

Chapter 30, Article XII. Concurrency Management

Sec. 30-520. - Performance standards.

Level of service standards for potable water, solid waste, wastewater, parks and recreation, stormwater, roads, mass transit and public school facilities shall be as established in the comprehensive plan.

(1)

Potable water. The level of service standard for potable water is contained in Comprehensive Plan Policy CIE1.3.4 for development that requires central water service from county public utilities. If the service provider is other than county public utilities, then the service standard of the appropriate service provider shall be used.

(2)

Solid waste. The level of service standard for solid waste is contained in Comprehensive Plan Policy CIE1.3.6 accommodate solid waste generated at a rate of six (6) pounds.

(3)

Wastewater. The level of service standards for wastewater is contained in Comprehensive Plan Policy CIE1.3.5 for development that requires central wastewater service from gallons per day per equivalent residential unit when central sewer county public utilities. If the service provider is other than the county public utilities, then the service standard of the appropriate provider shall be used.

(4)

Parks and recreation. The level of service standard for parks is contained in Comprehensive Plan Policy CIE1.3.7.

(5)

Stormwater. The level of service standard for stormwater is contained in Comprehensive Plan Policy CIE1.3.8.

(6)

Transportation. The level of service standard for roads is contained in Comprehensive Plan Policies T2.1.1 and T2.1.2. The desired overall level of service standard for signalized and major non-signalized intersections shall not be lower than the lowest intersecting roadway level of service standard and the intersection approaches shall be determined to be operationally acceptable with improved delay and capacity on each approach compared to degraded conditions. Such operational evaluation shall be based on standard traffic

engineering practice in accordance with the Highway Capacity Manual and as determined by the County Engineer or his/her designee.

(7)

Mass transit. The level of service standard for mass transit is contained in Comprehensive Plan Policy T2.1.3.

(8)

Public schools. The level of service standard for public schools is contained in the Comprehensive Plan Policies CIE1.3.16 and CIE1.3.18.

(Ord. No. 91-27, § 1, 12-10-91; Ord. No. 96-15, § 4, 5-14-96; Ord. No. [2006-06](#), § 2, 5-23-06; Ord. No. [2010-11](#), § 2, 9-21-10; Ord. No. [2013-13](#), § 2, 5-21-13; Ord. No. [2013-15](#), § 3, 6-18-13; [Ord. No. 2023-11](#), § 3, 3-7-23)

Sec. 30-552. - Comprehensive plan amendments and rezoning applications.

(1)

Comprehensive plan amendments. A concurrency evaluation as outlined in this division is not required in connection with a comprehensive plan amendment or future land use map amendment. However, the county may consider the availability of public services and facilities when evaluating the appropriateness of a future land use map amendment or comprehensive plan amendment. A request for future land use map amendment or comprehensive plan amendment may be denied if public facilities and services are not expected to be available within the planning period pursuant to the comprehensive plan. In evaluating the availability of public school facilities, the county shall request school capacity information from the school board for all comprehensive plan amendments that will result in a net increase of one (1) student.

(2)

Zoning applications. A concurrency evaluation as outlined in this division is not required in connection with a rezoning application or other zoning application subject to this article. However, the county may consider the planned availability of public services and facilities when evaluating the appropriateness of a rezoning application or other zoning application subject to this article. A rezoning application or other zoning application subject to this article may be denied if public facilities and services, other than transportation facilities, are not expected to be available within the planning period pursuant to the comprehensive plan. In evaluating the availability of public school facilities, the county shall request school capacity information from the school board for all rezoning applications that will result in a net increase of four (4) students.

(3)

Planned development. A study to assess traffic and capacity impacts shall be required as part of any application for planned development (PD) zoning. If the PD already has a CEL, no study shall be required. The study may be submitted as part of the staff analysis to the planning and zoning commission/local planning agency as well as to the board of county commissioners in connection with the review by such bodies of the requested rezoning, and

such study may be considered in determining the appropriateness of the requested rezoning and/or the conditions applicable thereto. A substantial change to a PD that affects traffic may require a traffic study and analysis.

(4)

Recommendation for denial. If the requested comprehensive plan future land use map amendment, comprehensive plan amendment, rezoning, or PD application is recommended for denial, the applicant is not precluded from applying for a capacity encumbrance letter in accordance with this article; provided, however, approval is contingent upon final approval of the requisite development approval.

(Ord. No. [2006-06](#), § 2, 5-23-06; Ord. No. [2010-11](#), § 2, 9-21-10; Ord. No. [2013-13](#), § 2, 5-21-13; [Ord. No. 2023-11](#), § 3, 3-7-23)

Comprehensive Plan

OBJ FLU6.9

Lake Pickett Future Land Use Map (FLUM) Amendment and Conceptual Regulating Plan (CRP) and Lake Pickett Planned Development Regulating Plan (PD-RP). Development approval of a community within the Lake Pickett Study Area shall require an LP Future Land Use Map designation, public outreach, an approved Transportation Term Sheet or other transportation mitigation framework presented to and reviewed by the Board of County Commissioners and corresponding Agreement(s) for provision of infrastructure, and an approved Lake Pickett PD-RP, which determines the adopted boundaries and location of the Transect Zones. The proposed Transect Zone locations shall be illustrated on a Conceptual Regulating Plan (CRP) during the FLUM amendment process and finalized on an approved Lake Pickett PD-RP. (Added 07/16, Ord. 2016-17)

FLU6.9.1

• Infrastructure and Public Services: Development within the Lake Pickett Study Area shall be subject to the requirements of the Orange County Concurrency Management Ordinance, as amended, unless a separate agreement has been entered into with the County to establish an alternative method for addressing development impacts. Provision of land, connection, and access will be made to accommodate the siting and operation of utility and emergency services facilities, conveyances, and equipment accordingly.

FLU6.9.3

Orange County shall evaluate alternative funding mechanisms to ensure the adequate financing or funding of needed public facilities, including transportation infrastructure, necessary to accommodate the proposed development within the LP Future Land Use designation for the Lake Pickett Study Area defined in Objective FLU6.8.

A Lake Pickett PD-RP shall be implemented through a Lake Pickett Transportation Network Agreement(s), which shall:

D. Demonstrate satisfaction of the requirements of the Orange County Concurrency Management Ordinance, as amended.