

BCC Mtg. Date: November 15, 2016

EFFECTIVE DATE January 12, 2017

**ORDINANCE NO. 2016-28**

**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 2016 CALENDAR YEAR (SECOND 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 ("Comprehensive Plan");
- c. On April 21, 2016, the Orange County Local Planning Agency ("LPA") held a public hearing on the transmittal of proposed Comprehensive Plan amendment 2016-1-A-5-1, as described in this ordinance;
- d. On July 12, 2016, the Board of County Commissioners ("Board") held a public hearing on the transmittal of proposed Comprehensive Plan amendment 2016-1-A-5-1;
- e. On July 21, 2016, the LPA held a public hearing on the transmittal of the other proposed amendments to the Comprehensive Plan described in this ordinance;

f. On August 2, 2016, the Board held a public hearing on the transmittal of the other proposed amendments to the Comprehensive Plan described in this ordinance;

g. On August 26, 2016, the State of Florida's Department of Economic Opportunity ("DEO") issued a letter to the County relating to the DEO's review of proposed Comprehensive Plan amendment 2016-1-A-5-1;

h. On September 15, 2016, the DEO issued a letter to the County relating to the DEO's review of the other proposed amendments to the Comprehensive Plan described in this ordinance;

i. On October 28, 2016, the LPA held a public hearing on the adoption of all proposed amendments to the Comprehensive Plan described in this ordinance; and

j. On November 15, 2016, the Board held a public hearing on adoption of all proposed amendments 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. Amendments to Future Land Use Map.** The Comprehensive Plan is hereby amended by amending the Future Land Use Map designations as described at **Appendix "A,"** attached hereto and incorporated herein.

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Land Use Element to read as follows, with underlines showing new numbers and words, and strike-throughs indicating repealed numbers and words.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

**[Amendment 2016-2-B-CP-2:]**

FLU1.4.16 The Future Land Use Map shall reflect appropriate locations for industrial use. Potentially incompatible land use designations, such as residential or neighborhood commercial, shall not be established adjacent to industrial land use designations. Proposed land use changes from industrial to residential or commercial shall be evaluated in the context of potential impacts to long-term viability of surrounding industrial uses and of freight transportation corridors included in the National Highway Freight Network or identified in state and regional freight plans, such as the Florida Department of Transportation's *Freight Mobility and Trade Plan* and the MetroPlan Orlando *Regional Freight Study*. Proposed industrial changes shall be evaluated relative to the need to maintain adequate industrial sites to serve the projected market demand, freight movement and efficiency, and corresponding needs for job creation and economic development.

FLU1.4.17 Orange County seeks to retain an adequate supply of Industrial industrial land use designations and freight-intensive land uses during the ~~2030~~-planning horizon, consistent with the findings of the County's most current Industrial Lands Analysis and the desire to maintain jobs to housing balance within the County. Industrial requests found to be consistent with the Comprehensive Plan in areas where there are industrial deficits should be supported, provided these locations are found to be compatible and services are available. Further, amendments to DRIs or PDs that have the effect of reducing industrial lands in these submarkets should be discouraged, consistent with FLU1.4.16.

FLU1.4.17.1 Orange County will plan appropriately for fuel terminal infrastructure to ensure efficient and reliable multimodal transportation, consistent with s. 163.3206, Florida Statutes.

FLU1.4.18 The Future Land Use Map shall reflect a distribution of industrial areas throughout the Urban Service Area to reduce the journey to work, ~~create more of a jobs/housing balance,~~ ensure efficient freight movement and operations, avoid large concentrations of ~~industrial freight~~ traffic, provide adequate and sufficient locations for industrial uses – particularly in existing corridors and areas in proximity to Activity Centers – and provide a variety of locations with different transportation accessibility opportunities (such as arterials, limited-access ~~and~~ highways, airports and railroad).

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FLU1.4.20 Orange County will evaluate, and support accordingly, the freight-intensive land use concepts, including intermodal logistics centers, distribution centers, and -of-a freight villages, identified in consistent with the Metroplan MetroPlan Orlando *Regional Freight Good Mobility Study* to enhance freight movement and efficiency and to attract high-value employment. ~~and~~ Orange County will review the conceptual locations identified in the *Regional Freight Study* to assess their compatibility with existing the Future Land Use designations process and evaluate the locations within the context of surrounding land uses.

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**[Amendment 2016-2-B-FLUE-2:]**

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.

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<b>Amendment Number</b>	<b>Adopted FLUM Designation</b>	<b>Maximum Density/ Intensity</b>	<b>Ordinance Number</b>
***	***	***	***
<u>2016-2-A-5-1 Lake Pickett Center</u>	<u>Planned Development- Commercial/High Density Residential (PD-C/HDR)</u>	<u>Up to 296 multi-family residential dwelling units</u>	<u>2016-28</u>
<u>2016-2-P-FLUE-2 Eastmar Commons</u>	<u>Planned Development- Commercial/Medium Density Residential (PD-C/MDR)</u>	<u>The combined development program is limited by a maximum of 4,689 new daily trips/424 new p.m. peak hour trips, as established in the approved traffic study. Land uses shall be as established on the PD Land Use Plan as it may be amended from time to time consistent with the FLUM designations.</u>	<u>2016-28</u>

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

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*Section 5. Amendments to Text of Transportation Element.* The Comprehensive Plan is hereby further amended by amending the text of the Transportation Element to read as follows, with underlines showing new numbers and words, and strike-throughs indicating

repealed numbers and words. (Words, numbers and letters within brackets identify the amendment number and editorial notes, and shall not be codified.)

[Amendment 2016-2-B-TRAN-1:]

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T1.3.3.2 In addition to paying impact fees or other applicable development-related fees, new development and redevelopment shall be responsible for the costs of all internal subdivision transportation infrastructure, as required by the Land Development Code, and any necessary pedestrian access improvements at project entrances to facilitate safe and accessible connections to the transportation network.

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**OBJ T3.3 The County shall support the infrastructure and service improvements necessary to increase mobility options for all users, promote safety for all users of the transportation system, and promote the use of alternative modes of non-motorized transportation.**

**POLICIES**

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T3.3.2 Orange County shall, where appropriate, ~~include on-street bicycle lanes, paved shoulders, wide outside lanes and other~~ ensure that design features associated with major roadway projects to accommodate promote safe and convenient bicycle travel in accordance with the FDOT guidance or other engineering standards determined appropriate by the County Engineer*Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways, and FDOT's Bicycle Facilities Planning and Design Handbook.*

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T3.3.4 Orange County shall, ~~where appropriate,~~ include the appropriate pedestrian facilities on any new or reconstructed street in accordance with federal accessibility laws and with FDOT guidance or other engineering standards determined appropriate by the County Engineer *the Florida Pedestrian Facilities Planning and Design Handbook.*

T3.3.5 Orange County shall consider the special mobility and transit needs of the transportation disadvantaged in association with the construction or retrofit of sidewalks, signalized intersections and roadways at the collector level or above, including design and installation of midblock crossings, beacons, and/or other safety features, as warranted.

T3.3.6 The County shall support the provision of intermodal stations that facilitate safe and accessible transitions between appropriate travel modes, including pedestrians, bicycles, rail, buses, and automobiles.

T3.3.7 Orange County will plan, design, operate, and maintain County roadways to promote safety for people of all ages and abilities, including pedestrians, cyclists, transit users, motorists, and freight and service operators, through the adoption of a Complete Streets policy and implementation guidelines by the end of 2018.

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T3.4.4 Orange County shall continue to coordinate with LYNX, FDOT, ~~METROPLAN~~ MetroPlan Orlando, and other local governments and agencies to identify, designate and develop transportation facilities that promote safety for all users of the transportation system and the use of non-motorized transportation ~~regional park and ride lots in strategic locations.~~

T3.4.4.1 The County shall partner with FDOT, MetroPlan Orlando, LYNX, local governments, and other regional and local entities, as appropriate, in regional and local initiatives focused on engineering, evaluation, enforcement, education, and encouragement activities to improve pedestrian and bicyclist safety and to reduce crashes.

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T3.4.6 Orange County shall continue to coordinate with LYNX and ~~METROPLAN~~ MetroPlan Orlando to accommodate the special needs of the transportation disadvantaged in accordance with Federal, State, and local regulations and definitions. This includes the provision of safe, accessible, and convenient public transportation service and facilities, through financial and technical assistance and through inter-agency agreements.

T3.4.7 Orange County shall continue to work with the Orange County School Board and LYNX to facilitate transportation of students to and from school, promote Safe Routes to School and the use of non-motorized transportation, and to identify and address hazardous walking conditions consistent with statutory requirements.

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**[Amendment 2016-2-B-CP-2:]**

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T1.1.5 Orange County shall consider commercial vehicles, including buses and trucks with six or more tires, in the planning and design of the County's transportation system's capacity and operations to ensure freight mobility and efficiency.

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T1.2.3 If the County develops or uses a countywide modeling tool, modeling analysis may include consideration of existing and forecasted freight movement.

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T3.4.2.1      The County will continue to coordinate with FDOT, MetroPlan Orlando, Central Florida Expressway Authority, local governments, and private entities to address capacity and operational project needs identified in state and regional freight plans.

T3.4.2.2      The County will work with MetroPlan Orlando to develop and implement County and regional freight routing plans to ensure freight efficiency, leverage transportation investments, and ensure compatibility with other land uses in the County.

T3.4.3      The County shall coordinate with ~~METROPLAN~~ MetroPlan Orlando to ensure that air quality, carbon emission standards, tourism, and freight movement and commerce are issues considered in the development of ~~the future~~ regional Long Range Transportation Plan and in related project development activities.

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***Section 6. Effective Dates for Ordinance and Amendments.***

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

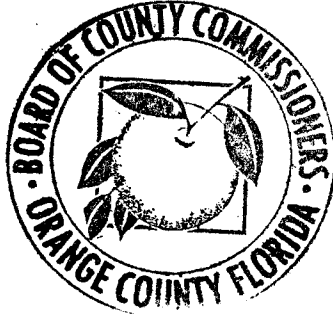
(b)      In accordance with Section 163.3184(3)(c)4., Florida Statutes, no plan amendment adopted under this ordinance becomes effective until 31 days after the DEO notifies the County that the plan amendment package is complete. However, if an amendment is timely challenged, the amendment that is challenged shall not become effective until the DEO or the Administration Commission issues a final order determining the challenged amendment to be in compliance.

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

Ordinance 2016-28, Adopting 2016-2 Regular Cycle Comprehensive Plan Amendments

ADOPTED THIS 15<sup>th</sup> DAY OF NOVEMBER, 2016.

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners



By:

*Teresa Jacobs*

Teresa Jacobs  
Orange County Mayor

ATTEST: Martha O. Haynie, County Comptroller  
As Clerk to the Board of County Commissioners

*Martha O. Haynie*  
for Deputy Clerk



## APPENDIX "A"

### FUTURE LAND USE MAP AMENDMENTS

<b>Appendix A*</b>		
<i>Privately Initiated Future Land Use Map Amendments</i>		
Amendment Number	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:
2016-2-A-1-2	Growth Center -Commercial (GC-C)	Growth Center-Commercial/Medium Density Residential (GC-C/MDR)
2016-2-A-5-1	Office/Commercial/ Low-Medium Density Residential (O/C/LMDR)	Planned Development-Commercial/High Density Residential (PD-C/HDR)
<i>Staff Initiated Future Land Use Map Amendments</i>		
Amendment Number	Future Land Use Map Amendments:	
2016-2-B-TRAN-2	Text and map amendments to the Transportation Element to update the Long Range Transportation Plan	
<p>•The Future Land Use Map (FLUM) shall not depict the above designations until such time as they become effective.</p>		