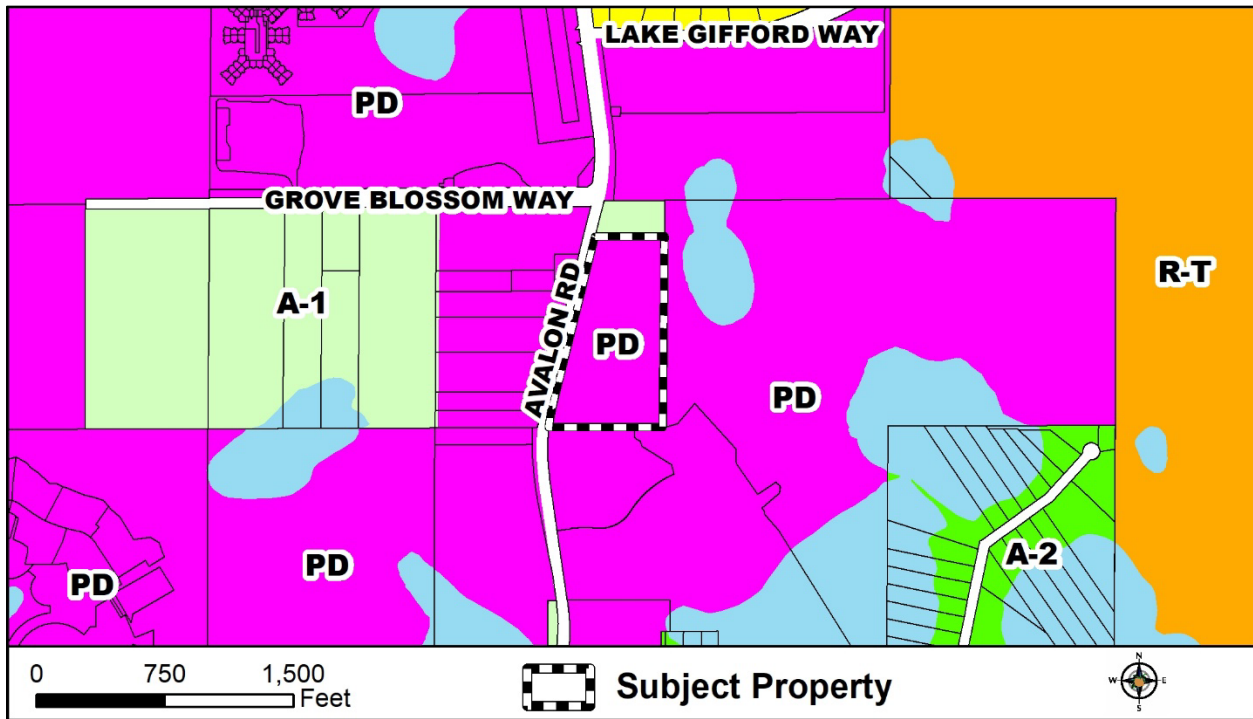
### ZONING – CURRENT

A-1 (Citrus Rural District)



### ZONING – PROPOSED

PD (Planned Development District) (Sutton Grande PD/LUP)



## Staff Recommendations

1. **FUTURE LAND USE MAP AMENDMENT 2023-1-A-1-2:** Make a finding of **consistency** with the Comprehensive Plan (See Housing Element Goal H1 and Objective H1.1, Future Land Use Element Objective FLU8.2, Conservation Element Objective C1.4, and Future Land Use Element Policies FLU1.1.1, FLU1.1.2, FLU1.1.2.A, FLU1.1.4.F, FLU7.4.4, FLU7.4.6, FLU8.1.4, FLU8.2.1, and FLU8.2.2), determine that the amendment is in compliance, and recommend **ADOPTION** of Amendment 2023-1-A-1-2, Commercial (C) to Growth-Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR).
2. **FUTURE LAND USE TEXT AMENDMENT 2023-1-B-FLUE-6:** Make a finding of consistency with the Comprehensive Plan, determine that the amendment is in compliance, and recommend **ADOPTION** of Amendment 2023-1-B-FLUE-6 to include the development program for Amendment 2023-1-A-1-2 in Future Land Use Element Policy FLU8.1.4.
3. **REZONING LUP-22-11-334 (April 10, 2024, DRC Recommendation):** Make a finding of **consistency** with the Comprehensive Plan and recommend **APPROVAL** of Rezoning Case LUP-22-11-334, Sutton Grande Planned Development/Land Use Plan (PD/LUP) dated "Received March 14, 2024", subject to the following twenty-one (21) conditions, including two (2) requested waivers from Orange County Code:
  1. Development shall conform to the Sutton Grande Land Use Plan (LUP) dated "Received March 14, 2024" and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received March 14, 2024," the condition of approval shall control to the extent of such conflict or inconsistency.
  2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have

been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. If applicable, an Acknowledgement of Contiguous Sustainable Agricultural Land pursuant to Section 163.3163, Florida Statutes, must be executed and recorded in the Public Records of Orange County, Florida, prior to final approval of this plan and a copy of such Acknowledgment shall be submitted with all future permit applications for this project.
7. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any direct or indirect conservation area impacts.
8. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).



9. Pursuant to Article XII, Chapter 30, Orange County Code, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential properties must obtain concurrency prior to approval of the plat; non-residential properties that are required to plat must obtain concurrency for any lot with an assigned use prior to approval of the plat (lots without an assigned use shall be labeled as "future development") and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until later in the development process, the County will not be responsible for any delays caused by the applicant's failure to obtain concurrency in a timely fashion.
10. This project shall be required to convey right-of-way for Avalon Road. Such conveyance(s) shall be documented in an agreement negotiated with the County's Road Agreement Committee and which must be approved by the Board of County Commissioners prior to or concurrently with the approval of the first PSP or DP for this PD. The date of valuation for any transportation impact fee credits awarded based on such conveyance(s) shall be the day before the date of County approval of the initial land use plan for this project, in accordance with Section 23-95(b)(2)b.1., Orange County Code, as may be amended.
11. Short term/transient rental is prohibited. Length of stay shall be for 180 consecutive days or greater.
12. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code, as may be amended.
13. 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.
14. Prior to any site construction plan approval and any filling within the 100-year flood zone, the applicant must obtain the required permit(s) and approval(s) from the Orange County Floodplain Administrator authorizing any fill pursuant to Chapter 19, Orange County Code. Review and approval of compensating storage calculations must accompany the above permit as provided for in Chapter 19-107.
15. Concurrently with the first submittal of any phase of site construction plans, a geotechnical investigation of the northern, southern, and western sides of the depressional areas and/or karst features shall be submitted for a timely review and acceptance by Orange County. No site construction plans shall be approved until the geotechnical investigation has been accepted by Orange County.

16. Any additional Right-of-Way for Avalon Road (CR-545), including any necessary stormwater ponds to support such additional Right-of-Way, shall be conveyed to Orange County prior to the any Development Plan/Preliminary Subdivision plan approvals associated with this Planned Development.
17. Authorization from Toho Water Authority allowing connection to their facilities is required prior to site plan construction approval.
18. In compliance with Section 19 of the Orange County Code, the property owner/engineer may be required to provide a series of FEMA Letter of Map Changes (LOMC). For development within the 1% annual chance flood (100-year flood) floodplain without an established Base Flood Elevations (BFE), depicted as Zone A, the owner/engineer must perform a study to establish the BFE and obtain a FEMA LOMR (Letter of Map Revision) prior to site construction plan submittal. For modifications to a determined BFE (Zone AE), floodway, or flood hazard area boundaries on the Flood Insurance Rate Maps (FIRMs), a FEMA Conditional Letter of Map Revision (CLOMR) must be obtained prior to site construction plan approval; a subsequent FEMA Letter of Map Revision (LOMR) reflecting final construction will be required. Said FEMA LOMR approval must be obtained by the owner/engineer and must be submitted to the Floodplain Administrator prior to the release of the Certificate of Occupancy and/or Certificate of Completion. Compensation Storage for all projects within the 1% annual chance flood (100-year flood) floodplain shall be provide on a "cup for cup" basis in accordance with Chapter 19-107(1).
19. The full access point on Avalon Road will be aligned with the full access point for the LUP-22-06-199 Village at Avalon LUP on the west side of Avalon Road.
20. Prior to development/preliminary subdivision plan approval, a traffic operational and safety study will be provided and accepted by the County Engineer. The study shall use a 5-year post opening date projected traffic generation and will identify operational and safety improvements required to address safe and adequate access. The improvements may include but are not limited to signing, pavement markings, traffic control such as signalization, roundabouts, or other roadway improvements.
21. The following waivers from Orange County Code are granted:
  - a. A waiver from Section 38-1258(b) to allow a maximum building height of 4-stories/55 feet in lieu of multi-family buildings located more than one hundred (100) feet from single family zoned property having a maximum building height of 3-stories/40 feet.
  - b. A waiver from Section 38-1258(a) to allow a four (4) stories /fifty-five (55) feet tall multi-family building to be located twenty-eight (28) feet from a single-family zoned property along the east boundary, in lieu of being restricted to a single story in height within one hundred (100) feet of single-family zoned property.

## Analysis

### 1. Background and Development Program

The applicant, Erika Hughes of VHB, Inc., is requesting to change the Future Land Use Map designation of the 13.56-acre subject parcel, presently undeveloped, from Commercial (C) to Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR). Situated within the U.S. 192 Growth Center, the property received its Commercial future land use designation via the July 1, 1991, adoption of the Orange County Comprehensive Plan but has remained vacant. The site consists of 9.76 upland acres, 2.73 acres of Class II wetlands, and 1.07 acres of Class III wetlands, established via Conservation Area Determination CAD-22-12-240, issued by the Orange County Environmental Protection Division (EPD) on March 20, 2023. At this time, the applicant is seeking approval of the GC-PD-MHDR designation, in accordance with its location within the Growth Center, to allow for the development of a multi-family community with up to 250 dwelling units on the site's 9.76 acres of developable land.

The subject parcel lies east of Avalon Road, approximately one-half mile north of the U.S. 192 tourist commercial corridor. The site is currently zoned A-1 (Citrus Rural District), a classification inconsistent with both its present and proposed Future Land Use Map designations and not reflective of the urban development trend of this area of the County. The property is located in an area characterized by a mix of existing and planned residential communities featuring a variety of housing types, including multi-family units, townhomes, single-family detached homes, and manufactured homes; resort development; and approved and proposed commercial uses that will provide goods and services to both visitors and the surrounding residential population.

The requested amendment and the prospective developer's intent to construct up to 250 multi-family units on the site's upland acreage are consistent with the development pattern of the surrounding area. The subject property is bounded to the south and east by the 139.88-acre Sutton Lakes PD. The undeveloped PD currently has an approved development program of up to 700 attached and detached residential units and 20,000 square feet of C-1 (Retail Commercial District) uses, consistent with its adopted FLUM designation of Growth Center-Planned Development-Commercial/Medium Density Residential/Low Density Residential (GC-PD-C/MDR/LDR). While no change to this designation is contemplated, the Sutton Lakes PD is presently the subject of a requested 2023-1 Regular Cycle privately-initiated text amendment, Amendment 2023-1-P-FLUE-1, to amend Future Land Use Element Policy FLU8.1.4 to add multi-family residential as a permitted use and establish a new development cap of 253 single-family attached and detached units, 304 multi-family units, and 20,000 square feet of C-1 (Retail Commercial District) uses. The Sutton Lakes amendment was recently recommended for adoption by the Local Planning Agency (LPA) on April 18, 2024, and is scheduled for a BCC adoption public hearing on June 18, 2024, along with concurrent Change Determination Request CDR-22-04-119, revising the PD's entitlement mix and amending its Conditions of Approval. While the Sutton Lakes and Sutton Grande applications are being processed separately, staff anticipates that the two properties will be developed as a unified community with shared infrastructure and common design elements.

Additionally, the planned mixed-use Village at Avalon PD, located west of the property, southwest of the intersection of Avalon Road and Grove Blossom Way, was the subject of a 2022-2 Regular Cycle Future Land Use Map Amendment, Amendment 2022-2-A-1-2, and an associated PD rezoning request, Case LUP-22-06-199, approved by the BCC on July 25, 2023. The 22.2-acre site now possesses the Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR)

future land use designation and is entitled for the development of up to 296 multi-family dwelling units and 87,120 square feet of C-1 uses.

Further, two short-term rental resorts, The Grove Resort & Waterpark and the Palisades Condominiums, are located directly north of the Village at Avalon site, northwest of the intersection of Avalon Road and Grove Blossom Way. As shown on the Future Land Use Map, both developments have corresponding Growth Center/Resort/Planned Development (GC/R/PD) future land use designations.

Moreover, the Avalon Groves PD, situated immediately north of the subject property and the Sutton Lakes site, southeast of the intersection of Avalon Road and Lake Gifford Way, is entitled for the construction of up to 600 multi-family units, in accordance with its adopted Growth Center-Planned Development-Medium Density Residential (GC-PD-MDR) Future Land Use Map classification. The 300-unit Prose Avalon Pointe multi-family complex has been constructed on the north portion of the PD, and the 300-unit Prose Horizon West apartment complex has been developed on the south portion of the PD.

Lastly, the Registry on Grass Lake PD, with an adopted Future Land Use Map designation of Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR), lies to the southwest of the subject property, on the west side of Avalon Road, and is approved for the development of a 360-unit multi-family community. As shown in the site visit photo, construction for the project is presently underway.

It is staff's belief that this requested Future Land Use Map Amendment and the developer's intent to construct up to 250 multi-family units on the subject property are consistent with the mixed-use development trend of the area.

As mandated by **Future Land Use Element Policy FLU7.4.6**, all new development within a Growth Center must apply for a PD (Planned Development District) zoning classification to specifically identify densities, intensities, and mix of land uses. The applicant has submitted a PD rezoning application, Case LUP-22-11-334, to rezone the subject property from A-1 to PD to create the Sutton Grande PD and establish design and development standards for the residential project. On April 10, 2024, the Orange County Development Review Committee (DRC) recommended approval of Rezoning Case LUP-22-11-334, subject to twenty-one (21) conditions of approval, including two (2) requested waivers from Orange County Code. Case LUP-22-11-334 will be considered in conjunction with the requested amendment during the adoption public hearing stage.

## 2. Project Analysis

### *Consistency*

The requested Future Land Use Map Amendment appears to be **consistent** with the applicable Goals, Objectives, and Policies of the Comprehensive Plan.

As discussed above, the subject property is located within the U.S. 192 Growth Center. **Future Land Use Element Policy FLU1.1.4.F** establishes that Growth Centers are a future land use designation implemented through Joint Planning Area agreements with an outside jurisdiction. These agreements provide at a minimum that the County will not incur initial capital costs for utilities. The subject property lies within the Tohopekaglia (Toho) Water Authority's potable water and wastewater service areas. Although based in adjacent Osceola County, the Toho Water Authority (TWA) currently has water and sewer infrastructure in place along Avalon Road, with a 24-inch water main located at the

west line of the subject property and a 16-inch force main situated approximately 20 feet west of the site. In a letter to the applicant dated December 14, 2022, the TWA's Engineering Division informed the applicant that the installation of a water service line and the provision of a force main connection will be needed and that the developer shall be required to comply with the TWA's design and construction standards and specifications, including the execution of a Developer's Service Agreement, if applicable. Staff notes that the subject property lies within Orange County Utilities' (OCU's) reclaimed water service area. However, there are presently no reclaimed water mains in place in the vicinity of the subject property. Therefore, reclaimed water service is considered unavailable.

Staff finds the proposed GC-PD-MHDR future land use designation and the developer's intent to build a 250-unit multi-family on the undeveloped subject site consistent with **Future Land Use Element Policy FLU1.1.1**, which mandates that urban uses shall be concentrated within the Urban Service Area, except as specified for the Horizon West Village and Innovation Way Overlay (Scenario 5), Growth Centers, and to a limited extent, Rural Settlements. Staff views the 13.56-acre subject property as an underutilized parcel that provides an opportunity for infill development on the site's upland acreage, while simultaneously ensuring the protection of the onsite wetlands, consistent with **Conservation Element Objective C1.4**, which establishes that Orange County shall protect identified wetland areas and existing native wildlife (flora and fauna) habitats. An Orange County Conservation Area Determination, CAD-22-12-240, was completed and approved for the project on March 20, 2023, by the Orange County Environmental Protection Division (EPD). The approved CAD identified 9.76 upland acres, 2.73 Class II wetland acres, and 1.07 Class III wetland acres.

In accordance with **Future Land Use Element Policy FLU1.1.2.A**, the applicant has established the maximum desired development program for the project, proposing up to 250 multi-family units under the "urban-scale" Medium-High Density Residential future land use designation, which allows residential development at a maximum density of 35 dwelling units per net acre. **Future Land Use Element Policy FLU7.4.4** states that urban intensities shall be permitted in designated Growth Centers when urban services are available from other sources, as approved by Orange County, consistent with the appropriate policies of the Comprehensive Plan. Staff emphasizes, though, that if services and facilities sufficient to maintain adopted level of service standards are not available concurrent with the impacts of development, the development will be phased such that the services and facilities will be available when the impacts of development occur or the development orders and permits will be denied, as mandated by this policy.

As stated previously, the subject property is located in an area characterized by a mix of existing and planned residential communities featuring a variety of housing types, including multi-family units, townhomes, single-family detached homes, and manufactured homes; resort development; and approved and proposed commercial uses. The proposed amendment and associated residential development program are consistent with Orange County's commitment to ensuring that sufficient land is available to meet the identified housing needs of its present and future residents. The applicant's intent to develop a multi-family community with up to 250 dwelling units is consistent with **Housing Element GOAL H1** and **Objective H1.1**, which state that the County will promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, and will support private sector housing production capacity sufficient to meet current and anticipated housing needs. Similarly, **Policy FLU8.2.2** directs that continuous stretches of similar housing types and density of units shall be avoided. It is staff's belief that the proposed project will contribute to the mix of available housing options in an area of the County deemed appropriate for urban uses, as set forth in **Policy FLU1.1.1**.

### Community Meeting

A community meeting for this requested amendment was held on Tuesday, February 28, 2023, at 6:00 p.m. in the Water Spring Elementary School cafeteria. Three members of the public were in attendance and expressed concerns about traffic, congestion, the amount of multi-family development already approved for the surrounding area, and the need for additional school capacity to support the residential project. The meeting participants voiced their belief that supporting transportation infrastructure—including the proposed improvements to Avalon Road—should be in place before additional development occurs. The attendees further expressed their preference for commercial development on the subject property. The topic of stormwater management was also discussed, with meeting participants raising concern that the project could cause neighboring roads and properties to flood and could negatively affect the water quality of nearby lakes.

### Staff-Initiated Text Amendment

**Future Land Use Element Policy FLU8.1.4** establishes the development programs for Planned Development (PD) and Lake Pickett (LP) FLUM designations adopted subsequent to January 1, 2007. The development program for this requested amendment is proposed for incorporation into **Policy FLU8.1.4** via a corresponding staff-initiated text amendment, Amendment 2023-1-B-FLUE-6. If adopted, the maximum development program for Amendment 2023-1-A-1-2 will be as follows:

Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
<u>2023-1-A-1-2</u> Sutton Grande	<u>Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR)</u>	<u>Up to 250 multi-family dwelling units</u>	<u>2024-</u>

### Compatibility

The requested Future Land Use Map Amendment and associated development program appear to be **compatible** with the development trend of the surrounding area. **Future Land Use Element Objective FLU8.2** states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development pattern and development trends in the area. The prospective developer’s intent to develop a 250-unit multi-family residential community is consistent with the site’s location within the U.S. 192 Growth Center, characterized by a mix of existing and planned residential communities featuring a variety of housing types, resort development, and approved and proposed commercial uses that will provide goods and services to both visitors and the surrounding residential population.

It is staff’s belief that the proposed residential project would contribute to the County’s larger goals of promoting compact urban form consistent with the County’s Growth Center Policies, providing for a range of living options, efficiently using existing and planned infrastructure, reducing trip lengths, and encouraging accessibility via multiple modes of transportation. Staff, therefore, recommends adoption of this requested amendment.

---

## ***Public Facilities and Services***

### **Environmental**

The Orange County Environmental Protection Division (EPD) has reviewed the proposed amendment application and has provided the following analysis:

#### **EPD Review Summary:**

- An Orange County Conservation Area Determination (CAD) is required prior to amendment transmittal to determine the developable acreage.

**Planning Division staff note:** Conservation Area Determination CAD-22-12-240, issued March 20, 2023, established that the 13.56-acre subject property consists of 9.76 upland acres, 2.73 acres of Class II wetlands, and 1.07 acres of Class III wetlands. This determination expires March 20, 2028.

- Any wetland encroachments will require submittal of an application for a Conservation Area Impact (CAI) Permit to the Orange County Environmental Protection Division, as outlined in Chapter 15, Article X Wetland Conservation Areas.
- Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled species (endangered, threatened, or species of special concern). The applicant is responsible for determining the presence of these concerns and for verifying and obtaining, if necessary, any required habitat permitting of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

#### **FLUM Amendment Comments:**

1. Conservation Area Determination Required – An Orange County Conservation Area Determination (CAD) must be completed as soon as possible to know the developable acreage per Orange County Code Chapter 15, Article X Wetland Conservation Areas. There is no record that a CAD or impact permit application has been received by EPD. Protection of wetlands and wetland buffers with easements or tracts will be determined during the wetland permitting process.
2. Conservation Area Impacts – In addition to any state or federal wetland permitting requirements, the applicant shall satisfy Orange County's wetland permitting requirements. Any wetland encroachments will require submittal of an application for a Conservation Impact (CAI) Permit to the Orange County Environmental Protection Division. *Reference OC Code Chapter 15, Article X Wetland Conservation Areas.*
3. No Clearing – No construction, clearing, filling, alteration, or grading is allowed within or immediately adjacent to a conservation area or easement (includes the conservation area and the wetland setback/buffer) without first obtaining a Conservation Area Impact (CAI) Permit approved by the County and obtaining other applicable jurisdictional agency permits. Submit a CAI Permit application to Orange County Environmental Protection Division by mail or email to [wetlandpermitting@ocfl.net](mailto:wetlandpermitting@ocfl.net). *Reference OC Code Chapter 15, Article X Wetland Conservation Areas.*
4. Habitat Permit Compliance – Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled species (endangered,

threatened, or species of special concern). The applicant is responsible for determining the presence of these concerns and for verifying and obtaining, if necessary, any required habitat permitting of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

5. Jurisdictional Coordination – This environmental review only addresses Orange County environmental regulatory code. However, the project shall also obtain and comply with all other existing environmental permits and applicable environmental regulations of, but not limited to, the Army Corps of Engineers, the Florida Department of Environmental Protection, the applicable Water Management District, the U.S. Fish and Wildlife Service (USFWS), and the Florida Fish & Wildlife Conservation Commission (FWC). It is possible that one of the other agencies could deny the request even if the County approves it, or they may have other natural resource protective requirements. Therefore, it is imperative that this proposed request be addressed on a multi-agency basis.

**Additional Comments:**

1. Erosion Control – Use caution to prevent erosion during construction along the boundary of the property, into wetlands and buffers, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control. Minimize the extent of area exposed at one time, apply perimeter controls where necessary, and perform maintenance checks every seven (7) days and after every 1/2-inch rain. The construction entry area shall be designed to prevent trucks from tracking soil onto local roads, and the affected storm drainage system shall be protected. This may require periodic street sweeping. *Reference OC Code Chapter 34 Subdivision Regulations, Article VII Stormwater Management, Division 2 General Design Criteria, Sec. 250 Open Drainage Facilities, (g).*
2. Conservation Buffer – A 25-foot undisturbed buffer located upland of the wetland line or Normal High Water Elevation (NHWE), whichever is more landward, will be required. If a 25-foot buffer cannot be shown along any portion of the conservation area, contact EPD's Environmental Permitting and Compliance staff at [wetlandpermitting@ocfl.net](mailto:wetlandpermitting@ocfl.net) to discuss how secondary impacts are being addressed. Please be advised that a Conservation Area Impact (CAI) Permit may be required.
3. Potential Contamination – The subject properties had a prior agricultural land use that may have resulted in soil or groundwater contamination due to spillage of petroleum products, and/or frequent application or spillage of fertilizer, pesticide, or herbicide. Prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading, or construction plans, the applicant shall provide documentation to ensure compliance with the Florida Department of Environmental Protection (FDEP) regulation FAC 62-777 Contaminant Cleanup Target Levels, and any other contaminant cleanup target levels found to apply during further investigations, to the Orange County Environmental Protection Division (EPD) and the Development Engineering (DE) Division.

**Transportation**

Based on trip generation estimates from the 11th Edition of the Institute of Transportation Engineers *Trip Generation Handbook*, the Transportation Planning Division has determined that the maximum allowable development of up to 650,786 square feet of commercial uses under the subject property's current Commercial (C) future land use designation would generate 1,761 new p.m. peak hour trips,



while the proposal to develop up to 250 multi-family dwelling units under the Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR) classification will generate 98 new p.m. peak hour trips, resulting in a decrease of 1,663 p.m. peak hour trips.

#### **Future Roadway Network**

**Road Agreements:** A Roadway Agreement is required prior to any Preliminary Subdivision Plan (PSP) or Development Plan (DP) approval.

#### **Planned and Programmed Roadway Improvements:**

**C.R. 545 and Flemings Road Preliminary Design Study** - Orange County's Transportation Planning Division has initiated a transportation improvement study for the widening of C.R. 545 to a four-lane divided roadway from Water Spring Boulevard to south of New Hartzog Road (approximate length: 2.6 miles) and Flemings Road from east of C.R. 545 to the west County line (approximately 1 mile). At the time of this report, the project is 22% overall complete.

**C.R. 545 Roadway Conceptual Analysis** - The purpose of the study is to assess and recommend roadway improvements anticipated to improve safety and traffic flow in the area. The study considers the social and environmental impacts of adding travel lanes and other features such as, but not limited to, drainage conveyance and treatment improvements, a proposed multi-purpose path, raised medians, lighting, landscaping and intersection improvements. Project length is approximately 1.6 miles. At the time of this report, the project is 12% overall complete.

**Right-of-Way Requirements:** Right-of-way is needed from this property for Avalon Road.

#### **Summary**

The applicant is requesting to change the Future Land Use Map designation of ~13.56 acres from Commercial (C) to Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR) and to rezone from A-1 (Citrus Rural District) to PD (Planned Development District) to allow for the construction of up to 250 multi-family dwelling units.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed multi-family use will result in a decrease of 1,663 p.m. peak trips and, therefore, will not impact the area roadways. The development will undergo further evaluation and will be required to mitigate capacity deficiencies on the transportation network in accordance with the requirements of the Orange County Concurrency Management System.

#### **Roadway Capacity Analysis**

A traffic study was submitted with the case for review and comment. The subject property is located adjacent to Avalon Road. Based on existing conditions, there are currently no deficient roadway segments within the project's impact area. This information is dated and subject to change. Based on the project trip distribution, 55% will be traveling southbound (SB) on Avalon Road out of the development.

The segments in the short-term year (2027) projected to operate at Level of Service "F" as a result of the background traffic and committed trips are:

- Avalon Road from U.S. 192 to Hartzog Road
- Avalon Road from Hartzog Road to Western Way

- Avalon Road from Western Way to Flamingo Crossings Boulevard
- U.S. 192 from the Lake County Line to the Osceola County Line.

The horizon year (2045) shows that under the proposed Future Land Use Map designation, the following segments are projected to operate at Level of Service “F”:

- Avalon Road from U.S. 192 to Hartzog Road
- Avalon Road from Hartzog Road to Western Way
- Avalon Road from Western Way to Flamingo Crossings Boulevard
- U.S. 192 from the Lake County Line to the Osceola County Line.

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

### **Utilities**

Per Orange County Utilities (OCU), the subject property is located within the Tohopekaglia (Toho) Water Authority’s (TWA’s) potable water and wastewater service areas and OCU’s reclaimed water service area. In a letter to the applicant dated December 14, 2022, the TWA’s Engineering Division stated that the TWA currently has water and sewer infrastructure in place along Avalon Road, with a 24-inch water main located at the west line of the subject property and a 16-inch force main situated approximately 20 feet west of the site. The TWA informed the applicant that the installation of a water service line and the provision of a force main connection will be needed and that the developer shall be required to comply with the TWA’s design and construction standards and specifications, including the execution of a Developer’s Service Agreement, if applicable.

Although the subject property lies within OCU’s reclaimed water service area, there are presently no reclaimed water mains in place in the vicinity of the site. Therefore, reclaimed water service is considered unavailable.

### **Schools**

Per School Capacity Determination OC-22-069, dated September 22, 2022, capacity is available at the elementary, middle, and high schools that would currently serve the project. This determination is valid until March 20, 2023. On April 2, 2024, an extension to this deadline was given until March 20, 2027.

## **3. Policy References**

**GOAL H1** – Orange County's goal is to promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, to meet current and anticipated housing needs so that all our residents have the opportunity to purchase or rent standard housing.

**OBJ FLU8.2 – COMPATIBILITY.** Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following polices shall guide regulatory decisions that involve differing land uses.

**OBJ H1.1** – The County will continue to support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.

**OBJ C1.4** – Orange County shall protect identified wetland areas and existing native wildlife (flora and fauna) habitats.

**FLU1.1.1** – Urban uses shall be concentrated within the Urban Service Area, except as specified for the Horizon West Village and Innovation Way Overlay (Scenario 5), Growth Centers, and to a limited extent, Rural Settlements.

**FLU1.1.2** – The Future Land Use Map shall reflect the most appropriate maximum and minimum densities for residential development.

Residential development in Activity Centers and Mixed Use Corridors, the Horizon West Village and Innovation Way Overlay (Scenario 5) and Growth Centers may include specific provisions for maximum and minimum densities.

The densities in the International Drive Activity Center shall be those indicated in the adopted Strategic Development Plan.

**FLU1.1.2.A** – The following are the maximum residential densities permitted within the Urban Service Area for all new single use residential development or redevelopment. Future Land Use densities for the following categories shall be:

FLUM Designation	General Description	Density
<b>Urban Residential – Urban Service Area</b>		
Low Density Residential (LDR)	Intended for new residential projects within the USA where urban services such as water and wastewater facilities are present or planned. This category generally includes suburban single family to small lot single-family development.	0 to 4 du/ac
Low-Medium Density Residential (LMDR)	Recognizes low- to medium-density residential development within the USA, including single family and multi-family residential development.	0 to 10 du/ac
Medium Density Residential (MDR)	Recognizes urban-style multifamily residential densities within the USA.	0 to 20 du/ac
Medium-High Density Residential (MHDR)	Recognizes a transition in density between highly urbanized areas and medium density residential development that support public transit and neighborhood serving amenities within a reasonable pedestrian walkshed.	0 to 35 du/ac
High Density Residential (HDR)	Recognizes high-intensity urban-style development within the USA.	0 to 50 du/ac

FLUM Designation	General Description	Density
(Amended 8/92, Ord. 92-24, Policy 1.1.11-r; Amended 11/17, Ord. 2017-19)		

**FLU1.1.4.F – GROWTH CENTER(S)** – Growth Centers are a Future Land Use designation implemented through Joint Planning Area agreements with an outside jurisdiction. These agreements provide at a minimum that the County will not incur initial capital costs for utilities. Orange County has two Growth Centers – one in the northwest referred to as the Northwest Growth Center and one in the southeast referred to as Growth Center/Resort/PD.

**FLU7.4.4** – Urban intensities shall be permitted in designated Growth Centers when urban services are available from other sources as approved by Orange County, consistent with the appropriate policies of the Comprehensive Plan. If services and facilities sufficient to maintain adopted level of service standards are not available concurrent with the impacts of development, the development will be phased such that the services and facilities will be available when the impacts of development occur, or the development orders and permits will be denied.

**FLU7.4.6** – Within a Growth Center, all new development must apply for Planned Development zoning, in order to specifically identify densities, intensities and mixture of land use.

Additionally, all new development and substantial redevelopment in portions of Growth Centers located within the Wekiva Study Area shall adhere to the development standards adopted to implement the Wekiva Parkway and Protection Act, Ch. 369, Part III, FS.

Such standards shall include, but are not limited to one or more of the following:

- (1) Additional stormwater treatment and retention (maintenance of water quality and recharge);
- (2) Enhanced wastewater treatment;
- (3) Limitations of certain allowed uses within the most vulnerable portions of the Study Area;
- (4) Subdivision standards;
- (5) Open space requirements;
- (6) “Smart growth” roadway design standards;
- (7) Parking lot design standards;
- (8) Upland habitat protection; and
- (9) Such other measures as required to protect ground and surface water in the Wekiva Study Area.

**FLU8.1.4** – The following table details the maximum densities and intensities for the Planned Development (PD) Future Land Use designations that have been adopted subsequent to January 1, 2007.

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

**FLU8.2.2** – Continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

## **ACTION REQUESTED**

**Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) Recommendation** – (June 20, 2024)

Make a finding of **consistency** with the Comprehensive Plan and recommend **ADOPTION** of Amendments 2023-1-A-1-2 and 2023-1-B-FLUE-6 and **APPROVAL** of Rezoning Case LUP-22-11-334, Sutton Grande Planned Development/Land Use Plan (PD/LUP) dated “Received March 14, 2024”, subject to twenty-one (21) conditions listed in the staff report, including two (2) requested waivers from Orange County Code.

## **Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) Public Hearing Synopsis**

The staff report was presented to the PZC/LPA with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of Amendments 2023-1-A-1-2 and 2023-1-B-FLUE-6 and APPROVAL of Rezoning Case LUP-22-11-334, Sutton Grande Planned Development/Land Use Plan (PD/LUP), subject to the twenty-one (21) conditions in the staff report, including two (2) requested waivers from Orange County Code. The applicant, Erika Hughes, was present and agreed with the staff recommendation. During public comment, no members of the public were present to speak on the matter.

During discussion, Commissioner Spears asked if the subject parcel was located within Horizon West. Ms. Hughes stated that it is not; it is located within the Growth Center, and it doesn't have Village future land use. Commissioner Spears also asked if the proposed density is consistent with the density for both the maximum and the minimum and how does it compare to what is being proposed now? Staff stated that the applicant is proposing Medium-High Density Residential (MHDR) future land use which would allow for up to thirty-five units per acre, but the development program being recorded via the associated text amendment is less than thirty-five units per acre; the applicant is proposing a density of twenty-five and a half units per acre. Staff also provided the Commissioner with the densities of two nearby projects. One project, Village at Avalon, located west of subject property, on the west side of Avalon Road, has a density of twenty units per acre (296 total multi-family units) and the other, Registry at Grass Lake, located southwest of the subject property, on the west side of Avalon Road, has a density of twenty-nine units per acre (360 total multi-family units). The subject property's density falls within the middle of those two projects. Commissioner Spears also stated for this area to develop in the way the County has envisioned it there has to be both a maximum and a minimum density and without adhering to the minimum densities the area won't have the weight of the market to generate walkable commerce that the neighbors in the area have been asking for. He doesn't want the County to relax the density requirements to the point where it wouldn't be able to achieve the mix of commerce and residential that is envisioned for the area. Staff stated that the recently approved Sutton Lakes amendment, located immediately south of the subject property has 20,000 square feet of commercial uses and the Village of Avalon amendment, located across the street to the west, has 87,000 square feet of commercial uses, a total of 107,000 square feet of commercial uses in the area.

Commissioner Wiggins asked the applicant if there were any plans for some of the units to be developed for attainable housing units. Ms. Hughes stated that she did not believe so. She stated

the property owner, Mr. Chuck Whittall, who was not present at the meeting, could answer that question. Commissioner Gray asked Ms. Hughes if any of the units would be set aside for affordable housing units. Ms. Hughes stated that Mr. Whittall has not informed her that any of the units are being set aside for affordable units. As far as knows, the units will be market rate. She stated she would let him know that the question came up so he can have a discussion with County staff or have an answer for the BCC adoption public hearing if it comes up again. Commissioner Gray expressed that some of the units should be set aside for affordable units.

A motion was made by Commissioner Evans and seconded by Commissioner Spears to recommend to the Board of County Commissioners ADOPTION of Amendments 2023-1-A-1-2 and 2023-1-B-FLUE-6 and APPROVAL of Rezoning Case LUP-22-11-334, Sutton Grande Planned Development/Land Use Pla (PD/LUP) dated "Received March 14, 2024", subject to twenty-one (21) conditions listed in the staff report, including two (2) waivers from Orange County Code. The motion carried on a 6-0 vote.

<b>Motion / Second</b>	<i>Camille Evans / Gordon Spears</i>
<b>Voting in Favor</b>	<i>George Wiggins, Eric Gray, Gordon Spears, Camille Evans, Nelson Pena, and Evelyn Cardenas</i>
<b>Voting in Opposition</b>	<i>None</i>
<b>Absent</b>	<i>David Boers, Eddie Fernandez, and Michael Arrington</i>

Site Visit Photos

<p>Subject Site</p>	<p>Subject Site</p>
	
<p>North of Subject Site</p>	<p>East of Subject Site</p>
	
<p>South of Subject Site</p>	<p>West of Subject Site</p>
	

**Sutton Grande PD Land Use Plan  
 DRC-Approved Plan – Cover Sheet**

## SUTTON GRANDE PD LUP-22-11-334

14331 AVALON ROAD  
 Orange County, Florida

Parcel ID: 31-24-27-0000-00-012

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**Property Owners**

**OWNER**  
 SUTTON GRANDE LLC  
 222 E. Robinson Street, Suite 200  
 Orange, FL 32801

**Architect/Planner/Engineer**  
 VHB  
 222 E. Robinson Street, Suite 200  
 Orange, FL 32801

## Land Use Plan

**Issued for** PD REZONING APPLICATION

**Date Issued** October 31, 2022

**Latest Issue** March 1, 2024

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**Sheet Index**

Number	Drawing Title	Latest Issue
1	Cover Sheet	1/31/2024
2	Outgoing Conditions	10/31/2022
3	Land Use Plan	3/7/2024

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**Reference Drawings**

Number	Drawing Title	Latest Issue
SV-1 - SV-2	Boundary Survey	12/30/2021




Site Location Map

**LEGAL DESCRIPTION PER TITLE COMMITMENT**


THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ORANGE, STATE OF FLORIDA, AND DESCRIBED AS FOLLOWS:

EAST 1/2 OF THE SW 1/4 OF T16N 17E, LYING EAST OF ROAD RANGING FROM THE WEST LINE OF ROAD RANGING 24 (SOUTH) TO ROAD RANGING 27 (EAST), ORANGE COUNTY, FLORIDA.

CONTAINS 13.562 ACRES, MORE OR LESS (PER SURVEY)



**VHB**  
 VERTICAL HORIZONTAL BOUNDARY  
 222 E. ROBINSON STREET  
 SUITE 200  
 ORANGE, FL 32801  
 407.783.7333



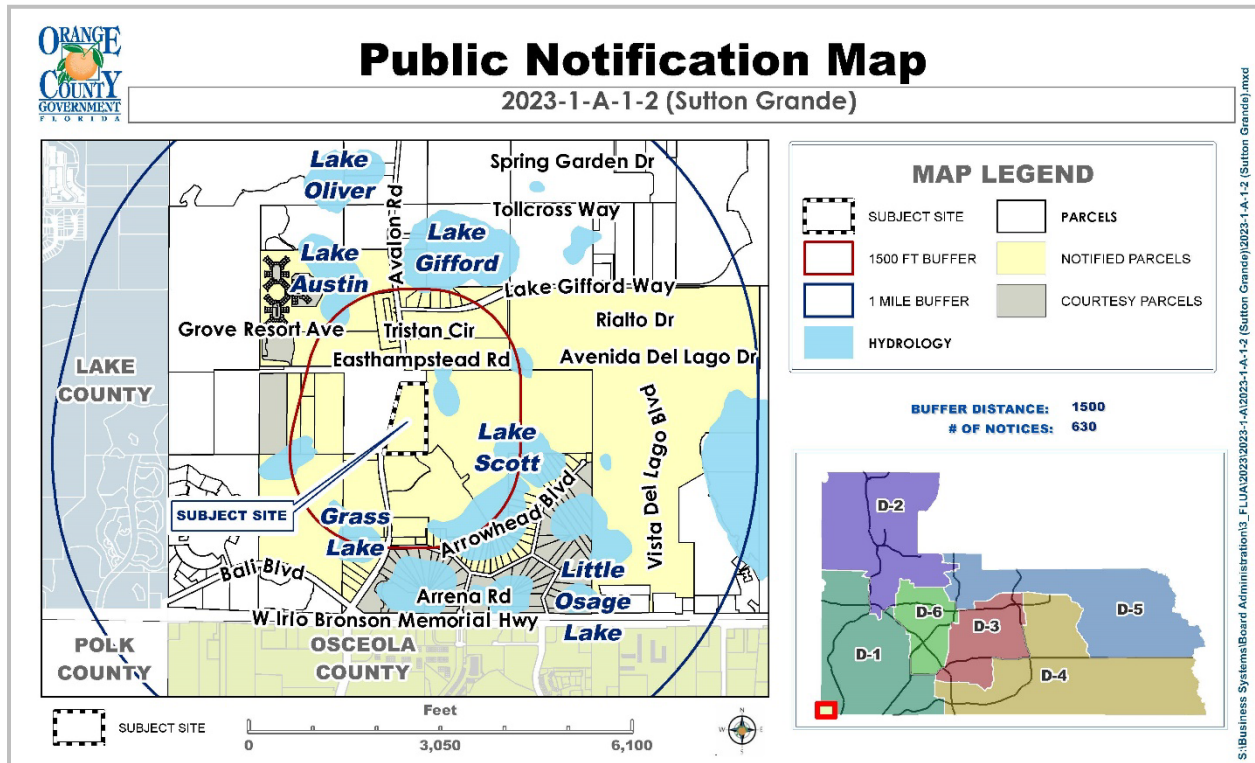
APPROVED  
 08/13/2024  
 PLANNING DIVISION  
 ORANGE COUNTY, FLORIDA

RECEIVED  
 By DRC Office at 4:21 pm, Mar 14, 2024





**PUBLIC NOTIFICATION MAP**



**Notification Area**

- 1,500 feet plus neighborhood and homeowners’ associations within a one-mile radius of the subject site
- 630 notices sent

ORDINANCE NO. 2024-\_\_\_\_\_

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE “2010-2030 COMPREHENSIVE PLAN,” AS AMENDED, BY ADOPTING AMENDMENTS PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2023 CALENDAR YEAR (FIRST CYCLE); AND PROVIDING EFFECTIVE DATES.

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

***Section 1. Legislative Findings, Purpose, and Intent.***

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

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

c. On August 13, 2024, the Board of County Commissioners held a public hearing on the adoption of the proposed amendments to the Comprehensive Plan, as described in this ordinance, and decided to adopt them.

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

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

31 attached hereto and incorporated herein.

32 **Section 4. Amendment to the Text of the Future Land Use Element.** The  
33 Comprehensive Plan is hereby further amended by amending the text of the Future Land Use  
34 Element to read as follows, with underlines showing new numbers and words, and strike-throughs  
35 indicating repealed numbers and words. (Words, numbers, and letters within brackets identify the  
36 amendment number and editorial notes, and shall not be codified.)

37 \* \* \*

38 **[Amendment 2023-1-B-FLUE-7:]**

39 FLU8.1.4 The following table details the maximum densities and intensities for the  
40 Planned Development (PD) and Lake Pickett (LP) Future Land Use  
41 designations that have been adopted subsequent to January 1, 2007.

42

<b>Amendment Number</b>	<b>Adopted FLUM Designation</b>	<b>Maximum Density/Intensity</b>	<b>Ordinance Number</b>
* * *	* * *	* * *	* * *
<u>2023-1-A-1-2</u> <u>Sutton Grande</u>	<u>Growth Center-Planned</u> <u>Development-Medium-</u> <u>High Density Residential</u> <u>(GC-PD- MHDR)</u>	<u>Up to 250 multi-family</u> <u>dwelling units</u>	<u>2024-</u>

43 Such policy allows for a one-time cumulative density or intensity differential of 5% based on  
44 ADT within said development program.

45  
46

\* \* \*

47 **Section 5. Effective Dates for Ordinance and Amendments.**

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

49 (b) In accordance with Section 163.3184(3)(c)4., Florida Statutes, no plan amendment  
50 adopted under this ordinance becomes effective until 31 days after the DEO notifies the County  
51 that the plan amendment package is complete. However, if an amendment is timely challenged,

52 the amendment shall not become effective until the DEO or the Administration Commission issues  
53 a final order determining the challenged amendment to be in compliance.

54 (c) No development orders, development permits, or land uses dependent on either of  
55 these amendments may be issued or commence before the amendments have become effective.

56

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58 ADOPTED THIS 13th DAY OF AUGUST, 2024.

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

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By: \_\_\_\_\_  
Jerry L. Demings  
Orange County Mayor

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69 ATTEST: Phil Diamond, CPA, County Comptroller  
70 As Clerk to the Board of County Commissioners

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By: \_\_\_\_\_  
Deputy Clerk

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**APPENDIX “A”**  
**FUTURE LAND USE MAP AMENDMENT**

<b><i>Appendix A*</i></b>		
<b><i>Privately-Initiated Future Land Use Map Amendment</i></b>		
<b>Amendment Number</b>	<b>Future Land Use Map Designation FROM:</b>	<b>Future Land Use Map Designation TO:</b>
<b>2023-1-A-1-2</b>	<b>Commercial (C)</b>	<b>Growth Center – Planned Development – Medium-High Density Residential (PD- MHDR)</b>
<b>*The Future Land Use Map (FLUM) shall not depict the above designation until such time as it becomes effective.</b>		

85