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JVW/NT/JHS

Interoffice Memorandum

DATE:	October 3, 2022
TO:	Mayor Jerry L. Demings -AND- County Commissioners
FROM:	Jon V. Weiss, P.E., Director Planning, Environmental and Development Services Department
CONTACT PERSON:	Joe Kunkel, P.E., DRC Chairman Development Review Committee Public Works Department (407) 836-7971

SUBJECT: October 25, 2022 – Public Hearing Lance Bennett, Poulos & Bennett, LLC Kensington Church Planned Development Case # LUP-21-03-097 / District 1 (Related to APF-21-04-123 - Consent Item)

The Kensington Church Planned Development (PD) is located at 17818 and 17922 Old YMCA Road. The applicant is seeking to rezone the subject parcels from A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct a church community campus with a 17,296 square foot church, 9,970 square foot pre-school, and a soccer field.

On August 18, 2022, the Planning and Zoning Commission (PZC) recommended approval of the request, subject to conditions. A virtual community meeting was held on May 26, 2021 with 20 residents in attendance expressing concerns related to traffic and compatibility with the surrounding rural residential development. Residents in attendance also expressed support of the request citing a need in the area.

Finally, the required Specific Project Expenditure Report and Relationship Disclosure Forms have been completed in accordance with the requirements of Article X, Chapter 2, Orange County Code, as may be amended from time to time, and copies of these and the PD/LUP may be found in the Planning Division for further reference.

ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan (CP) and approve the Kensington Church Planned Development / Land Use Plan (PD/LUP) dated "Received June 30, 2022", subject to the conditions listed under the PZC Recommendation in the Staff Report. District 1 Attachments

CASE # LUP-21-03-097

Commission District: #1

GENERAL INFORMATION

APPLICANT	Lance Bennett, Poulos & Bennett, LLC
OWNER	Kensington Church Orlando, Inc.
PROJECT NAME	Kensington Church Planned Development (PD)
HEARING TYPE	Planned Development / Land Use Plan (PD / LUP)
REQUEST	A-1 (Citrus Rural District) <i>to</i> PD (Planned Development District)
	A request to rezone two (2) parcels containing 10.00 gross acres from A-1 to PD, in order to construct a church community campus with a church, pre-school, and soccer field. There are no waivers associated with this request.
LOCATION	17818 & 17922 Old YMCA Road; or generally located on the south side of Old YMCA road, approximately 1,150 feet west of Lake Hickory Nut Drive.
PARCEL ID NUMBERS	06-24-27-0000-00-011, 06-24-27-0000-00-013
TRACT SIZE	10.00 gross acres
PUBLIC NOTIFICATION	The notification area for this public hearing was 1,100 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two hundred forty-six (246) notices were mailed to those property owners in the surrounding area. A community meeting was held on May 26, 2021 with 20 residents in attendance. The meeting is summarized further in this report.
PROPOSED USE	Church campus (Church, pre-school, and soccer field)

STAFF RECOMMENDATION

Development Review Committee – (June 8, 2022)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Kensington Church Planned Development / Land Use Plan (PD/LUP), dated "Received June 30, 2022", subject to the following conditions:

- 1. Development shall conform to the Kensington Church Village H Land Use Plan (LUP) dated "Received June 30, 2022," 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 June 30, 2022," 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).
- 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).
- 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. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.
- Unless a Conservation Area Impact (CAI) permit is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland Conservation Areas", prior to Construction Plan approval, no conservation area or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect conservation area impacts.
- 10. <u>The developer shall obtain water, wastewater, and reclaimed water service from</u> <u>Orange County Utilities subject to County rate resolutions and ordinances.</u>
- 11. <u>A Master Utility Plan (MUP) for the PD shall be submitted to Orange County Utilities</u> at least thirty (30) days prior to submittal of the first set of construction plans.

Construction plans within this PD shall be consistent with an approved and up-to-date Village F & H Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The MUP and updates must be approved prior to Construction Plan approval.

- 12. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code.
- 13. <u>Tree removal/earthwork shall not occur unless and until construction plans for the first</u> <u>Preliminary Subdivision Plan and/or Development Plan with a tree removal and</u> <u>mitigation plan have been approved by Orange County.</u>
- 14. No more than four (4) advertised outdoor special events open to the public per calendar year, and the hours of such events shall be limited from 9:00 a.m. to 9:00 p.m. The use of outdoor amplified sound and music is prohibited. All outdoor special events shall not occur unless reviewed and approved by the Orange County Fire Marshal's Office. The applicant shall submit applications/plans to the Fire Marshal's Office a minimum of 30 days prior to the date of each event.
- 15. Exterior lighting shall be compliant with the county's exterior lighting ordinance. In addition, all pole mounted fixtures shall be full cutoff and with fixture color temperature of 3,500 K maximum. The photometric plan shall be submitted and approved by Orange County staff prior to the issuance of a Building Permit. In addition, glare visors shall be installed, and field-adjusted to prohibit off-site light spill.
- <u>The hours of operation for the outdoor playground, sports field, and any other outdoor activities shall be from 8:00 AM to 8:00 PM. No outdoor lighting shall be allowed for outdoor playfields.</u>

IMPACT ANALYSIS

Overview

The applicant is seeking to rezone the subject parcels from A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct a church community campus with a 17,296 square foot church, 9,970 square foot pre-school, and a soccer field. The applicant's original request was more intense and based on comments received at the Development Review Committee (DRC) meeting on September 22, 2021, the applicant revised the request as shown below.

	Previous (s.f.)	Revised (s.f.)
Pre-School	12,149	9,970
Church	16,272	17,296
Aquatic Center & Gym	27,005	0
Soccer Field	1 Field	1 Field

The subject property is within Village H of Horizon West. More specifically, the property is within the Estate Rural District as designated by the Village H Special Planning Area Map. The Estate Rural District allows for residential density ranging between a minimum of 1 unit per acre to 1.25 units per acre. Church's are also permitted as a special exception which is processed as part of the Land Use Plan approval.

As part of the Land Use Plan process, an Adequate Public Facility (APF) Agreement is required and is reviewed by the Board of County Commissioners concurrently with the Land Use Plan. The Village H criteria requires APF land at a ratio of 1 acre for every 7.49 net acres. For the subject property, the APF requirement is 0.98 acres. In lieu of providing APF lands, the owner will pay a fee in the amount of \$47,463.86.

Land Use Compatibility

The proposed development program is compatible with existing development in the area, and would not adversely impact any adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement		\boxtimes	
Joint Planning Area (JPA)		\boxtimes	
Overlay District Ordinance		\boxtimes	
Airport Noise Zone		\boxtimes	
Code Enforcement		\boxtimes	

Comprehensive Plan (CP) Consistency

The subject property has an underlying Future Land Use Map (FLUM) designation of Village (V) and is designated Estate Rural District (ERD) on the Special Planning Area Map, which allows for a maximum residential density of one (1) dwelling unit per net developable acre. The proposed PD zoning district and development program is consistent with the Village (V) FLUM designation, therefore a CP amendment is not necessary. Additionally, the request is consistent with the following CP provisions:

FLU1.4.1 Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

GOAL FLU4 (Horizon West) states that it is Orange County's goal to ensure sustainable, quality development in Southwest Orange County to allow a transition from rural to urban uses while protecting environmental quality.

OBJ FLU4.1 states that Orange County shall use a Village Land Use Classification to realize the long range planning vision for West Orange County created through the Horizon West planning process. The Village land use classification has been designed to address the need to overcome the problems associated with and provide a meaningful alternative to the leap-frog pattern of sprawl now occurring in western Orange and

eastern Lake County; create a better jobs/housing balance between the large concentration of employment in the tourism industry and the surrounding land uses; create a land use pattern that will reduce reliance on the automobile by allowing a greater variety of land uses closer to work and home; and, replace piecemeal planning that reacts to development on a project by project basis with a long range vision that uses the Village as the building block to allow the transition of this portion of Orange County from rural to urban use through a specific planning process that uses a creative design approach to address regional, environmental, transportation, and housing issues.

OBJ FLU8.2 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.

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

FLU8.2.6 Zoning development approvals shall have conditions attached, when appropriate, to ensure the enforcement of the Future Land Use designations.

FLU8.2.11 Compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

SITE DATA

Existing Use	Undeveloped Land		
Adjacent Zoning	N:	PD (Planned Development District) <i>(2013)</i> (Zanzibar Property PD)	
	E:	PD (Planned Development District) <i>(2015)</i> (Hickory Nut Estates PD)	
	W:	A-1 (Citrus Rural District) (1957)	
	S:	PD (Planned Development District) <i>(2015)</i> (Hickory Nut Estates PD)	
Adjacent Land Uses	N:	Undeveloped Land	
	E:	Undeveloped Land	

- W: Single-Family Dwelling Unit
- S: Undeveloped Land

APPLICABLE PD DEVELOPMENT STANDARDS

Maximum Building Height: 45 feet / 3 stories

Minimum Building Setbacks:

35 feet
50 feet
10 feet
10 feet

SPECIAL INFORMATION

Community Meeting Summary

A virtual community meeting was held on May 26, 2021. Twenty (20) residents were in attendance and expressed concerns related to traffic and compatibility with the surround rural residential development. Residents also expressed support for the request citing the need for facilities in the area.

In addition to the community meeting, the County has received seventy-eight (78) public comment forms. Forty-four (44) residents responded in opposition to the request and thirty-four (34) residents expressed support of the request.

Environmental

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 to determine the presence of these concerns and to verify and obtain, if necessary, any required habitat permitting of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

Pursuant to OC Comp Plan Policy C1.5.7, development in, or near, contaminated soils shall properly address the contamination prior to approvals allowing disturbance of the contaminated soils with land clearing (including grubbing, or demolition), mass grading and or construction. Therefore, because of the site's prior land use, a Phase I Environmental Site Assessment is required prior to approvals that include alterations of the land's surface. Depending on the results of the Phase I, limited sampling or a full Phase II Environmental Site Assessment will be required. In order to allow for other parts of the project to move forward, a protective activity setback buffer can be established around any found sources of contamination in order to allow simultaneous remediation and other adjacent site development activity in a phased manner to proceed on a case by case basis. The goal of remediation will be compliance with the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels. The remediation process will be deemed complete with either a state determination of No Further Action or Site Rehabilitation Completion Order with, or without, conditions, or compliance with a remedial action plan in order to determine when vertical construction

can proceed while considering health, safety and welfare (Orange County Code Chapter 15 Environmental Control, Section 15-27 Declaration of Legislative Intent).

Transportation / Access

The property within this proposed PD is within the boundaries of Village H however, these properties were not signatory to the Village H Road Network Agreement. Therefore, per the Term Sheet approved by the BCC on March 12, 2013 in Section I. 2., "A Non-signatory Owner (i) shall not be entitled to receive any of the benefits conferred by the Road Network Agreement, (ii) shall not be obligated to comply with any of its terms and conditions; (iii) shall not be precluded from proceeding with the development of its property consistent with the provisions of the County Code including all concurrency and impact fee provisions that may be applicable at the time the Non-signatory Owner proceeds with development of its property."

Existing/Valid transportation capacity entitlements not found. This development will require Transportation Capacity via a Capacity Encumbrance Letter (CEL) Application.

Based on the Concurrency Management database (CMS) dated 4/5/2021, there are multiple failing roadway segments within the project's impact area along Avalon Road, from Flamingo Crossings Boulevard to New Independence Parkway (4 segments). This information is dated and subject to change.

Utilities

Water:	Orange County Utilities
Wastewater:	Orange County Utilities
Reclaim Water:	Orange County Utilities

Schools

Orange County Public Schools provided no issues or concerns related to this project.

Parks and Recreation

Parks and Recreation staff identified no issues or concerns for this proposal.

State of Florida Notice

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.

Specific Project Expenditure Report and Relationship Disclosure Form

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and approve the requested PD zoning. Staff stated that 246 notices were sent to an area extending beyond 1,100 feet, with four (4) commentaries received in opposition stating concerns of negative aesthetics, impacts on surrounding properties, increased noise, increased traffic, and lack of infrastructure.

The applicant was present and agreed with the staff recommendation. Two (2) members of the public were present to speak in support of the request.

There was no discussion on the request by the PZC members. A motion was made by Commissioner Sorbo and seconded by Commissioner Pavon. The motion passed by a vote of 6 to 0.

Motion / Second	Trevor Sorbo / Walter Pavon
Voting in Favor	Trevor Sorbo, George Wiggins, Jaja Wade, Walter Pavon, Evelyn Cardenas, and Nelson Pena
Voting in Opposition	None
Absent	Eddie Fernandez, Mohammed Abdallah, Gordon Spears

PZC RECOMMENDED ACTION

Planning and Zoning Commission (PZC) Recommendation – (August 18, 2022)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Kensington Church Planned Development / Land Use Plan (PD/LUP), dated "Received June 30, 2022", subject to the following conditions:

1. Development shall conform to the Kensington Church - Village H Land Use Plan (LUP) dated "Received June 30, 2022," 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 except to the extent that any applicable 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 June 30, 2022," 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).

- 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).
- 7. <u>All acreages identified as conservation areas and wetland buffers are considered</u> <u>approximate until finalized by a Conservation Area Determination (CAD) and a</u> <u>Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any</u> <u>direct or indirect conservation area impacts.</u>
- 8. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.
- Unless a Conservation Area Impact (CAI) permit is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland Conservation Areas", prior to Construction Plan approval, no conservation area or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect conservation area impacts.
- 10. <u>The developer shall obtain water, wastewater, and reclaimed water service from</u> <u>Orange County Utilities subject to County rate resolutions and ordinances.</u>
- 11. <u>A Master Utility Plan (MUP) for the PD shall be submitted to Orange County Utilities at least thirty (30) days prior to submittal of the first set of construction plans.</u> <u>Construction plans within this PD shall be consistent with an approved and up-to-date Village F & H Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The MUP and updates must be approved prior to Construction Plan approval.</u>
- 12. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code.
- 13. <u>Tree removal/earthwork shall not occur unless and until construction plans for the first</u> <u>Preliminary Subdivision Plan and/or Development Plan with a tree removal and</u> <u>mitigation plan have been approved by Orange County.</u>

- 14. No more than four (4) advertised outdoor special events open to the public per calendar year, and the hours of such events shall be limited from 9:00 a.m. to 9:00 p.m. The use of outdoor amplified sound and music is prohibited. All outdoor special events shall not occur unless reviewed and approved by the Orange County Fire Marshal's Office. The applicant shall submit applications/plans to the Fire Marshal's Office a minimum of 30 days prior to the date of each event.
- 15. Exterior lighting shall be compliant with the county's exterior lighting ordinance. In addition, all pole mounted fixtures shall be full cutoff and with fixture color temperature of 3,500 K maximum. The photometric plan shall be submitted and approved by Orange County staff prior to the issuance of a Building Permit. In addition, glare visors shall be installed, and field-adjusted to prohibit off-site light spill.
- 16. <u>The hours of operation for the outdoor playground, sports field, and any other outdoor</u> activities shall be from 8:00 AM to 8:00 PM. No outdoor lighting shall be allowed for outdoor playfields.

LUP-21-03-097







1 inch = 325 feet





Horizon West – Village H Special Planning Area Map Estate Rural District



ZONING – CURRENT

A-1 (Citrus Rural District)



ZONING – PROPOSED

PD (Planned Development District)





County Planning Division Case # LUP-21-03-097 2022

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Case # LUP-21-03-097



Planning and Zoning Commission / Local Planning Agency (PZC/LPA)

DATE: October 5, 2022 TO: Mayor Jerry L. Demings -AND-**County Commissioners**

Chairman: Nelson Pena At-Large

Vice-Chairman: Trevor Sorbo District 1

Commissioners: George Wiggins District 2

Eddie Fernandez District 3

Walter Pavon District 4

J. Gordon Spears District 5

JaJa Wade District 6

Mohammed Abdallah At-Large

Evelyn Cardenas At-Large

Nelson Pena, Chairman

SUBJECT: Case LUP-21-03-097 PZC/LPA Hearing Summary

At the August 18, 2022 Planning and Zoning Commission / Local Planning Agency (Commission) hearing, the applicant's request to rezone the subject property for Case LUP-21-03-097 from A-1 to PD was reviewed.

The applicant was present for the hearing and agreed with staff's recommendation of approval. Two members of the public appeared in favor of the request.

There was no discussion on the request by the PZC members. A motion was made by Commissioner Sorbo, and seconded by Commissioner Pavon, to recommend APPROVAL of the requested PD (Planned Development District) zoning. The motion carried on a 6 to 0 vote.

NP/JHS

FROM:

