




Interoffice Memorandum

February 11, 2020

TO: Mayor Jerry L. Demings  
-AND-  
Board of County Commissioners (BCC)

FROM: Alberto A. Vargas, MArch., Manager, Planning Division 

THROUGH: Jon V. Weiss, P.E., Director  
Planning, Environmental, and Development Services Department

SUBJECT: Adoption Public Hearing – 2019-2 Session II Continued Small-Scale Development Amendment (2019-2-S-5-2) and Concurrent Rezoning Request (RZ-19-10-030)

The 2019-2 **Session II Continued Small-Scale Development** Comprehensive Plan Amendment (2019-2-S-5-2) is scheduled for a BCC adoption public hearing on February 11, 2020. This amendment was heard by the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) at an adoption hearing on October 17, 2019 and was continued by the BCC from December 3, 2019 to February 11, 2020. The staff report for the February 11 hearing has been provided under separate cover. The report is also available under the Amendment Cycle section of the County's Comprehensive Planning webpage. See:

<http://www.orangecountyfl.net/PlanningDevelopment/ComprehensivePlanning.aspx>.

The 2019-2 Session II **Continued Small-Scale Development** Amendment scheduled for public hearing on February 11 includes one privately-initiated Future Land Use Map Amendment located in District 5 that features a concurrent rezoning request (RZ-19-10-030).

If the BCC adopts the proposed amendment, the Small-Scale Development Amendment will become effective 31 days after the public hearing, provided no challenges are brought forth for the amendment.

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 Greg Gologowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or [Gregory.Gologowski@ocfl.net](mailto:Gregory.Gologowski@ocfl.net).

AAV/sgw

Enc: 2019-2 Session II Continued Small-Scale Development Amendment (2019-2-S-5-2) – BCC Adoption Binder

- c: Christopher R. Testerman, AICP, Assistant County Administrator  
Joel Prinsell, Deputy County Attorney  
Erin Hartigan, Assistant County Attorney  
Roberta Alfonso, Assistant County Attorney  
Whitney Evers, Assistant County Attorney  
Gregory Golgowski, AICP, Chief Planner, Planning Division  
Olan D. Hill, AICP, Assistant Manager, Planning Division  
Eric P. Raasch, AICP, Planning Administrator, Planning Division  
Read File



**ORANGE COUNTY**  
PLANNING DIVISION

**2019-2 SESSION II**  
**CONTINUED**  
**SMALL SCALE AMENDMENT**

2010 - 2030 COMPREHENSIVE PLAN

**BOARD OF COUNTY**  
**COMMISSIONERS**

**February 11, 2020**  
**ADOPTION PUBLIC HEARING**

**PREPARED BY:**  
ORANGE COUNTY PLANNING, ENVIRONMENTAL,  
AND DEVELOPMENT SERVICES

PLANNING DIVISION  
COMPREHENSIVE PLANNING SECTION



# 2019-2 SMALL-SCALE DEVELOPMENT

## AMENDMENTS TO THE 2010-2030 COMPREHENSIVE PLAN

### BOARD OF COUNTY COMMISSIONERS ADOPTION BOOK

#### SESSION II CONTINUED

### INTRODUCTION

This is the Board of County Commissioners (BCC) adoption public hearing book for the proposed Continued Session II Small-Scale Development Amendment (2019-2) to the Future Land Use Map (FLUM) and Comprehensive Plan (CP). The adoption public hearing for the amendment was conducted before the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) on October 17, 2019, and is scheduled before the Board of County Commissioners (BCC) on February 11, 2020. The 2019-2 Session II Continued Small-Scale Development Amendment (2019-2-S-5-2) was continued by the BCC from December 3, 2019 to February 11, 2020.

One Small-Scale Development Amendment is slated for a public hearing before the BCC on February 11.

Please note the following modifications to this report:

KEY TO HIGHLIGHTED CHANGES	
Highlight	When changes made
Pink	Following the LPA adoption public hearing (by staff)
Orange	Following the December 3, 2019 BCC adoption public hearing (by staff)

The 2019-2 Session II Continued Small-Scale Development Amendment scheduled for public hearing on February 11 include one privately-initiated Future Land Use Map Amendment located in District 5 (2019-2-S-5-2) features a concurrent rezoning request. If the BCC adopts the proposed amendment, the Small-Scale Development Amendment will become effective 31 days after the public hearing, provided no challenges are brought forth for the amendment.

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 Greg Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or [Gregory.Golgowski@ocfl.net](mailto:Gregory.Golgowski@ocfl.net).



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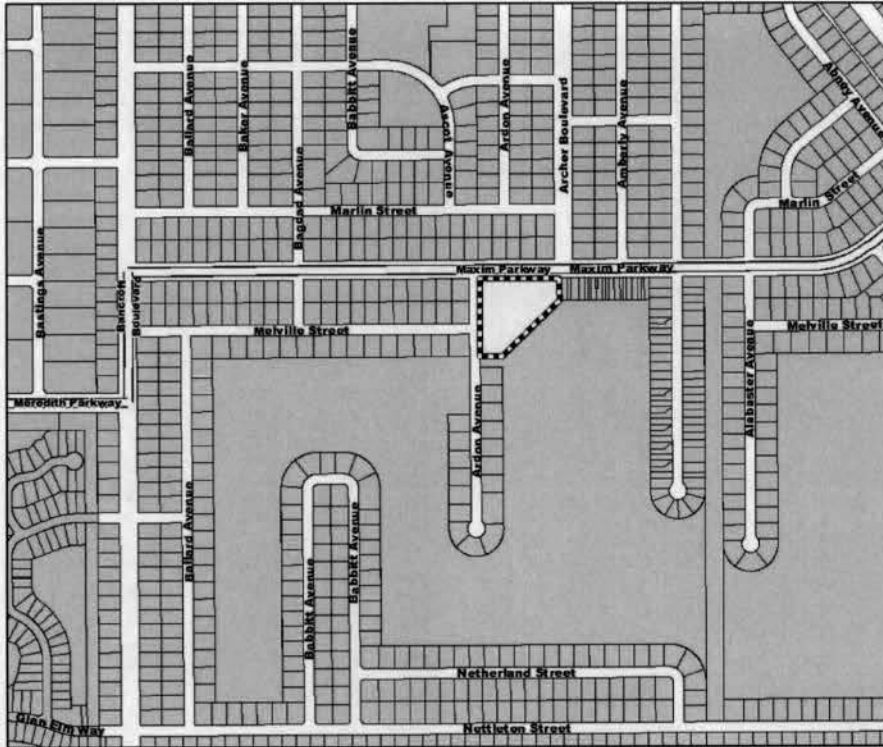
**INTRODUCTION** ..... Tab 1

**SMALL SCALE DEVELOPMENT AMENDMENT**.....Tab 2

***Privately-Initiated Small Scale Development Future Land Use Map (FLUM) Amendments and Concurrent Rezoning Request***

Amendment			Page
1.	Amendment 2019-2-S-5-2 Wedgefield Golf	Parks and Recreation/Open Space (PR/OS) to Commercial (C) (Rural Settlement) (RS) and Low-Medium Density Residential (LMDR)	1
	-and-		
	Rezoning RZ-19-10-030	A-2 (Farmland Rural District) to C-1 (Retail Commercial District)	

**Ordinance**.....Tab 3



**Applicant/Owner:** Craig Cooke/ Wedgefield Golf and Restaurant LLC

**Location:** 20550 Maxim Parkway; Generally located north of Nettleton St., east of Bancroft Boulevard., west of SR 520, and south of Maxim Parkway

**Existing Use:** Wedgefield Golf Course, clubhouse, restaurant and warehouse (golf cart barn)

**Parcel ID Number:**  
01-23-32-7602-00-011

**Tract Size:** 3.35 gross/net developable acres

The following meetings and hearings have been held for this proposal:		Project Information
Report/Public Hearing	Outcome	
✓ Community Meetings held on January 21, 2020 with about 65 attendees, and September 30, 2019 with about 80 attendees. See public notification map for notice area	At the second meeting most in support; First meeting: Neutral	<p><b>Request:</b> Parks and Recreation/Open Space (PR/OS) to Commercial (C) (Rural Settlement) (RS)</p> <p><b>Concurrent Rezoning:</b> Rezoning from A-2 to C-1 (Retail Commercial District)</p> <p><b>Proposed Development Program:</b> The request would allow neighborhood-serving commercial development of up to 12 short-term rental units (maximum FAR 0.15).</p> <p><b>Public Facilities and Services:</b> Please see the Public Facilities Analysis Appendix for specific analysis of each public facility.</p> <p><b>Environmental:</b> EPD's comments are applicable to the golf course parcel only, which was removed from the application.</p> <p><b>Transportation:</b> A revised traffic study is forthcoming. Transportation Planning will provide comments prior to the BCC adoption public hearing.</p> <p><b>Public Schools:</b> OCPS has determined that school capacity is available for this project.</p>
✓ Staff Report	Recommend Adoption and Approval	
✓ LPA Adoption PZC Rezoning Public Hearing October 17, 2019	Recommend Adoption of the FLUM Amendment (6-1) Recommend Approval of the Rezoning (7-1)	
✓ BCC Adoption BCC Rezoning December 3, 2019	Continue (6-0)	
BCC Adoption BCC Rezoning	February 11, 2020	

**AERIAL**





FUTURE LAND USE - CURRENT		
	<p><b>Current Future Land Use Designation:</b>                  Parks and Recreation/Open Space (PR/OS)</p> <p><b>Special Designation:</b>                  Wedgfield Rural Settlement (RS)</p>	
FUTURE LAND USE - AS PROPOSED		
	<p><b>Proposed Future Land Use Designation:</b>                  Commercial (Rural Settlement) C (RS)</p>	

ZONING - CURRENT	
	<p><b>Current Zoning District:</b>                  A-2 (Farmland Rural District)</p> <p><b>Existing Uses</b>                  N: Single Family Residences                  S: Single Family Residences and Golf Course                  E: Townhomes and Golf Course                  W: Single-Family Residences and Golf Course</p>
ZONING - AS PROPOSED	
	<p><b>Proposed Zoning District:</b>                  C-1 (Retail Commercial District)</p>

## Staff Recommendation

1. Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Objective FLU6.2 and Policies FLU6.2.1, FLU6.2.9, FLU6.2.10, FLU8.2.1, and FLU8.2.11), determine that the amendment is in compliance, and recommend **Adoption** of Amendment 2019-2-S-5-2, Parks and Recreation/Open Space (PR/OS) to Commercial (C) (Rural Settlement) (RS).
2. **REZONING:** Make a finding of **consistency** with the Comprehensive Plan and recommend **APPROVAL** of Rezoning Case RZ-19-10-030, A-2 (Farmland Rural District) to C-1 (Retail Commercial District), subject to the following five (5) restrictions:

### Restrictions:

1. Billboards and pole signs shall be prohibited;
2. The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping) prior to the expansion of any existing structures or new site improvements to accommodate C-1 uses; and
3. Permitted uses shall be limited to a maximum of twelve (12) short-term rental units and the existing golf course and associated restaurant and banquet facilities; and
4. Short-term rental length of stay shall not exceed one hundred seventy-nine (179) consecutive days; and
5. The Floor Area Ratio (FAR) shall be limited to a maximum of 0.15.

## Analysis

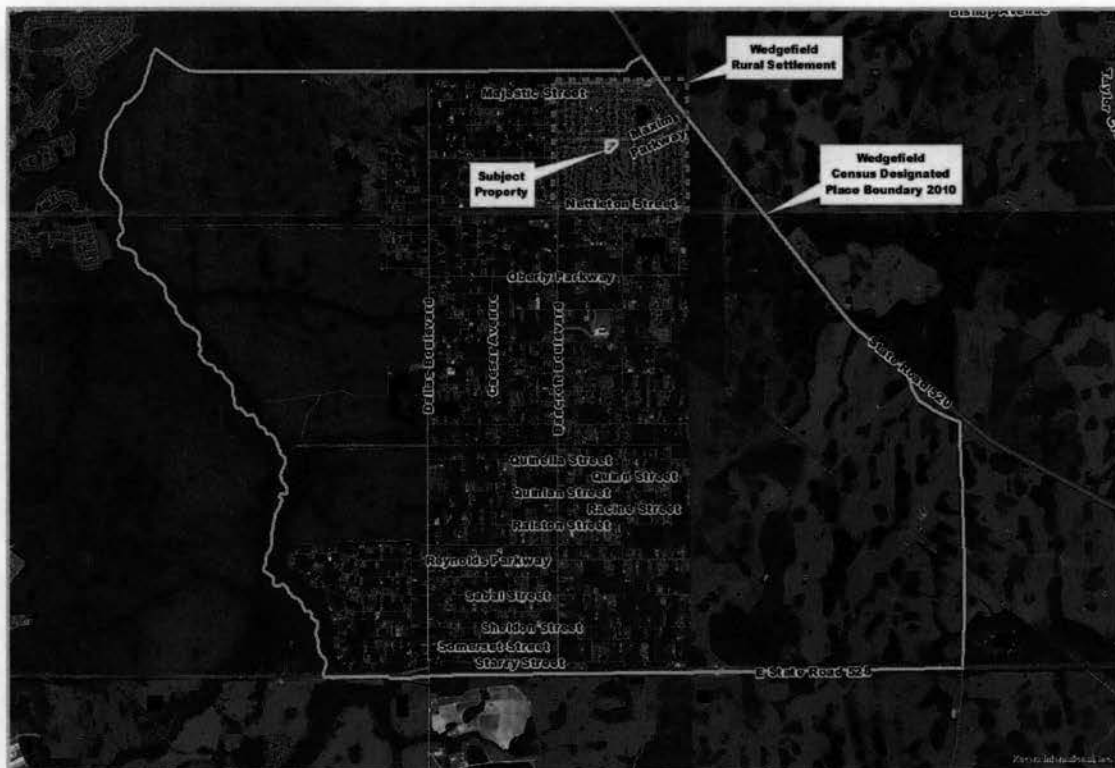
### 1. Background Development Program

The applicant, Craig Cooke, Wedgefield Golf and Restaurant LLC, has requested to change the Future Land Use Map (FLUM) designation on the 3.35 acre site from Parks and Recreation/Open Space (PR/OS) to Commercial (C) (Rural Settlement) (RS). The site is currently zoned A-2 (Farmland Rural District). A rezoning application, RZ-19-10-030, from A-2 (Farmland Rural District) to C-1 (Retail Commercial District) is being considered concurrently with the Future Land Use Map Amendment. The Wedgefield Golf Course includes two parcels. The subject property, Parcel ID 01-23-32-7602-00-011, is the subject of the plan amendment and is the site of the golf clubhouse which includes a pro shop, restaurant and banquet facilities, a separate warehouse that is used as the golf cart barn associated with the golf course parcel and parking. Parcel 01-23-32-7602-00-010, which includes the golf course, was initially included in the application, but has since been removed from the request.

The applicant is proposing to redevelop the site to add 12 short term rental units. The Commercial (C) (Rural Settlement) (RS) designation allows a floor area ratio (FAR) of up to 0.15, or up to 21,830 square feet of neighborhood-serving commercial development compatible with the community in which it is located. The C-1 (Retail Commercial District) zoning district permits office uses, hotels and motels (including short-term rentals), and the retailing of commodities and personal services with no outdoor storage or the display of materials and goods.

The subject property is located at 20550 Maxim Parkway, at the intersection of Maxim Parkway and Ardon Avenue, and is generally located north of Nettleton Street, east of Bancroft Boulevard, west of SR 520, and south of Maxim Parkway.

The site is located in the Wedgefield Rural Settlement. Rural Settlements were intended to recognize and preserve existing development patterns at the time the Comprehensive Plan was adopted in 1991. The creation of Rural Settlements recognized the need to maintain agricultural areas and rural uses in the Rural Service Area, while providing for rural communities. The subject property and the Wedgefield Rural Settlement are shown below, illustrating their location within the larger Wedgefield Census Designated Place (CDP).



The Wedgefield golf course has been an integral part of the Wedgefield Rural Settlement community since its establishment. Allowing the short-term rental accommodations will support continuing the golf course and serve the Wedgefield community. The tracts for the golf course were included in the Rocket City Unit 4 plat recorded in August 1963, now known as Cape Orlando Estates Unit 4. The 1971 aerials show the initial construction of the golf course parcel, and it appears the property has been continually used as a golf course and country club. The golf course has since transferred ownership seven times (1989, 1994, 1995, 2000, 2001, 2004 and 2016) since the area was initially platted. The current owners purchased the golf course in 2016.

The applicant stated in his application and at the community meeting that the golf course business is worsening. Membership has declined and fewer people are playing golf. The applicant is finding it necessary to apply for additional development to generate other income for the golf course assets. Primarily, the events business at the clubhouse is limited by the lack of short-term rental accommodations. The closest available short-term accommodations are at the Orlando International Airport or in Avalon Park. The applicant has stated his commitment that he has no intention of closing

the golf course. The business needs to find other revenue to continue the upgrades to the facility and justify the asset value going forward with the change in land use.

As previously mentioned, the Commercial (C) (Rural Settlement) (RS) designation allows a floor area ratio (FAR) of up to 0.15 or up to 21,830 square feet of neighborhood-serving commercial development. The subject parcel includes two buildings built in 1990, including the clubhouse, with a floor area of 8,383 square feet, and the golf cart vehicle storage building, with a floor area of 5,400 square feet. If the plan amendment and rezoning is approved, an additional 8,047 square feet of building could be added to accommodate the 12 short-term rental units.

The Wedgefield Rural Settlement is characterized as a golf course residential community featuring single-family detached homes and townhomes, with vested commercial uses along the SR 520 corridor. Uses abutting the site to the north and west are predominately single-family residential homes. To the east of the subject parcel are townhomes and south and east of the townhomes is the golf course. The golf course also continues west beyond the single family residential.

### ***Community Meeting***

A community meeting was held on September 30, 2019 with about 80 residents in attendance. Many in attendance support the golf course and the improvements made to the landscaping of the course since Mr. Cooke acquired the facility in 2016. Others raised concerns that the clubhouse has not yet been renovated. Some asked why the need for the land use change. Mr. Cooke explained that the additional revenue and income from the short-term rentals would help make improvements to the clubhouse feasible. Most in attendance agreed that they do not want more townhomes. As explained during the meeting, the initial application included three proposed residential lots for a portion of the golf course parcel. The applicant also considered adding townhomes on the clubhouse parcel. After discussion with District 5 Commissioner Emily Bonilla's Office and Planning Division Staff, the applicant refined his application to limit the request to 12 short-term rentals. Most at the meeting were in support, and several residents mentioned they initially were opposed and during the meeting had changed their view and now supported the proposal. It was also mentioned that the restaurant had been closed for many years and Mr. Cooke has since reopened the clubhouse and has been known to offer events such as golfing tournaments and bingo nights to attract more members and visitors. Some asked what would stop the applicant from asking for more development. Staff explained that the applicant would need to seek another Future Land Use map change and rezoning, and that he would need to go through the plan amendment and rezoning processes again, including having additional community meetings and public hearings.

At the December 3, 2019, BCC public hearing, a petition with 420 names opposing the comprehensive plan amendment and rezoning was presented to the BCC. During the BCC discussion, the Mayor recommended that the item be continued to allow for more community discussion. The BCC voted 6-0 to continue the adoption public hearing to February 11, 2020, to allow for another Community Meeting.

The mail distribution area for the notice of this second community meeting was expanded from 542 notices to 1,556 notices to include all property owners within the entire Wedgefield Rural Settlement (see notification map). While the expanded notice area did not include the entire Wedgefield Census Designated Place that consists of 23.5 square mile area and a 2010 Census population of 6,705 persons, the notice area was substantially expanded to include those residents most affected by the request to amend the future land use located within the Wedgefield Rural Settlement. The

Community Meeting and Public Hearing notice included an opportunity for residents to provide written comments and indicate whether they support or oppose the plan amendment and rezoning. As of the date of this report, the Planning Division has received 72 comments in support, and 19 comments in opposition.

The second Community Meeting was held on January 21, 2020, with about 65 residents in attendance. Of the 14 residents that spoke during the meeting, 8 were in support, 4 were opposed and 2 asked for additional information or wanted further restrictions. Mr. Cooke stressed that golf continues to struggle, membership is declining and the income stream does not justify the expenses. An option for more revenue and income is to have a place to stay at the golf course and within the community. He presented a conceptual plan that showed the removal of the golf cart barn and replacement with a building of 12 short-term rental units with separate access and parking within a walled and gated area. The building would be plantation style within a rural setting with 6 units on the bottom floor and 6 units on the upper floor.

Those in support commented on Craig Cooke's efforts to improve the golf course. Many residents mentioned that Mr. Cooke is an active manager, often seen working on the course. Comments in support included statistics presented by a resident who previously lived on a golf course in the Ft. Myers area. The community in Ft. Myers did not support the golf course request to derive additional income from a few condominiums and eventually the course closed and years later the entire course was replaced with condominium development. She cited statistics including: 50 percent of golf facilities are tied to real estate communities in the State of Florida (National Golf Foundation); according to ESPN over 800 golf courses in the US in the last 10 years have gone defunct; values of the properties in these golf course communities that have closed have depreciated by 25 to 50 percent (Wall Street Journal). She stated that a golf course needs community support to thrive and that last year alone, 205 golf courses closed. When residents oppose the golf courses' ability to derive an income the likelihood of it closing increases. The resident who lives next door to the golf cart barn has seen major improvements in the course and is supportive of the request. Others thought that adding a few rental units was a great alternative and would be great for the community. It would encourage investments in the golf course.

Some asked for more information about whether there is sufficient parking and where the golf barn would move to. Mr. Cooke stated that there is sufficient parking now, but if needed the parking can be expanded toward Maxim Parkway. He intends to reduce the number of golf carts, and move the remainder to the maintenance facility for daily storage. Others expressed concern that Mr. Cooke would sell to a developer, questioned whether people would really come from out of town to stay at Wedgefield, and were concerned with the type of clientele the short-term rentals would bring. They wanted assurances that the income from the rental units would make the golf course profitable to keep it open. Others wanted additional restrictions. They were concerned with the precedent that approval of commercial would set for others to qualify for other changes to commercial land uses in the residential part of the Rural Settlement, and inquired whether there would be a requirement for dark sky lighting. Another expressed concern that the restaurant had made changes: it's reduced its hours of operation, breakfast is no longer served, chef was removed and a general lack of investment in the buildings. Mr. Cooke mentioned that the additional income would allow him to make the necessary investments in other projects.

## 2. Project Analysis

### *Consistency*

The requested FLUM Amendment appears to be consistent with the applicable goals, objectives, and policies of the Comprehensive Plan.

Orange County adopted the Growth Management Policy in May 20, 1980. The Policy created a Development Framework that was divided into three major sections: Countywide, Urban Service Area, and Rural Service Area. Each of the areas was divided into categories related to development pattern, provision of services, and development regulations. The Rural Service Area was the land outside of the Urban Service Area and not designated as Conservation areas that generally contains agricultural and rural residential developments that do not require urban levels of service. Rural Settlements were defined as those existing communities within the Rural Service Area which had become a focal point of rural activity. It was noted that these areas may contain neighborhood convenience commercial development, provided that it is consistent with the rural character of these areas.

The Growth Management Policy and maps were adopted as part of the Comprehensive Plan in 1990. The Future Land Use Map that was part of the 1980 Growth Management Plan was also adopted as the 1990 Future Land Use Map. The Policy understood that these areas to be designated as Rural Settlements existed prior to the creation of the Rural Service Area and that these places needed special recognition and policies to continue as they were originally developed.

The Comprehensive Plan recognized the Rural Service Area as largely being reserved for rural uses. It recognized those Rural Settlements identified in the 1985 Policy. The 1990 Plan allowed for neighborhood commercial land uses to be permitted in the Rural Settlements, but only at the neighborhood serving level and included criteria:

These uses shall be located to serve the residents of the rural area and not primarily to attract "pass-by" trips; and,

These uses shall contain retail and personal services intended to serve the immediate population. (1990 Comprehensive Plan Future Land Use Element Policy 2.1.16.)

The 1990 Plan defined neighborhood commercial as commercial activity intended to serve the needs of nearby residents, employees, visitors, and businesses (within two to three miles), with a usual minimum site area of 3 acres, with a minimum support population of 2,500 – 30,000 people.

The 2010-2030 Comprehensive Plan continues to recognize Rural Settlements as those areas designated on the Future Land Use Map to meet the desire for a rural lifestyle. Future Land Use Element Objective OBJ FLU6.2 recognizes Rural Settlements as places providing a rural residential lifestyle, intended to recognize and preserve existing development patterns at the time the Comprehensive Plan was adopted in 1991. This objective recognizes 22 Rural Settlements, with five recognized for their historic character.

**Future Land Use Element Policy FLU6.2.9 and Policy FLU6.2.10** contain criteria specific to neighborhood commercial and office uses in Rural Settlements. These policies include the following (staff responses are in italics):

- Allow neighborhood commercial and office uses in Rural Settlements in areas designated for such on the Future Land Use Map

*The applicant requests an amendment to the Future Land Use Map from Parks and Recreation/Open Space (PR/OS) to Commercial (C) (Rural Settlement) (RS) to recognize the existing clubhouse/ restaurant use on site and to allow 12 short-term rental accommodations on the clubhouse property. The golf course parcel will retain its FLUM designation of Parks and Recreation/Open Space (PR/OS) and has been removed from the requested FLUM Amendment.*

- Only those commercial and office uses what will support existing residential uses shall be permitted in Rural Settlements  
*The applicant has indicated that the clubhouse and restaurant are sometimes used as banquet facilities, and he often receives requests for lodging from visitors, including friends and relatives visiting the community, and from those using the banquet facilities. The applicant also noted at the community meeting that the short-term rental accommodations could provide lodging for the nearby 600-acre John Deere training facility located immediately south of SR 528, adjacent to the larger Wedgefield community. John Deere leases the facility from the Deseret Ranch, which owns and works more than 100,000 acres in the area.*
- The scale and intensity of commercial and office uses must be compatible with the development pattern of the existing Rural Settlement  
*Up to 21,830 square feet of commercial development could be allowed on the petitioned site. The rezoning would limit the uses to the existing clubhouse, the restaurant, and the proposed 12 short-term rental units.*
- Corner stores, professional services that utilize existing structures, small-scale personal services permitted within agricultural zoning are the type of non-residential uses consistent with Rural Settlements.  
*The applicant is proposing to repurpose the existing golf cart barn and may construct an additional 8,047 square feet addition to accommodate the 12 short-term rental accommodations, not to exceed the FAR of up to 0.15.*
- Limited C-1 zoning uses and FARs up to 0.15 shall be considered suitable for Rural Settlements that have maintained their historic character  
*The buildings are limited to a FAR of up to 0.15, or up to 21,830 square feet.*

The proposed FLUM Amendment to change the site from Parks and Recreation/Open Space (PR/OS) to Commercial (C) (Rural Settlement) (RS) would bring the commercial designation into conformance with the site's existing land uses of clubhouse, restaurant and golf cart storage and would permit the proposed 12 short-term rental accommodations to support the continuation of the golf course.

### **Compatibility**

According to **Policy FLU8.2.1**, land use changes shall be compatible with existing development and the development trend in the area. The subject site is located in an area characterized by a residential golf course community and retail commercial businesses. **Policy FLU8.2.11** states compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it and other factors may be considered, such as design attributes, urban form, physical integration, and the project's function in the broader community.

In the case of the Wedgefield Rural Settlement, the golf course and clubhouse/restaurant have been an integral part of the community since their establishment. Allowing the short-term rental



accommodations will help provide for the continuation of the golf course and serve the Wedgefield community.

### 3. Public Facilities and Services Analysis

#### *Environmental Protection Division*

The following comments apply to redevelopment in the golf course area only. Since the initial review by EPD, the applicant has withdrawn the request to redevelop a portion of the golf course area and only intends to focus on the clubhouse/restaurant and cart barn parcel to add up to 12 short-term rental units.

The application for a Comprehensive Plan amendment and/or lot split will require the completion of a Conservation Area Determination (CAD) with a certified wetland boundary survey approved by the Environmental Protection Division (EPD), in accordance with Orange County Code Chapter 15, Article X, Wetland Conservation Areas. If a prior determination exists, or if historical documents are located, then submit a copy with the application. Approval of this request does not authorize any direct or indirect conservation area impacts.

Until wetland permitting is complete, the net developable area is uncertain. The net developable area is defined as the gross area less the wetlands and surface waters. Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Impact (CAI) permit in addition to an approved Conservation Area Determination (CAD) from the Orange County EPD. Reference Comprehensive Plan Policy FLU1.1.2 C. Impacts to Class I conservation areas require approval from the Board of County Commissioners.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled (endangered, threatened, or species of special concern.) The applicant is responsible for determining the presence of listed species and obtaining any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

This site is located within the geographical limits of the Econlockhatchee River Protection Ordinance. Basin-wide regulations may apply. Reference Orange County Code Chapter 15, Article XI, Section 15-442. The basin-wide regulations include, but are not limited to, wetlands and protective buffers, wildlife habitat, stormwater, and landscaping with native plant species. The applicant may submit a request in writing to the Orange County EPD for a determination of applicability of these regulations, per Section 15-440.

This site has a prior land use as a golf course which may have resulted in soil and/or groundwater contamination due to spillage of petroleum products, fertilizers, pesticides or herbicides. If an environmental site assessment (ESA) has been completed for this property, please submit a copy with the application.

No activity will be permitted on the site that may disturb, influence, or interfere with areas of soil or groundwater contamination, any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through Florida Department of

Environmental Protection (FDEP) and such approval has been provided to the Orange County EPD. 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 of Section 376.308, F.S.

**Transportation Planning Division**

PROJECT SPECIFICS – Wedgefield Rural Settlement	
Parcel ID:	32-23-01-7602-00-011 - Club House parcel
Location:	20550 Maxim Parkway; Generally located north of Nettleton St., east of Bancroft Boulevard., west of SR 520, and south of Maxim Pkwy.
Acreage Gross:	3.35 acres - Commercial
Request FLUM:	From: Parks and Recreation/Open Space (PR-OS) To: Commercial (C) (Rural Settlement)
Request Zoning:	From: A-2 To: C-1
Existing Development Yield:	Club House/Warehouse (*8,383 SF commercial for existing Club House/OCPA website)- Not removing CH
Development Permitted Under Current FLUM:	13,783 s.f. commercial (existing)
Proposed Density/Intensity:	13,783 s.f. commercial (existing) + 12 DU Short term rentals

**Trip Generation (ITE 10<sup>th</sup> Edition)**

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Maximum use of current FLUM: 13,783 SF commercial	125	56%	70

Existing Use: Club House/Warehouse and a portion of the existing Golf Course (\*8,383 SF commercial for existing Club House/OCPA website)- Not removing Club House

Proposed Use: 13,783 SF commercial (existing) + 12 DU Short term rentals      9      100%      79

Net New Trips (Proposed Development less Allowable Development): 79 – 70 = 9

**Future Roadway Network**

Road Agreements:      None

Planned and Programmed Roadway Improvements: None

Right of Way Requirements:      None

**Summary**

The applicant is requesting a land use change and rezoning change for 3.35 acres of Commercial from Parks and Recreation/Open Space (PR-OS) to Commercial (Rural Settlement) and rezone from A-2 to C-1 to add 12 short term rentals to the Club House parcel.

The subject property is not located within the County’s Alternative Mobility Area or along a backlogged/constrained facility.

- The allowable development based on the approved future land use will generate 70 pm peak hour trips.
- The proposed use will generate 9 pm peak hour trips resulting in a net increase of 9 pm peak hour trips.
- Analysis shows that all roadway segments within the 2.5-mile study radius are expected to continue to operate within their adopted capacity. This development meets transportation concurrency.
- Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county’s Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies.

**Public Schools**

Orange County Public Schools (OCPS) has determined (application OC-19-051, 12/3/19) that school capacity is available for this project.

**Utilities**

Potable water and wastewater services are provided by Pluris Wedgefield, LLC. Reclaimed water is not currently available. Pluris provides water and wastewater utility and wholesale water delivery to 50,000 people in several southeastern states. Pluris owns and operates water and wastewater utilities in Wedgefield that are regulated by the Florida Public Service Commission.

**Sheriff's Office**

Sheriff's Office Patrol Sector Two. Sector Two is located in the eastern portion of Orange County and is approximately 400.285 square miles, the County's largest sector geographically. In 2018, Sector Two had 275,778 calls for service and the average response times to these calls were: 00:17:30 minutes for Code 1; 00:29:34 minutes for Code 2; and 00:06:30 minutes for Code 3. Additional personnel may be needed to provide the standard level of service to the small-scale developments in this cycle.

**4. Rezoning Analysis**

**SITE DATA**

<b>Adjacent Zoning</b>	N:	R-1A (Single-Family Dwelling District) (1963) <i>(Across Maxim Parkway)</i>
	E:	R-3 (Multiple-Family Dwelling District) (1972) A-2 (Farmland Rural District) (1957)
	W:	R-3 (Single-Family Dwelling District) (1972) <i>(Across Ardon Avenue)</i> R-1A (Single-Family Dwelling District) (1963) <i>(Across Ardon Avenue)</i>
	S:	A-2 (Farmland Rural District) (1957)
<b>Adjacent Land Uses</b>	N:	Single-Family Residential
	E:	Single-Family Residential / Golf Course
	W:	Single-Family Residential
	S:	Golf Course/ Single Family

**APPLICABLE C-1 (Retail Commercial District) DEVELOPMENT STANDARDS**

Minimum Lot Area:	6,000 sq. ft.
Minimum Lot Width:	80 ft. (on major streets, see Article XV)
	60 ft. (on all other streets)
	100 ft. (for corner lots on major streets)
Maximum Building Height:	50 ft. (35 ft. within 100 ft. of all residential districts)
Minimum Floor Area:	500 sq. ft.

**Minimum Building Setbacks**

Front:	25 feet
Rear:	20 feet (20 ft. when abutting residential)
Side:	0 feet (15 ft. when abutting any residential district)
Side (Street):	15 feet

**PERMITTED USES**

The intent and purpose of the C-1 (Retail Commercial District) are as follows: This district is composed of lands and structures used primarily for the furnishing of selected commodities and services at retail. This district is encouraged:

- (1) At intersections of collectors and/or arterials;
- (2) Where it will not direct commercial traffic through residential districts;
- (3) Where adequate public facilities and services are available, as defined in the comprehensive policy plan;
- (4) Where compatible with adjacent areas or where buffers can be provided to ensure compatibility; and
- (5) To a limited extent in Rural Settlements throughout the County to meet the needs of an identified community, or in growth centers as defined in the comprehensive policy plan.

Specific uses shall be identified by the letter "P" in the use table set forth in Section 38-77 of the Orange County Code.

**SPECIAL INFORMATION**

**Rural Settlement**

The subject property is located within the Wedgefield Rural Settlement.

**Joint Planning Area (JPA)**

The subject property is not located within a JPA.

**Overlay District Ordinance**

The subject property is not located within an overlay district.

**Airport Noise Zone**

The subject property is not located within an Airport Noise Zone.

**Water / Wastewater / Reclaim**

Existing service or provider

**Water:** Pluris Wedgefield

**Wastewater:** Pluris Wedgefield

**Reclaimed:** Not currently available

**Schools**

Orange County Public Schools (OCPS) has determined (application OC-19-051, 12/3/19) that school capacity is available for this project.

**Parks and Recreation**

Orange County Parks and Recreation has reviewed the request and did not comment on this case.

**Code Enforcement**

No Code Enforcement, Special Magistrate or lot cleaning issues on the subject property have been identified.

**Specific Project Expenditure Report and Relationship Disclosure Forms**

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

**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.

**5. Policy References**

**OBJ FLU6.2 RURAL SETTLEMENTS.** Rural Settlements provide for a rural residential lifestyle. In some instances, Rural Settlements allow a transition of rural areas adjacent to the Urban Service Area while avoiding development in active agricultural areas. Rural Settlements were intended to recognize and preserve existing development patterns at the time the CP was adopted in 1991. The creation of Rural Settlements recognized the need to maintain agricultural areas and rural uses in the Rural Service Area, while providing for rural communities.

**FLU6.2.1** The following Rural Settlements shall be designated on the Future Land Use Map to meet the desire for a rural lifestyle. No new Rural Settlements or expansions to the existing Rural Settlement boundaries shall occur; however, within 18 months, Orange

County shall complete a study to determine whether the existing Rural Settlements should be expanded.

<b><i>Rural Settlements</i></b>
Bithlo
Bridle Path
Christmas
Clarcona
Corner Lake
Gotha
Lake Avalon
Lake Hart/Lake Whippoorwill
Lake Mary Jane
Lake Pickett
North Apopka/Wekiva

<b><i>Rural Settlements</i></b>
North Christmas
Otter Lake
Paradise Heights
Rainbow Ridge
Sunflower Trail/Seaward Plantation
Tangerine
Tildenville
Wedgfield
West Windermere
Zellwood
Zellwood Station

The basis of this policy is that Rural Settlements were implemented to recognize communities that existed at the time of the 1991 CPP adoption. This policy change is being implemented as part of this update's strategy to focus development within the County's USA and discourage the proliferation of extended Rural Settlement boundaries. In addition this policy will allow time for vacant and committed lands within existing Rural Settlements to develop as a means of satisfying this style of living. This policy will be monitored and evaluated as part of the 2014 EAR.

**FLU6.2.9** Neighborhood commercial and office uses shall be allowed in Rural Settlements in areas designated for such on the Future Land Use Map. Only those commercial and office uses that will support existing residential uses, i.e., neighborhood commercial, shall be permitted in Rural Settlements. The scale and intensity of commercial and office uses must be compatible with the development pattern of the existing Rural Settlement. Corner stores, professional services that utilize existing structures, small scale personal services permitted within agricultural zoning are the type of non-residential uses consistent with Rural Settlements. Limited C-1 zoning uses and FARs up to 0.15 shall be considered suitable for Rural Settlements that have maintained their historic character.

**FLU6.2.10** Neighborhood commercial uses in Rural Settlements shall be developed according to the following criteria:

- A. These uses shall be located to serve the residents of the rural area and not primarily to attract "pass-by" trips; and,
- B. These uses shall contain retail and personal services intended to serve the immediate population.

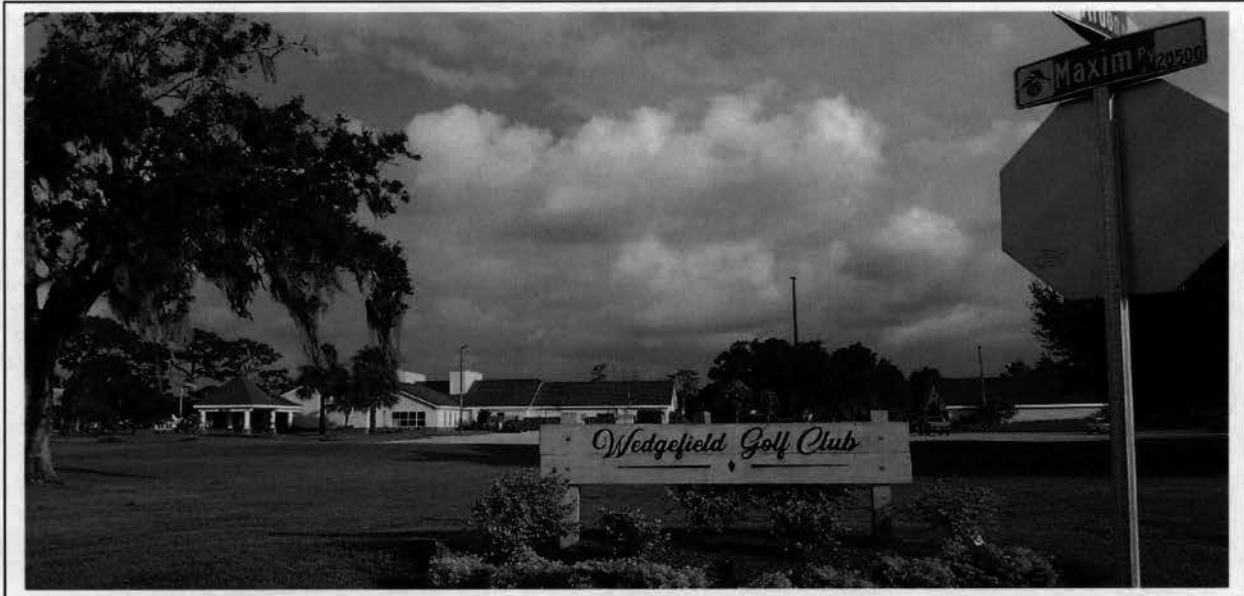
**FLU8.2.1** Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall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

**FLU8.2.11** 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 Visit Photos**

**Subject Site – Warehousing and Office**



**North – Residential**



**North - Residential**



East – Residential



East – Residential and Golf Course



South – Golf Course



South – Golf Course and Residential

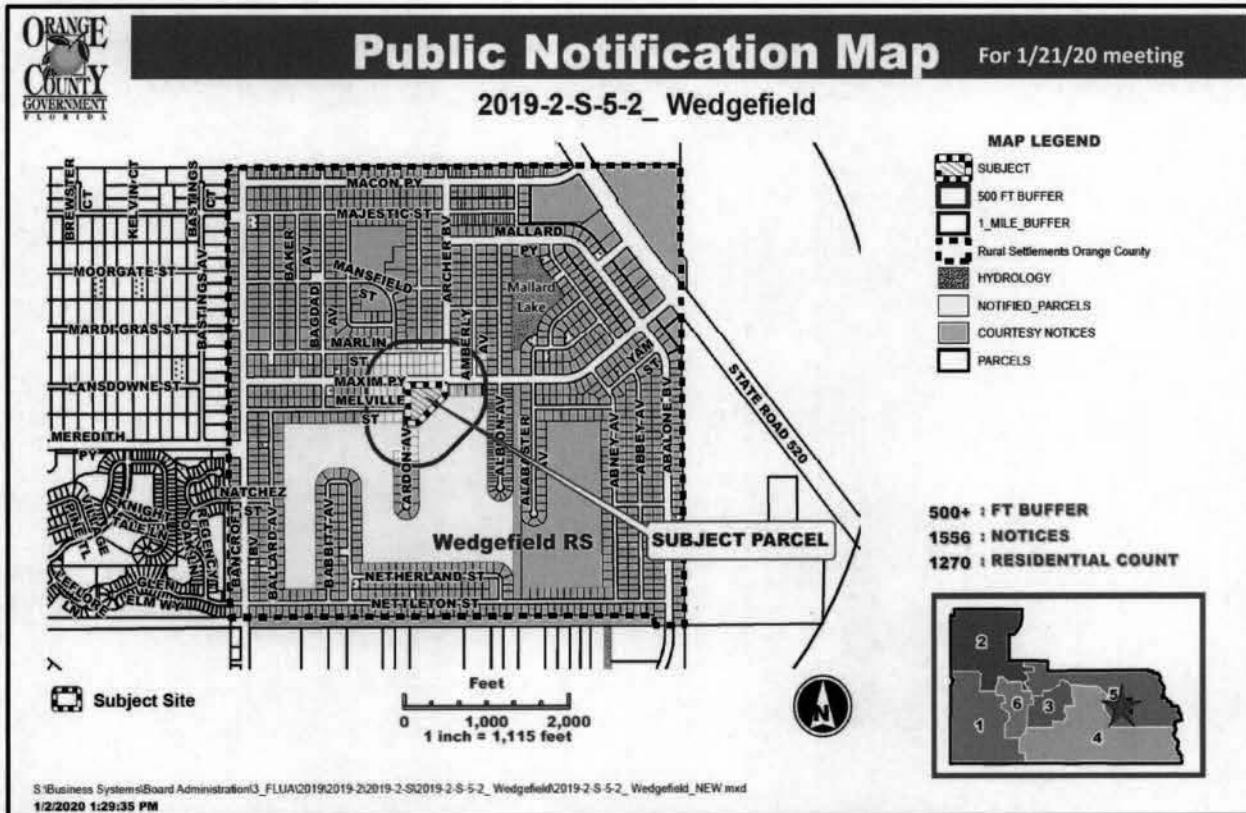


West – Residential

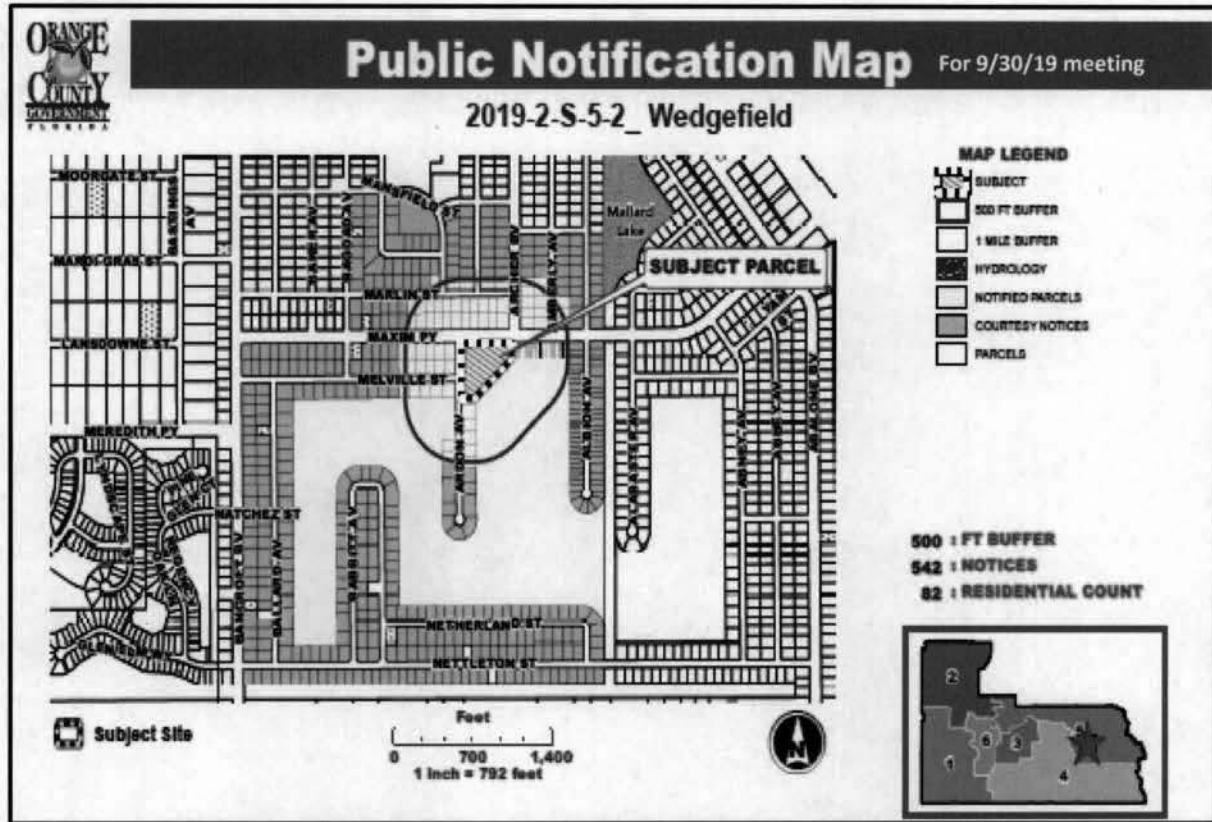


West – Residential





<b>January 21, 2020 Community Meeting Notification Area</b>
500 ft. plus homeowner associations within a one (1) mile radius of the subject site
Courtesy Notice area expanded to include the entire Wedgefield Rural Settlement
1,556 notices sent



**September 30, 2019 Community Meeting Notification Area**

500 ft. plus homeowner associations within a one (1) mile radius of the subject site

542 notices sent

ORDINANCE NO. 2020-\_\_\_\_\_

AN ORDINANCE PERTAINING TO COMPREHENSIVE  
PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING  
THE ORANGE COUNTY COMPREHENSIVE PLAN,  
COMMONLY KNOWN AS THE "2010-2030  
COMPREHENSIVE PLAN," AS AMENDED, BY ADOPTING  
SMALL SCALE DEVELOPMENT AMENDMENTS  
PURSUANT TO SECTION 163.3187, FLORIDA STATUTES;  
AND PROVIDING EFFECTIVE DATES.

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 October 17, 2019, the Orange County Local Planning Agency ("LPA") held a public hearing at which it reviewed and made recommendations regarding the adoption of the proposed amendments to the Comprehensive Plan, as described in this ordinance; and

d. On December 3, 2019, the Orange County Board of County Commissioners ("Board") opened a public hearing on the adoption of proposed Future Land Use Map Amendment 2019-2-S-5-2, as described in this ordinance, and decided to continue the hearing on the adoption to February 11, 2020; and

31 g. On February 11, 2020, the Board held a public hearing on the adoption of the  
32 proposed amendments to the Comprehensive Plan, as described in this ordinance, and decided to  
33 adopt them.

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

36 **Section 3. Amendments to Future Land Use Map.** The Comprehensive Plan is  
37 hereby amended by amending the Future Land Use Map designations as described at **Appendix**  
38 **“A,”** attached hereto and incorporated herein.

39 **Section 4. Effective Dates for Ordinance and Amendments.**

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

41 (b) Pursuant to Section 163.3187(5)(c), Florida Statutes, the small scale development  
42 amendments adopted in this ordinance may not become effective until 31 days after adoption.  
43 However, if an amendment is challenged within 30 days after adoption, the amendment that is  
44 challenged may not become effective until the Department of Economic Opportunity or the  
45 Administration Commission issues a final order determining that the adopted amendment is in  
46 compliance.

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

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ADOPTED THIS 11th DAY OF FEBRUARY, 2020.

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

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

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

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

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**APPENDIX "A"**  
**FUTURE LAND USE MAP AMENDMENTS**

<b><i>Appendix A*</i></b>		
<b><i>Privately Initiated Future Land Use Map Amendments</i></b>		
<b>Amendment Number</b>	<b>Future Land Use Map Designation FROM:</b>	<b>Future Land Use Map Designation TO:</b>
<b>2019-2-S-5-2</b>	<b>Parks and Recreation/Open Space (PR/OS)</b>	<b>Commercial (C) (Rural Settlement) (RS)</b>
<b>*The Future Land Use Map (FLUM) shall not depict the above designations until such time as they become effective.</b>		

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