




Interoffice Memorandum

DATE: September 23, 2024

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

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

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

SUBJECT: Adoption Public Hearing – October 8, 2024, Regular Cycle
Future Land Use Map Amendment and Concurrent Planned
Development Rezoning Request
Applicant: Jose Morales, Walt Disney Imagineering
2023-3-A-1-1 and LUP-23-06-183
District 1

Please find the attached staff report and associated back-up material for the 2023-3 Regular Cycle Future Land Use Map Amendment and Concurrent Rezoning request scheduled for a Board of County Commissioners (Board) adoption public hearing on October 8, 2024.

The 114.23-acre subject property is generally bounded by Hartzog Road to the north, SR 429 to the east, and Avalon Road to the west. The request is a Future Land Use Map (FLUM) Amendment to expand the Horizon West Village H Special Planning Area (SPA) boundary to add the 114.23-acre subject property to Village H—which borders the site to the north and west—and apply the Village (V) FLUM designation to this acreage and rezone the property to PD (Planned Development District) (Hartzog Road Attainable Housing Community PD/LUP). The applicant is proposing to develop up to 1,410 multi-family dwelling units. Per the applicant, 75 percent of these units will be in the range of 50-100% Area Median Income which will meet the Orange County definition of Affordable Housing, and the remainder will be leased at market rate. Also requested is one waiver from Orange County Code to use alternative parking ratios.

On August 28, 2024, the Development Review Committee (DRC) recommended approval of the PD/LUP, subject to twenty-three conditions of approval.

On September 19, 2024, the Planning and Zoning Commission (PZC) made a finding of consistency with the Comprehensive Plan (CP) and recommended adoption of the Future

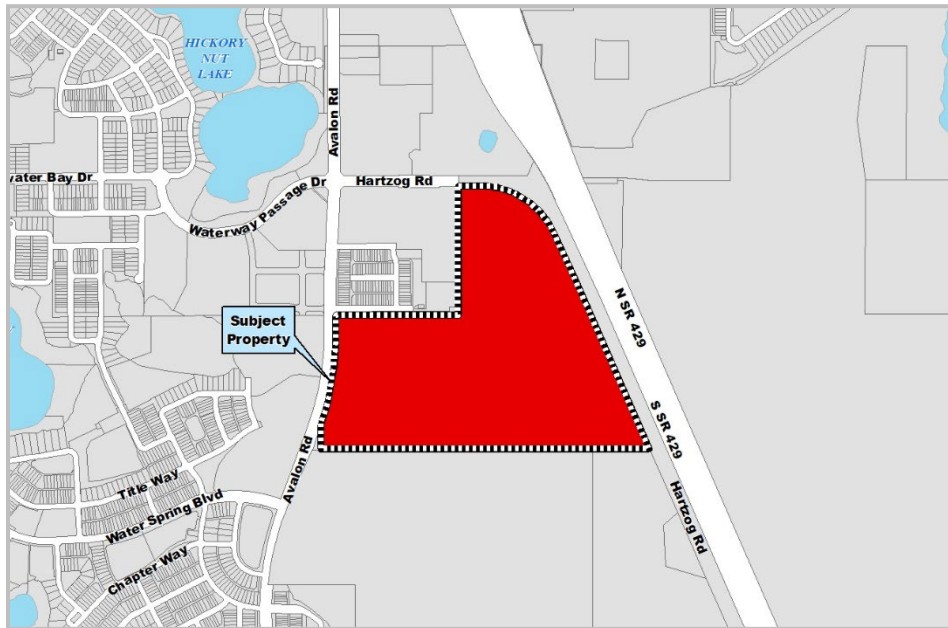
Use Map Amendment and approval of the concurrent PD rezoning by a vote of 5-1. Commissioner David Boers voted in opposition.

A community meeting was held on September 6, 2023, with approximately 70 attendees. Concerns expressed by the attendees included traffic and congestion on area roads, the lack of public transportation in the area, school overcrowding, perceived negative impact on property values, and overdevelopment of apartments in the area. There were some attendees who expressed support for the project, citing the need for affordable housing. A second community meeting with an “open house” format was held on March 18, 2024, with approximately 160 attendees. In lieu of a typical question-and-answer session, the initial presentation was followed by informal conversation between meeting attendees, County staff, and members of the project team. Representatives of various County divisions, Orange County Public Schools, and the project team were on hand at individual stations to provide information and answer attendees’ questions.

The amendment request was heard by the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) at a transmittal public hearing on February 15, 2024, and by the Board at a transmittal hearing on March 26, 2024. The amendment was reviewed by the Florida Department of Commerce (“DOC”) and other state and regional agencies. On May 9, 2024, DOC issued a comment letter, which did not contain any concerns about the amendment undergoing the State-Expedited Review process. Pursuant to 163.3184, Florida Statutes, the proposed amendments must be adopted within 180 days of receipt of the comment letter. The Regular Cycle Amendment undergoing the State-Expedited Review process will become effective 31 days after DOC notifies the County that the plan amendment package is complete. Therefore, the amendment is expected to become effective in November 2024, provided no challenges are brought forth for the amendment.

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

**ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan and ADOPT the requested Horizon West Village H Special Planning Area expansion and assignment of the Village (V) Future Land Use Map designation (2023-3-A-1-1), ADOPT the associated ordinance, and APPROVE the concurrent PD (Planned Development District) (Hartzog Road Attainable Housing Community PD/LUP) rezoning (LUP-23-06-183), subject to twenty-three conditions of approval, including one requested waiver from Orange County Code.
District 1**



Applicant/Owner:
 Jose Morales, Walt Disney Imagineering/Walt Disney Parks and Resorts U.S., Inc. and ARDC-Ocala 201, LLC

Location: Generally located south and west of Hartzog Road, west of SR 429, and east of Avalon Road

Existing Use: Former Reedy Creek Improvement District RIBS site, undeveloped land, and wetlands

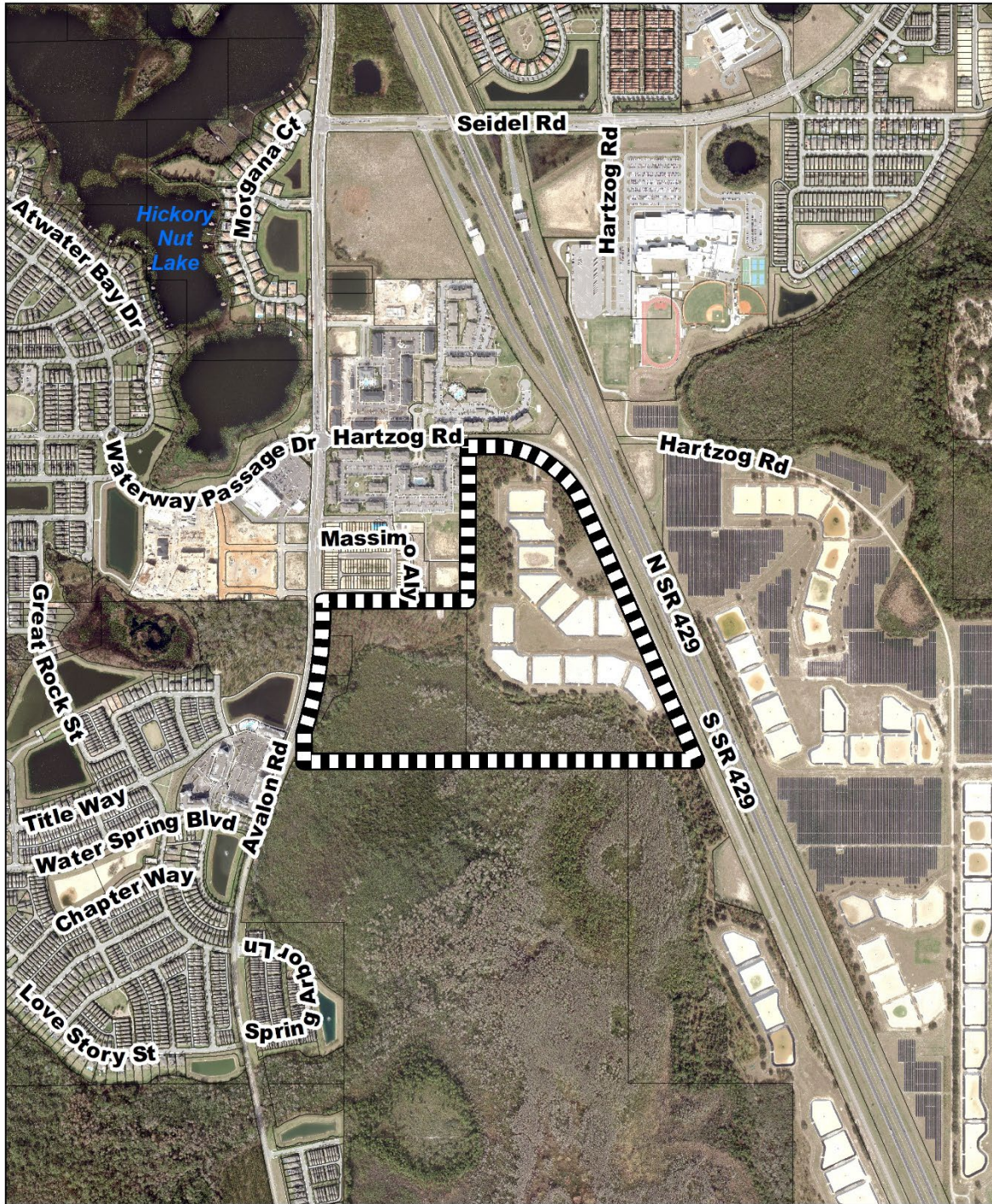
Parcel ID Numbers:
 08-24-27-0000-00-010/036/038 and 08-24-27-0000-10-000

Tract Size: 114.23 gross / 75.20 developable acres

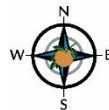
The following meetings and hearings have been held:			Project Information	
Report/Public Hearing		Outcome	Request:	
✓	A community meeting with 70 attendees was held September 6, 2023. A second meeting with 106 attendees was held March 18, 2024.	The need for affordable housing was discussed. Attendees voiced concerns about traffic, public safety, availability of supporting infrastructure, and school overcrowding.	Future Land Use Map (FLUM) Amendment to expand the Horizon West Village H Special Planning Area (SPA) boundary and apply the Village (V) FLUM designation to the subject property, previously located in the former Reedy Creek Improvement District	
✓	Staff Report	Recommend Transmittal	Proposed Development Program: Multi-family community with up to 1,410 dwelling units. Per the applicant, 75 percent of the units will meet the Orange County definition of Affordable Housing.	
✓	LPA Transmittal February 15, 2024	Recommend Transmittal (4-3)	Public Facilities and Services: Please see the Public Facilities & Services Appendix for analysis of each facility.	
✓	BCC Transmittal March 26, 2024	Transmit (4-2)	Environmental: Conservation Area Determination CAD-23-06-101, issued September 27, 2023, identified 39.04 acres of Class I wetlands within the project boundary.	
✓	State Comments May 9, 2024	Staff received no objections to the proposed amendment.	Transportation: The proposed use will result in an increase of 644 p.m. peak hour trips and, therefore, will impact area roadways.	
✓	LPA Adoption September 19, 2024	Recommend Adoption and Approval, subject to twenty-three (23) conditions (5-1)	Utilities: The Central Florida Tourism Oversight District (CFTOD) has requested that Orange County Utilities (OCU) serve this project for potable water, wastewater, and reclaimed water.	
	BCC Adoption	October 8, 2024	Schools: Formal School Capacity Determination Letter - Revised OC-23-034 was extended by Executive Order to April 6, 2026. Capacity is expected to be available at the elementary, middle, and high schools anticipated to serve the project.	
			Adequate Public Facilities: Adequate Public Facilities Agreement APF-24-08-206 will be considered with the proposed FLUM Amendment and rezoning during the BCC adoption hearing.	
			Concurrent PD/LUP Rezoning: Case LUP-23-06-183 (Hartzog Road Attainable Housing Community PD/LUP) A proposed rezoning to PD (Planned Development District) to assign the Horizon West SPA designations of Apartment District and Wetland to the subject property and establish design and development standards for the project will be considered concurrently with the requested FLUM Amendment.	

AERIAL

2023-3-A-1-1 & LUP-23-06-183

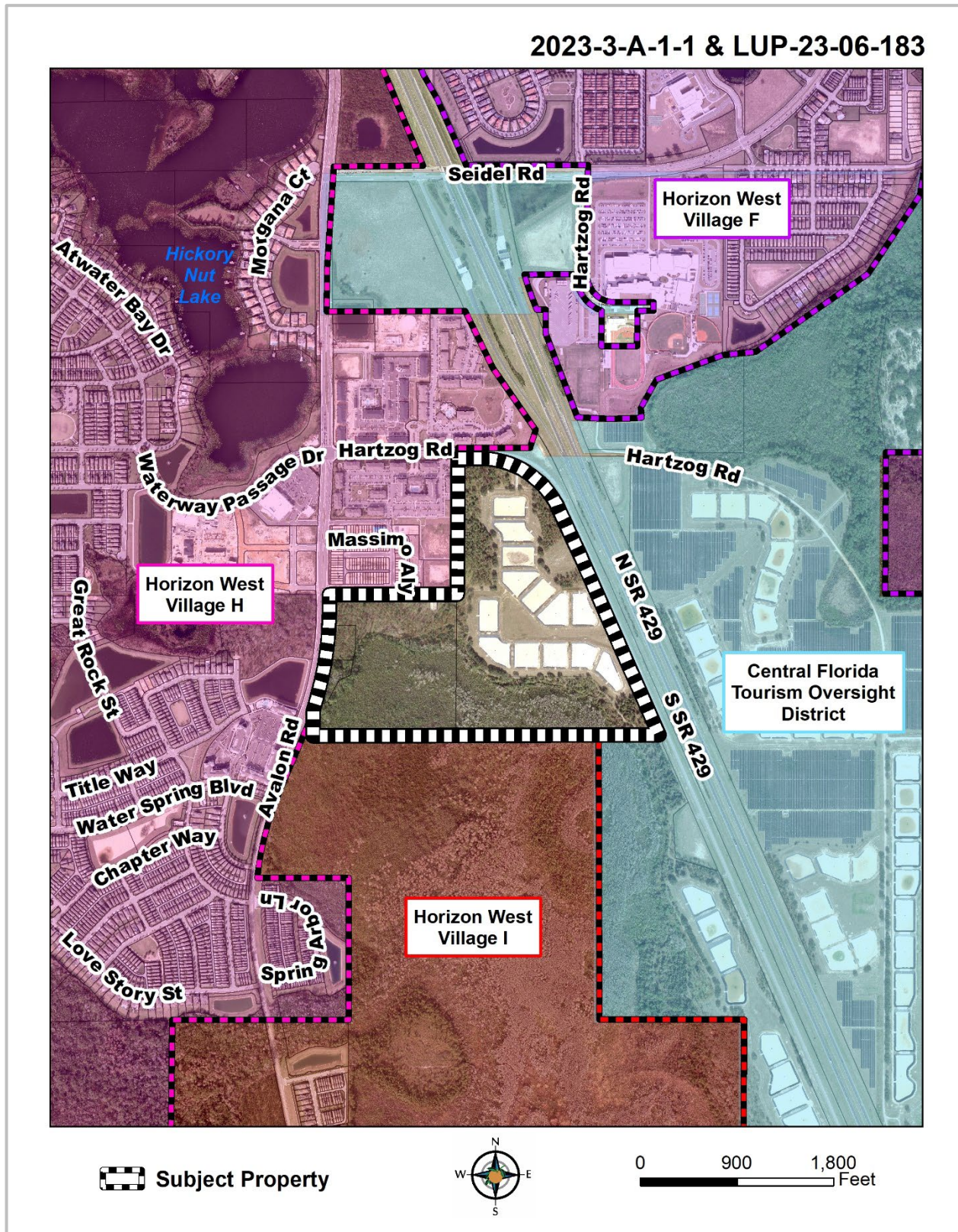


 Subject Property



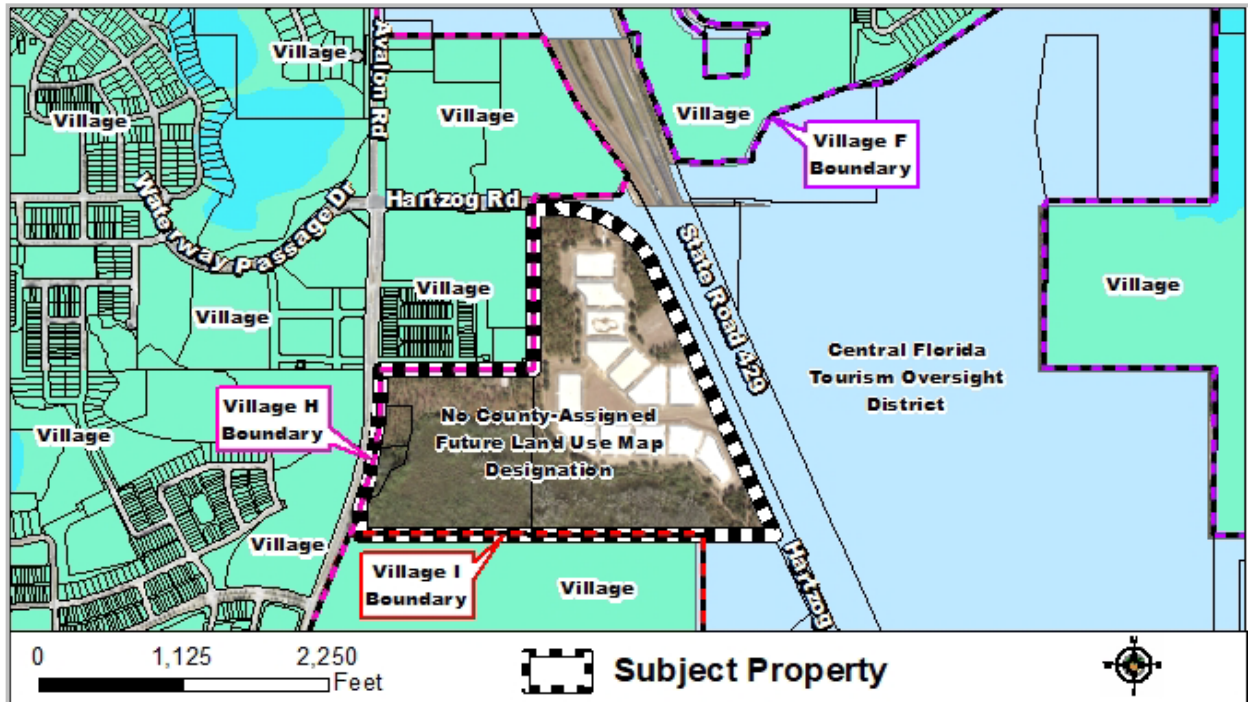
0 900 1,800
Feet

LOCATION



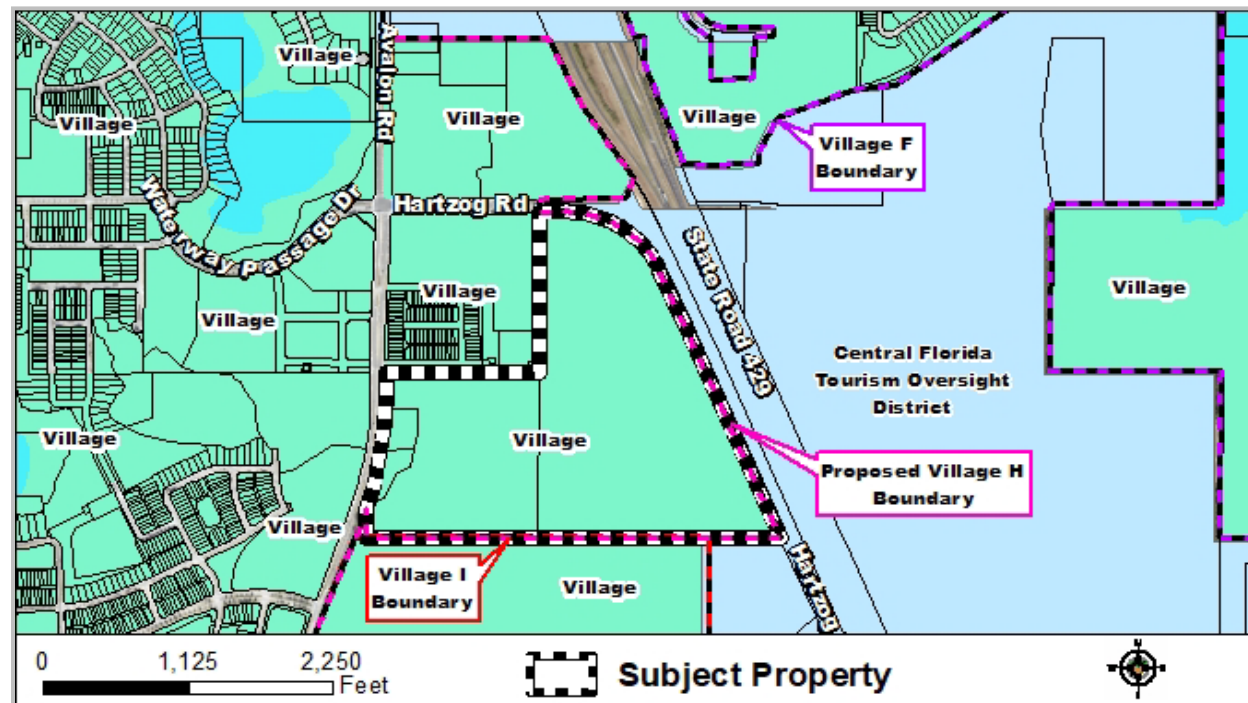
FUTURE LAND USE – CURRENT

No County-Assigned Future Land Use Map Designation (formerly within the Reedy Creek Improvement District)



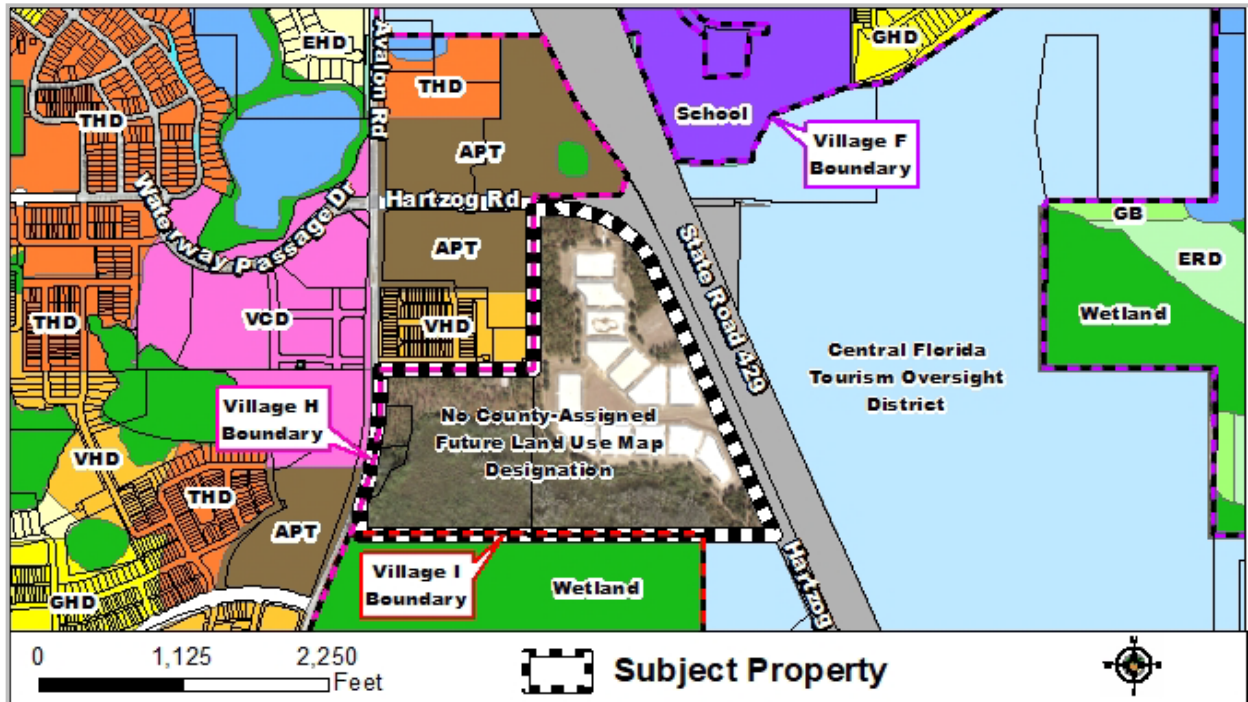
FUTURE LAND USE – PROPOSED

Village (V) – Horizon West Village H Special Planning Area



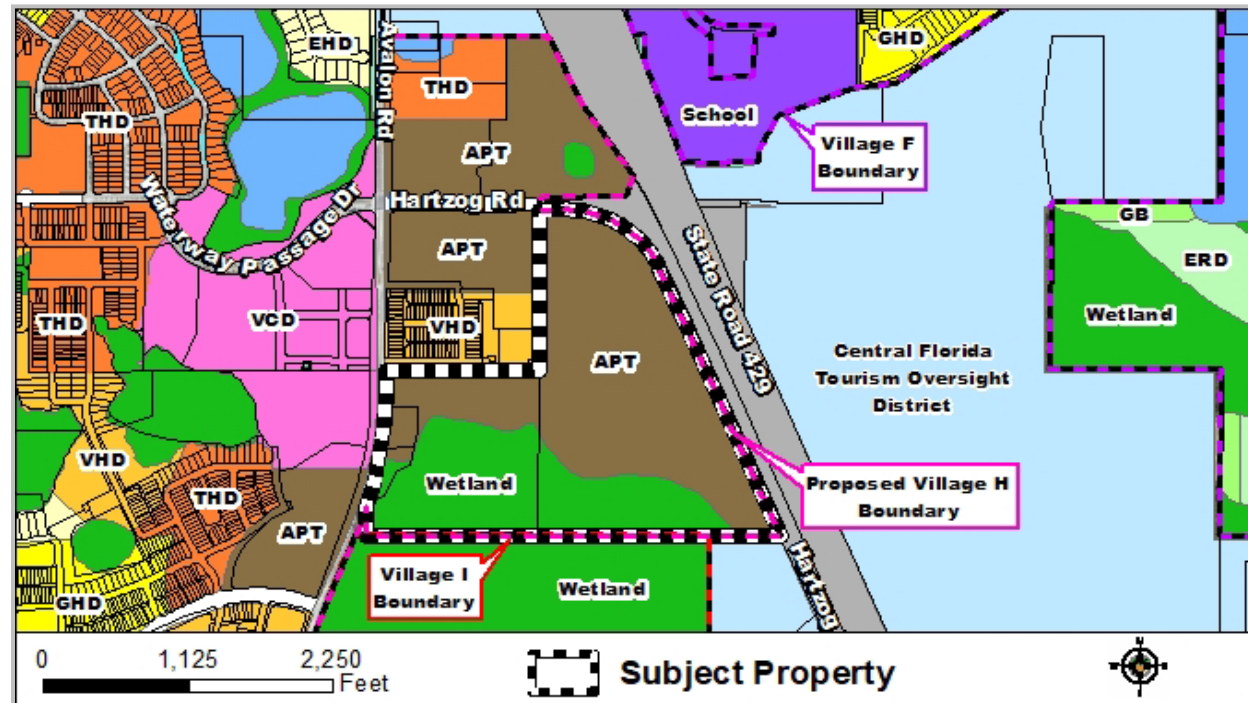
HORIZON WEST SPECIAL PLANNING AREA LAND USE – CURRENT

No County-Assigned Future Land Use Map Designation (formerly within the Reedy Creek Improvement District)



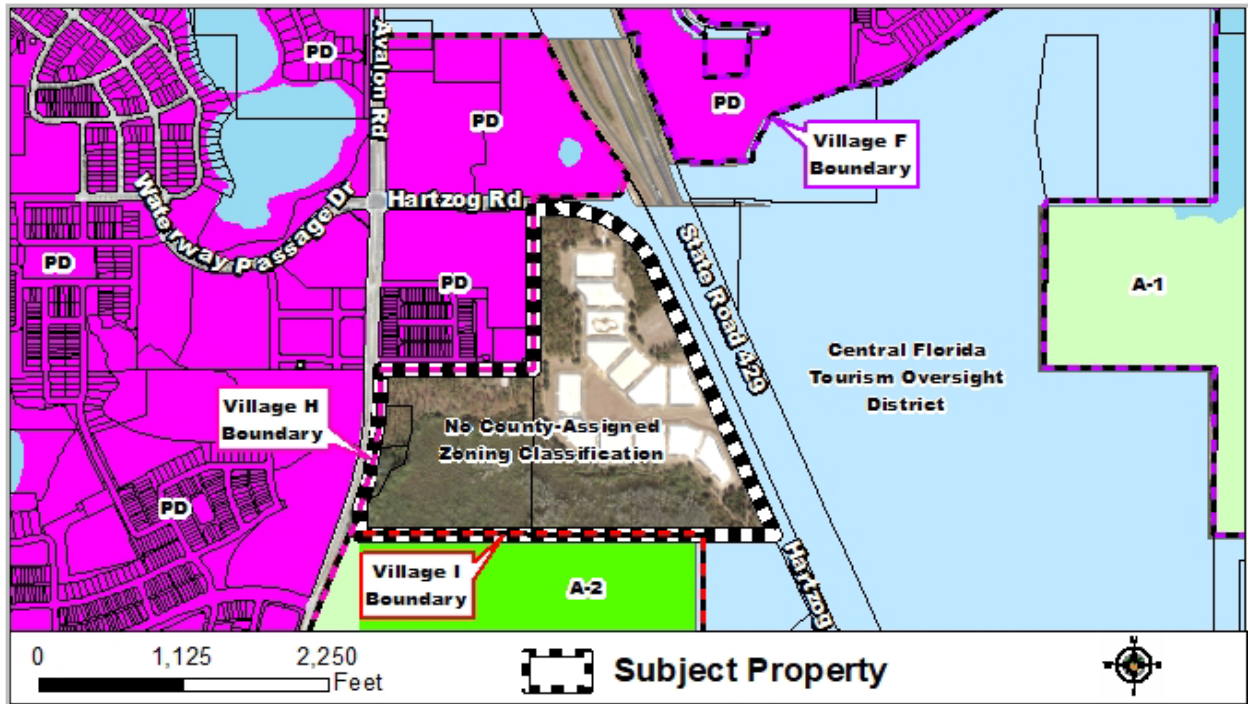
HORIZON WEST SPECIAL PLANNING AREA LAND USE – PROPOSED

Horizon West Village H Special Planning Area - Apartment District and Wetland



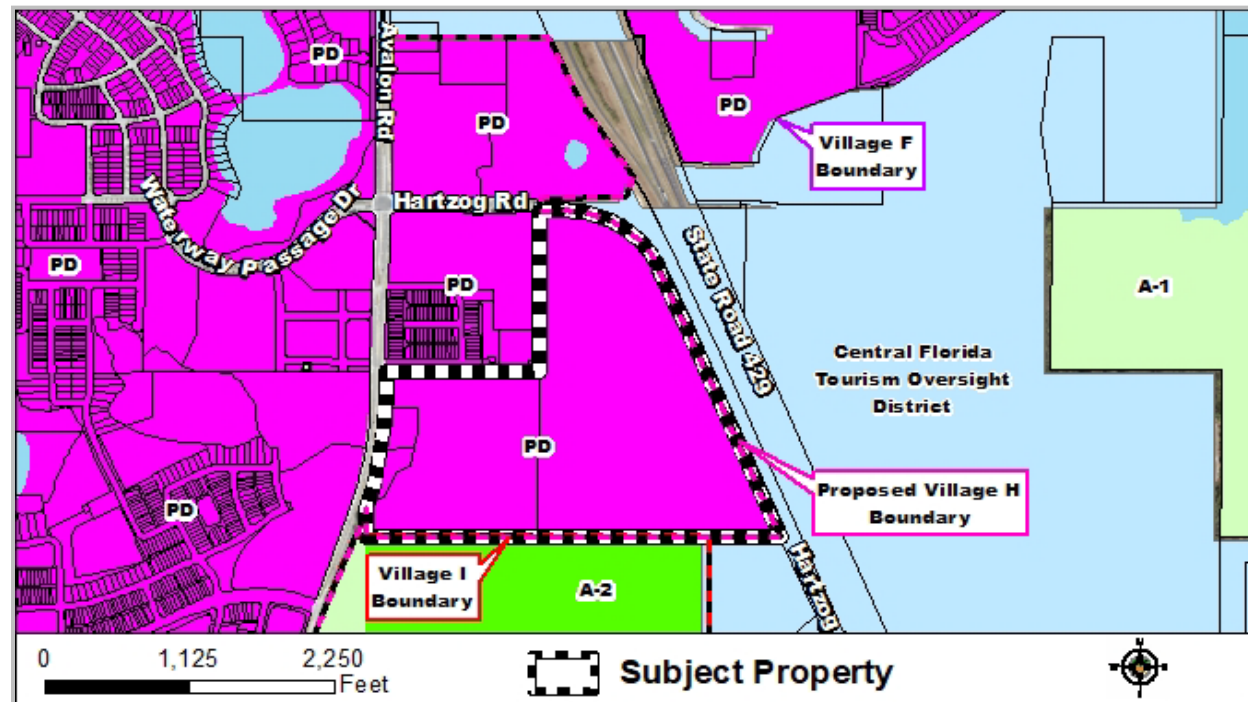
ZONING – CURRENT

No County-Assigned Zoning Classification



ZONING – PROPOSED

PD (Planned Development District) (Hartzog Road Attainable Housing Community PD/LUP)



Staff Recommendations

FUTURE LAND USE MAP AMENDMENT 2023-3-A-1-1: Make a finding of consistency with the Comprehensive Plan (See Future Land Use Element GOAL FLU4, Objectives FLU4.1 and FLU8.2, and Policies FLU1.1.1, FLU4.1.1, FLU4.6.2, FLU4.6.4, FLU4.6.5, and FLU8.2.1; Housing Element GOAL H1, Objective H1.1, and Policy H1.3.11; and Conservation Element Objective C1.4), determine that the amendment is in compliance, and recommend **ADOPTION** of Amendment 2023-3-A-1-1, a request to expand the Horizon West Village H Special Planning Area (SPA) boundary and apply the Village (V) Future Land Use Map designation to the subject property, previously located in the former Reedy Creek Improvement District and possessing no County-assigned Future Land Use Map designation.

REZONING LUP-23-06-183 (September 19, 2024, PZC Recommendation): Make a finding of **consistency** with the Comprehensive Plan and recommend **APPROVAL** of Rezoning Case LUP-23-06-183, Hartzog Road Attainable Housing Community Planned Development/Land Use Plan (PD/LUP) dated "Received June 11, 2024", subject to the following twenty-three (23) conditions, including one (1) requested waiver from Orange County Code, and subject to the associated Comprehensive Plan Future Land Use Map Amendment (Case 2023-3-A-1-1), Adequate Public Facilities (APF) Agreement (APF-24-08-206), and Conservation Area Impact (CAI) Permit (CAI-24-02-008) moving forward to the Board of County Commissioners simultaneously with this rezoning request.

1. Development shall conform to the Hartzog Road Attainable Housing Community Land Use Plan (LUP) dated "Received June 11, 2024," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received June 11, 2024," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation"

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

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. If applicable, an Acknowledgement of Contiguous Sustainable Agricultural Land pursuant to Section 163.3163, Florida Statutes, must be executed and recorded in the Public Records of Orange County, Florida, prior to final approval of this plan and a copy of such Acknowledgment shall be submitted with all future permit applications for this project.
7. Any development associated within this Planned Development shall provide adequate off-site improvements as determined by the County Engineer to accommodate the project as proposed in any development plan and/or preliminary subdivision plan, including but not limited to improvement of Avalon Road and also Hartzog Road.
8. Prior to any site construction plan approval, documentation must be provided certifying that this project has the legal right to tie into the master drainage system.

9. 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 and Wildlife Conservation Commission (FWC).
10. All acreages identified as wetlands, surface waters and upland buffers are considered approximate until finalized by a Wetland Determination (WD) and/or a Natural Resource Impact Permit (NRIP). Approval of this plan does not authorize any direct or indirect wetland/surface water impacts.
11. Unless a Natural Resource Impact Permit (NRIP) is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland and Surface Water Protection", prior to Construction Plan approval, no wetland, surface water or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect wetland and surface water impacts.
12. In compliance with Section 19 of the Orange County Code, the property owner / engineer may be required to provide a series of FEMA Letter of Map Changes (LOMC). For development within the 1% annual chance flood (100-year flood) floodplain without an established Base Flood Elevations (BFE), depicted as Zone A, the owner/engineer must perform a study to establish the BFE and obtain a FEMA LOMR (Letter of Map Revision) prior to site construction plan submittal. For modifications to a determined BFE (Zone AE), floodway, or flood hazard area boundaries on the Flood Insurance Rate Maps (FIRMs), a FEMA Conditional Letter of Map Revision (CLOMR) must be obtained prior to site construction plan approval; a subsequent FEMA Letter of Map Revision (LOMR) reflecting final construction will be required. Said FEMA LOMR approval must be obtained by the owner / engineer and must be submitted to the Floodplain Administrator prior to the release of the Certificate of Occupancy and / or Certificate of Completion. Compensation Storage for all projects within the 1% annual chance flood (100-year flood) floodplain shall be provide on a "cup for cup" basis in accordance with Chapter 19-107(1).
13. Pursuant to Article XII, Chapter 30, Orange County Code, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential properties must obtain concurrency prior to approval of the plat; non-residential properties that are required to plat must obtain concurrency for any lot with an assigned use prior to approval of the plat (lots without an assigned use shall be labeled as "future development") and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until later in the development process, the County will not be responsible for any delays caused by the applicant's failure to obtain concurrency in a timely fashion.

14. Tree removal/earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan, with a tree removal and mitigation plan, have been approved by Orange County.
15. Short term/transient rental is prohibited. Length of stay shall be for 180 consecutive days or greater.
16. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code, as may be amended.
17. The developer shall be responsible for building master utilities transmission and collection infrastructure adequate to serve the PD and to accommodate the ultimate flows for the entire Village. Utilities infrastructure shall be built connecting to the buildout points of connection approved in the Village H MUP.
18. Construction plans within this PD shall be consistent with an approved and up-to-date 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 updated MUP must be approved prior to construction plan approval.
19. A Master Utility Plan (MUP) consistent with the Village H MUP shall be submitted to Orange County Utilities prior to the first PSP/DP. The MUP must be approved prior to Construction Plan approval.
20. The developer shall obtain water, wastewater, and reclaimed water service from Orange County Utilities.
21. Prior to construction plan approval, all property owners within Village H, excluding public entities, shall be required to sign an agreement between the parties addressing their proportionate share of funds for the costs of the offsite and onsite master utilities sized to Village requirements. Property owners may elect to use alternative financing in lieu of the private proportionate cost share agreement provided master utilities sized for Village requirements are constructed.
22. The amendment to the territorial agreement between Orange County and Central Florida Tourism Oversight District must be approved by the Board of County Commissioners prior to or concurrent with approval of any Development Plan within this Planned Development.
23. A waiver from Orange County Code Section 38-1476(a) is granted for alternative parking ratios for the project of 1.3 spaces for studio and 1 bedroom units, in lieu of the requirement for 1.5 spaces for efficiencies and 1 bedroom units, and 1.8 spaces for 2 bedroom and larger units, in lieu of the requirement for 2.0 spaces for 2 bedroom and larger units.

Analysis

1. Background and Development Program

The applicant, Jose Morales of Walt Disney Imagineering, is requesting a Future Land Use Map (FLUM) Amendment to expand the Horizon West Village H Special Planning Area (SPA) boundary to add the 114.23-acre subject property to Village H—which borders the site to the north and west—and apply the Village (V) FLUM designation to this acreage. The property, comprised of four individual parcels (Parcels 08-24-27-0000-00-010, 08-24-27-0000-00-036, 08-24-27-0000-00-038, and 08-24-27-0000-10-000) was previously located in the Reedy Creek Improvement District (RCID) but presently lies outside the boundary of the Central Florida Tourism Oversight District (CFTOD). Due to the change to the political boundary line by the state legislature, the site is now located within unincorporated Orange County but currently possesses no County-assigned FLUM designation or zoning classification.

The subject parcel is situated south and west of Hartzog Road, west of SR 429, and east of Avalon Road. The site consists of 75.20 upland acres and 39.04 acres of Class I wetlands, established via Conservation Area Determination CAD-23-06-101, issued by the Orange County Environmental Protection Division (EPD) on September 27, 2023. As depicted on the aerial and location maps, the upland portion of the property was previously an RCID Rapid Infiltration Basin System (RIBS) site that provided for water reuse and aquifer recharge. The applicant has verified that the onsite RIBs are no longer in use and will be formally decommissioned. Forested wetlands—part of a large system that extends offsite—are present on the remainder of the parcel.

The proposal—a collaborative initiative between Disney and prospective developer The Michaels Organization—entails the development of a mixed-income multi-family community with up to 1,410 dwelling units and related amenities. The applicant has confirmed that 75 percent of these units (up to 1,057 apartment homes) will be reserved for individuals and families with incomes in the range of 50% - 100% of the Area Median Income (AMI). These reserved units will meet Orange County's definition of Affordable Housing and will help further the goals of Orange County's Housing for All 10-Year Action Plan, which aims to preserve and create 30,300 affordable and attainable housing units by 2030. Per the applicant, the remaining 25 percent of the proposed multi-family units will be leased at market rate.

The proposal further entails the preservation of the subject property's Class I wetlands, with the exception of 0.14 acre of direct and 0.12 acre of secondary wetland impacts requested through Conservation Area Impact (CAI) Permit application CAI-24-02-008 to allow access via Avalon Road. CAI-24-02-008 has undergone review by the Orange County Environmental Protection Division (EPD) and will require approval by the Board of County Commissioners (BCC).

In conjunction with the requested FLUM Amendment, the applicant is seeking to create the Hartzog Road Attainable Housing Community Planned Development (PD). The applicant has applied for a rezoning to PD (Planned Development District)—Case LUP-23-06-183—to assign the Horizon West SPA designations of Apartment District and Wetland to the subject property and establish design and development standards for the project consistent with the Village Planned Development Code, as set forth in Chapter 38, Article VIII, Division 8 of the Orange County Code.

The proposed incorporation of the subject property into the Horizon West Village H SPA necessitates the execution of an Adequate Public Facilities (APF) Agreement between the property owners and

Orange County. There are 7.43 acres of required APF acreage credits associated with the requested FLUM Amendment and PD rezoning petition. Per the draft APF Agreement submitted for concurrent consideration with the two applications, there are no APF lands planned for the subject property, thereby creating a 7.43-acre APF deficit. In lieu of conveyance of 7.43 acres of APF land to the County, the property owners will instead pay the County an APF fee to address the deficit, established at \$403,767.90 in the draft APF Agreement and payable prior to the County's approval of the first platting of the PD property.

On August 28, 2024, the Orange County Development Review Committee (DRC) recommended approval of Rezoning Case LUP-23-06-183, subject to twenty-three (23) Conditions of Approval, including one (1) requested waiver from Orange County Code. In accordance with the DRC's recommendation, Case LUP-23-06-183 is scheduled for concurrent consideration with the proposed FLUM Amendment during a September 19, 2024, adoption public hearing before the Local Planning Agency (LPA)/Planning and Zoning Commission (PZC). Additionally, the DRC's recommendation of approval included the stipulation that the rezoning petition, the requested FLUM Amendment, and the associated APF Agreement and CAI Permit move forward to the BCC simultaneously. Staff anticipates that the BCC will consider the four items concurrently during an adoption public hearing tentatively scheduled for October 8, 2024.

2. Project Analysis

Consistency

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

As stated previously, the applicant is proposing to expand the Horizon West Village H Special Planning Area (SPA) boundary to add the 114.23-acre subject property to Village H and apply the Village (V) FLUM designation to the site. Concurrent with this petition, the applicant has applied for a rezoning to PD (Planned Development District) to assign the Horizon West SPA designations of Apartment District and Wetland to the property. Approval of the two requests will allow for the repurposing of the defunct RIBS site for the development of a 1,410-unit mixed-income multi-family community—to be constructed, owned, and operated by the prospective developer—on the property's 75.20 upland acres. The applicant has communicated that 75 percent of these units will be reserved for individuals and families with incomes in the range of 50% - 100% of the Area Median Income (AMI), meeting Orange County's definition of Affordable Housing. This planned mixed-income community will add housing opportunities to Horizon West—homes within the rental range of Affordable Housing—that do not exist today. Approval of the two applications will simultaneously help ensure the preservation of the site's 39.04 acres of Class I wetlands, save for 0.14 acre of direct and 0.12 acre of secondary wetland impacts requested through Conservation Area Impact Permit application CAI-24-02-008 to allow ingress and egress via Avalon Road. It is staff's belief that the proposed amendment is consistent with **Future Land Use Element GOAL FLU4 - HORIZON WEST**, which 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.

As shown on the location map, Village H borders the subject property—a remnant of the former Reedy Creek Improvement District—to the north and west. Given this contiguity, it is the opinion of staff that the incorporation of the site into Village H and the assignment of the Village FLUM designation to the property via the FLUM Amendment process are appropriate, as is the applicant's intent to seek

the SPA designations of Apartment District and Wetland through a corresponding rezoning to PD and establish design and development standards for the project consistent with the Village Planned Development Code, as required by **Future Land Use Element Policies FLU4.6.2 and FLU4.6.5**. As illustrated on the existing and proposed Special Planning Area Land Use Maps, the property is proximate to four multi-family communities within Village H that possess the same Apartment District SPA designation: the 340-unit Vintage Horizon West, 300-unit Ascend Waterleigh Club, and 354-unit Braxton Waterleigh developments to the north of the site and the 284-unit Solay Horizon West complex to the west, on the west side of Avalon Road. However, per the applicant, none of these communities includes units that meet the County’s Affordable Housing criteria.

Staff finds the requested addition of the subject property to Village H consistent with the goals and intent of the Horizon West Special Planning Area, which features a mix of land uses, including residential neighborhoods, commercial areas, schools, public parks, trails, and recreational facilities. This mixed-use approach aims to reduce the need for extensive commuting and promoting walkability and bikeability. With its convenient access to the regional transportation network, its proximity to the major employment center of Walt Disney World and other tourism industry employers (particularly those along the U.S. 192 tourist commercial corridor), and the existing and planned shopping, dining, and personal services available in the Village H Village Center directly west of the site and in the nearby Flamingo Crossings shopping, dining, and hotel district to the south, the subject property is ideally situated to support the desired multi-family residential development.

Staff also finds the proposed amendment consistent with **Future Land Use Element Policy FLU1.1.1**, which mandates that urban uses shall be concentrated within the Urban Service Area, except as specified for the Horizon West Village and Innovation Way Overlay (Scenario 5), Growth Centers, and to a limited extent, Rural Settlements. Staff views the 114.23-acre subject property as an underutilized parcel that provides an opportunity for infill development and much-needed housing on the parcel’s upland acreage—particularly affordable housing given the site’s proximity to substantial tourist- and service-oriented activity. The applicant’s commitment to preserving the onsite Class I wetlands in perpetuity and adhering to the County’s upland buffer requirements, as addressed on the PD Land Use Plan, will also help ensure the protection of the extensive forested wetland acreage that continues offsite, consistent with **Conservation Element Objective C1.4**, which establishes that Orange County shall protect identified wetland areas and existing native wildlife (flora and fauna) habitats.

Staff further finds the proposed amendment and requested residential development program consistent with Orange County’s commitment to ensuring that sufficient land is available to meet the identified housing needs of its present and future residents. The applicant’s intent to develop a multi-family community with up to 1,410 dwelling units—75 percent of which will meet Orange County’s Affordable Housing criteria—is consistent with **Housing Element GOAL H1 and Objective H1.1**, which state that the County will promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, and will support private sector housing production capacity sufficient to meet current and anticipated housing needs. As set forth in **Housing Element Policy H1.3.11**, affordable housing is allowed in all zoning categories, while **Future Land Use Element Policy FLU4.6.4** establishes that the Apartment housing product type shall be allowed in the desired Apartment SPA designation, with the location of this housing type to be specified on the Planned Development Land Use Plan.

Community Meetings

Community Meeting 1

A community meeting for this requested amendment was held September 6, 2023, at Water Spring Elementary, with 70 members of the public in attendance. Orange County staff provided a summary of the requested amendment and the public hearing process. The applicant team also gave an overview of the proposed project, noting that the Disney-initiated development of an affordable and/or attainable housing community on the subject site has been in the works for a considerable period of time. The applicant team stated that the units are not being developed solely for Disney cast members; rather, they will be available for lease by any qualifying individual.

Central to the discussion was the need for affordable housing in the area. A few members of the community expressed support for the multi-family project, asserting that the need for affordable housing in Horizon West is great, given its proximity to Walt Disney World and other tourist-oriented employment centers. However, the majority of the attendees were opposed to the proposal, stating that there are already too many apartments in the vicinity of the subject property and voicing concerns about traffic and congestion, safety, lack of public transportation, and school overcrowding.

With respect to aquifer recharge, two attendees questioned why the rapid infiltration basins (RIBs) are being removed, as they return water back to the aquifer. The applicant team responded that the subject property was formerly a Rapid Infiltration Basin System (RIBS) site but that it is no longer being used for that purpose.

Community Meeting 2

A second community meeting with an “open house” format was held March 18, 2024, at Horizon High School, with 106 members of the public participating. Planning Administrator Nicolas Thalmueller welcomed the meeting attendees and introduced District 1 Commissioner Nicole Wilson. Mr. Thalmueller provided an overview of the requested amendment and the associated PD rezoning application. He discussed the public hearing process, noting the March 26 transmittal public hearing date. Mr. Thalmueller explained that if the amendment is transmitted to the Florida Department of Commercial, it will return for adoption public hearings before the LPA and BCC. He encouraged the meeting attendees to provide their contact information on the sign-in sheets to ensure receipt of notice of the adoption hearings.

Tajiana Ancora-Brown, Walt Disney World Resort’s Director of External Affairs, discussed the need for affordable housing in Central Florida and stated that Disney is partnering with The Michaels Organization, the nation’s largest privately-held affordable housing developer, which will build, own, and operate the multi-family community. Ms. Ancora-Brown clarified that the multi-family project will be privately funded and noted that The Michaels Organization will not be requesting fee waivers typically available to affordable housing developments, but rather will pay impact fees to help address transportation infrastructure and school capacity needs. Public policy consultant Adrianna Sekula, representing The Michaels Organization, also spoke to the need for affordable housing in the area. Ms. Sekula noted that The Michaels Organization has a 50-year history of affordable and attainable housing development and verified that the company will not be requesting impact fee waivers or subsidies. She presented the conceptual plan for the community, which will be divided into six distinct neighborhoods with a mix of apartments, flats, and townhome-style units. The development is proposed to feature two amenity buildings and a network of trails, parks, and gathering spaces. The project will have three full access points: one providing connectivity to Avalon Road to the west and two linking the site to Hartzog Road to the east. Ms. Sekula communicated that over 1,000 of the proposed 1,410 multi-family units will be reserved for individuals and families with incomes in the

range of 50% - 100% of the Area Median Income (AMI), meeting Orange County's definition of Affordable Housing. (**Staff note:** The applicant has since confirmed that 75 percent of the proposed multi-family units will be reserved for residents earning 50% - 100% of the AMI, with the remainder to be leased at market rate.)

In lieu of a typical question-and-answer session, the initial presentation was followed by informal conversation between meeting attendees, County staff, and members of the project team. Representatives of Walt Disney World Social Responsibility, The Michaels Organization, and Orange County—including employees of Orange County Public Schools, Housing and Community Development, Environmental Protection, Traffic Engineering, Transportation Planning, Fire Rescue, and the Sheriff's Office—were on hand at individual stations to provide information and answer attendees' questions. Upon conclusion of this discussion period, Commissioner Wilson and Mr. Thalmueller thanked the meeting participants for their involvement.

Compatibility

The requested Future Land Use Map Amendment and associated development program appear to be **compatible** with the development trend of the surrounding area. **Future Land Use Element Objective FLU8.2** states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development pattern and development trends in the area. The applicant's intent to develop a 1,410-unit multi-family residential community with a significant Affordable Housing component while simultaneously protecting and preserving the onsite forested wetlands is consistent with the site's proposed location in Village H and the general purpose and intent of the Village Land Use classification established in **Future Land Use Element Objective FLU4.1**. As set forth in **OBJ FLU4.1**, 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; 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.

As stated previously, staff believes the applicant's requested inclusion of the subject property in Village H, the proposed assignment of the Village FLUM designation to the site, and the intent to seek the SPA designations of Apartment District and Wetland through a corresponding PD rezoning are consistent with the General Village Principles set forth in **Future Land Use Element Policy FLU4.1.1**, which states that each Village Special Planning Area shall be designed based on an urban development pattern, which encourages the formation of a suburban village while ensuring the provision of adequate public facilities and services concurrent with development and protection of environmental quality. It is the opinion of staff that the multi-family family community, as currently proposed, has been designed to further these principles, with a focus on the attainment of compatibility with existing and planned development within Village H, as well as with neighboring Village I to the south. Staff specifically finds the project consistent with the following provisions of **Policy FLU4.1.1**:

- A. Planning for the Village shall be in the form of complete and integrated neighborhoods containing housing, shops, workplaces, schools, parks, and civic facilities essential to the daily life of the Village residents.

Village H features a mix of residential neighborhoods with a variety of housing types, including apartments, townhomes, and single-family detached homes; commercial areas; schools; public parks; trails; and recreational facilities. The proposed project entails the repurposing of a defunct RIBS site proximate to four multi-family developments within Village H that likewise possess the Apartment District SPA designation for a 1,410-unit mixed-income multi-family community and related amenities, to be designed in accordance with the Village Planned Development Code. This community will provide additional housing within Village H and, with 75 percent of the units proposed to meet the County’s definition of Affordable Housing, will add a residential opportunity that is currently not available within the Village, thus furthering the objective of planning for a “complete” neighborhood. In addition to the residential component, the community is proposed to feature a network of trails, parks, and gathering spaces, including a large central green that—per the prospective developer—will accommodate events that will be open to the public, such as art walks, festivals, and concerts.

Per Orange County Utilities (OCU), the subject site is presently located within the CFTOD’s potable water, wastewater, and reclaimed water service area. The CFTOD, however, has requested OCU serve this project for potable water, wastewater, and reclaimed water, and OCU has sufficient plant capacity to provide these services.

- B. Village size shall be designed so that housing is generally within a 1.2 mile-radius of the Village Center (shops, services and other activities). This radius may be relaxed where natural or community facilities and services interrupt the design.

As shown on the current and proposed Horizon West Special Planning Area Land Use maps in this report, the Village H Village Center—with its mix of existing and planned shopping, dining, and personal service establishments—lies directly opposite the subject site, on the west side of Avalon Road. Residents of the multi-family community will likely patronize the businesses within the Village Center, and its convenient location will reduce their need to travel long distances for everyday necessities.

- C. A Village shall contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries.

As stated above, the proposed mixed-income community—with its substantial Affordable Housing component—will serve citizens with income levels that render current housing options in the area unattainable, thereby increasing the diversity of Horizon West’s population.

- D. The Village and each neighborhood shall have a center focus that combines commercial, civic, cultural and recreational uses. Higher density residential development should be encouraged in proximity to these centers, with the highest density/attached housing encouraged in proximity to the Village Center District. These residential and adjacent uses shall be sufficiently integrated to support convenient and comfortable pedestrian and bicycle movement and enhance the viability of future transit connections.

As with the four existing multi-family communities within Village H that possess the Apartment District SPA designation, the 1,410-unit multi-family development—if approved—

will be situated in close proximity to the Village Center. As discussed previously, staff anticipates that the residents of the community will patronize the shopping, dining, and personal service establishments that locate within it. The network of trails and paths planned for the multi-family project will link to the sidewalks that are already in place along Avalon Road and Hartzog Road. A signalized crosswalk at the Avalon Road/Hartzog Road intersection provides pedestrians and bicyclists safe access to the Village Center and lies approximately 1/4-mile north of the subject site.

- F. Each Village shall have a well-defined edge, such as greenbelts or wildlife corridors permanently protected from development.

Inclusion of the subject property within the boundary of Village H will provide a permanent Village edge adjacent to Hartzog Road and SR 429 to the east. As illustrated on the aerial photo and maps in this report, expansion of Village H beyond the subject property is not possible. As shown on the aerial photo and maps, the abutting segments of Hartzog Road and SR 429 lie within the CFTOD (formerly the RCID), with a 603-acre CFTOD RIBS facility and solar farm situated immediately east of SR 429, opposite the subject site.

Village H was created via the June 13, 2006, adoption of Amendment 2005-2-A-1-2, effective September 6, 2006. The adopted Village H Specific Area Plan (SAP) states:

A perimeter buffer is to be provided around each Village in Horizon West to discourage sprawl and create a definable area of urban development. The Village H perimeter buffer is shown on the Master Development Plan and is described as follows:

. . .

East Edge

- *Buffer provided by C.R. 545 and S.R. 429 rights-of-way as well as offsite public lands and RCID lands*

. . .

The present Village H Special Planning Area Land Use Map (SPALUM) shows that CR 545 (Avalon Road), SR 429, and/or offsite CFTOD lands provide a defining perimeter buffer for the proximate parcels on the eastern edge of Village H, in lieu of a greenbelt. If the subject property, no longer within the RCID, is incorporated into Village H, Hartzog Road, SR 429, and the CFTOD RIBS facility and solar field will likewise collectively define the east edge of the expanded Village and render a greenbelt unnecessary.

Moreover, the forested wetlands on the property's southern boundary are part of the wetlands system on the northern boundary of the abutting Village I, thus creating a significant conservation area protected from development that provides a permanent natural buffer separating Village H and Village I. Additionally, this wetlands system extends onto the adjacent CFTOD parcel to the east and would further define the edge of an expanded Village H.

- G. Local and collector streets, pedestrian paths, and bike paths shall contribute to a system of fully connected and interesting routes from individual neighborhoods to the Village Center

District and to other villages. Their design should encourage pedestrian and bicycle use by being spatially defined by buildings, trees, and lighting; and by discouraging high-speed traffic.

As stated above, the proposed multi-family community will feature a network of trails, paths, and internal roads that will serve pedestrians and bicyclists, as well as automobile drivers. The draft PD Land Use Plan, currently undergoing DRC review, depicts three full access points: one providing connectivity to Avalon Road to the west and two linking the site to Hartzog Road to the east.

- H. Wherever possible, the natural terrain, drainage and vegetation of the area shall be preserved with superior examples contained within parks or greenbelts.

The proposed project entails the preservation of the site's 39.04 acres of Class I wetlands in perpetuity, with the exception of 0.14 acre of direct and 0.12 acre of secondary wetland impacts requested through Conservation Area Impact Permit application CAI-24-02-008 to allow ingress and egress via Avalon Road. As noted previously, these preserved wetlands will provide a permanent natural buffer separating Village H and Village I to the south.

It is staff's position that the proposed residential project would contribute to the County's larger goals of promoting infill development and redevelopment on vacant or underutilized properties, providing for a range of living options, furthering the County's Housing for All initiative, efficiently using existing and planned infrastructure, reducing trip lengths, and protecting and preserving environmentally-sensitive land. Staff, therefore, recommends adoption of this requested amendment.

Public Facilities and Services

Environmental

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

EPD Review Summary:

- An Orange County Conservation Area Determination application, CAD-23-06-101, was submitted on June 28, 2023, and is in progress. A classification letter was issued on July 20, 2023. This request will be reviewed in its entirety when the final CAD Determination Letter is complete.

Planning Division staff notes: Conservation Area Determination CAD-23-06-101 was issued September 27, 2023, following EPD's August 4, 2023, comments. CAD-23-06-101 identified 39.04 acres of Class I wetlands and 75.20 acres of uplands within the project boundary. This determination expires September 27, 2028.

A Conservation Area Impact (CAI) Permit application, CAI-24-02-008, was submitted February 12, 2024, and has been reviewed by EPD staff. The application entails 0.14 acre of direct impacts and 0.12 acre of secondary impacts to the onsite Class I wetlands to allow for ingress and egress via Avalon Road. CAI-24-02-008 will be considered concurrently with the proposed amendment and requested rezoning during the October 8, 2024, BCC adoption public hearing.

- Any wetland encroachments will require submittal of an application for a Conservation Area Impact (CAI) Permit to the Orange County Environmental Protection Division, as outlined in Chapter 15, Article X Wetland Conservation Areas.

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

FLUM Amendment Comments:

1. Conservation Area Determination in Progress – An Orange County Conservation Area Determination application, CAD-23-06-101, was submitted on June 28, 2023, and is in progress. A classification letter was issued on July 20, 2023. The applicant must then submit a letter of agreement to the classification and submit a certified boundary survey showing the limits of the wetlands.
2. Developable Acreage Determination – All acreages regarding conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Every application for activity subject to Orange County Code Chapter 15 Environmental Control shall be reviewed to determine the functional significance, scarcity, replaceability, vulnerability, and productivity of the habitat on the lands to be considered in both the pre- and post-development condition.
3. Conservation Area Impacts – No construction, clearing, filling, alteration, or grading is allowed within or immediately adjacent to a conservation area, including upland buffer and shoreline, without first obtaining a Conservation Area Impact Permit approved by the County and obtaining other applicable jurisdictional agency permits. *Reference OC Chapter 15 Environmental Control, Article X Wetland Conservation Areas, Sec. 15-376.*
4. Class I Impacts – The removal, alteration, or encroachment within a Class I Conservation Area shall only be allowed in cases where no other feasible or practical alternatives exist, impacts are unavoidable to allow a reasonable use of the land, or where there is an overriding public benefit. Class I impacts require consideration at a public hearing before the Orange County Board of County Commissioners. *Reference OC Code Chapter 15, Article X Wetland Conservation Areas, Division 1 Generally, Section 364 Definitions, Subsection (a).*
5. Habitat Protection Requirement – Development of the subject property shall comply with all state and federal regulations pertaining to wildlife or plants that are listed as endangered, threatened, or species of special concern by the U.S. Fish and Wildlife Service (FWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).
6. Gopher Tortoise – The applicant has submitted an Environmental Assessment Report by Bio-Tech Consulting Inc. dated May 19, 2023, which identifies gopher tortoise burrows on this site. The applicant shall comply with the Florida Fish & Wildlife Conservation Commission (FWC) regulations. Forward any related permits to the Orange County Environmental Protection Division.
7. Jurisdictional Coordination – This environmental review only addresses Orange County environmental regulatory code. However, the project shall also obtain and comply with all other existing environmental permits and applicable environmental regulations of, but not limited to, the Army Corps of Engineers, the Florida Department of Environmental Protection, the applicable Water Management District, the U.S. Fish and Wildlife Service (USFWS), and

the Florida Fish & Wildlife Conservation Commission (FWC). It is possible that one of the other agencies could deny the request even if the County approves it, or they may have other natural resource protective requirements. Therefore, it is imperative that this proposed request be addressed on a multi-agency basis.

Additional Comments:

1. Solid Waste Management Facility Proximity - This site could be adversely impacted by existing solid waste management activities from the Bay Lake Class III Landfill, located about 1.3 miles to the northeast. Potential odor and noise disturbance to residents should be considered during design. Prospective property owners should be notified of this proximity. *Reference OC Comprehensive Plan, Solid Waste Element SW1.7.4.*
2. Erosion Control - Use caution to prevent erosion during construction along the boundary of the property; into surface waters, wetlands, and buffers; and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control. *Reference OC Code Chapter 34 Subdivision Regulations, Article VII Stormwater Management, Division 2 General Design Criteria, Sec. 250 Open Drainage Facilities, (g).*
3. Solid Waste Disposal - Any miscellaneous regulated solid waste found or generated onsite, including land clearing debris, construction and demolition debris, tires, garbage, and hazardous waste, shall be properly managed through recycling and/or off-site disposal in accordance with local, state, and federal regulations.

Transportation

The ~114.23-acre subject property currently has no County-assigned Future Land Use Map (FLUM) designation and, therefore, no associated baseline development density. The site is proposed to be incorporated into Village H of Horizon West. The proposed FLUM designation is Village, and the requested Horizon West land use district is Apartment, with a maximum development program of 1,450 attainable multi-family dwelling units. Based on trip generation estimates from the 11th Edition of the Institute of Transportation Engineers *Trip Generation Handbook*, the proposed project will generate 644 new p.m. peak hour trips.

Planning Division staff note: Although the Transportation Planning Division’s August 1, 2023, analysis was based on a proposed residential development program of 1,450 multi-family dwelling units, the requested unit count has been reduced to 1,410.

Future Roadway Network

Road Agreements: There are presently no road agreements associated with the subject property.

Planned and Programmed Roadway Improvements: The Work Program and Long Range Transportation Plan include the planned widening of Avalon Road from two to four lanes, from US 192 to New Independence Parkway. Portions of the road have been improved, and the remaining segments are planned partnership projects. Additionally, Hartzog Road has been realigned and is planned to be improved to four lanes as a partnership project. Finally, there are planned intersection improvements, including a new signal at Avalon Road and Waterway Passage Drive/Hartzog Road and an intersection control evaluation at Avalon Road and new Hartzog Road, which is also being signaled in the interim. Since these improvements are planned partnership with no committed construction date, they are reflected in the 2040 horizon year analysis.

Right-of-Way Requirements: There are presently no right-of-way requirements associated with the subject property.

Summary

As stated above, the subject property currently has no County-assigned Future Land Use Map (FLUM) designation and, therefore, no associated baseline development density. The site is proposed to be incorporated into Village H of Horizon West. The proposed FLUM designation is Village, and the requested Horizon West land use district is Apartment, with a maximum development program of 1,450 attainable multi-family dwelling units.

Analysis of the project trips indicates that the proposed development will result in an increase in the number of p.m. peak trips and, therefore, will impact area roadways. However, based on the Concurrency Management System Database, all roadways within the project’s impact area currently operate at acceptable levels of service, with limited capacity available to be encumbered.

- The subject property is not located within the County’s Alternative Mobility Area.
- The subject property is not located along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the requested future land use will generate 644 p.m. peak hour trips.
- An analysis of existing conditions reveals that all roadway segments within the study area are currently operating at adequate Level of Service (LOS).
- Analysis of projected short-term year 2030 conditions indicates that one segment along Avalon Road and one segment along Old YMCA Road are projected to exceed their LOS due to background traffic growth. The proposed FLUM amendment is projected to cause two segments along Avalon Road to exceed its adopted LOS at buildout.

Avalon Road:

- o Hartzog Road to Western Way (Background)
- o Western Way to Flamingo Crossings Boulevard (Development)
- o Flamingo Crossings Boulevard to Seidel Road (Development)

Old YMCA Road:

- o Lake Hickory Nut Road to Avalon Road (Background)
- Analysis of projected 2040 horizon year conditions indicates that one segment of Avalon Road and one segment of Old YMCA Road are projected to exceed their LOS due to background traffic growth. The proposed FLUM amendment is projected to cause two segments of Avalon Road to exceed their adopted LOS at buildout.

Avalon Road:

- o Hartzog Road to Western Way (Background)
- o Western Way to Flamingo Crossings Boulevard (Development)
- o Flamingo Crossings Boulevard to Seidel Road (Development)

Old YMCA Road:

- o Lake Hickory Nut Road to Avalon Road (Background)

- The development will undergo further evaluation and will be required to mitigate capacity deficiencies on the transportation network in accordance with the requirements of the Orange County Concurrency Management System.

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

Utilities

Per Orange County Utilities (OCU), the subject property is presently located within the Central Florida Tourism Oversight District's (CFTOD's) potable water, wastewater, and reclaimed water service area. CFTOD has requested OCU serve this project for potable water, wastewater, and reclaimed water, and OCU has sufficient plant capacity to serve the project. A draft amendment to the RCID/Orange County Water, Wastewater, and Reclaimed Water Service Territorial Agreement, removing this project from CFTOD's water, wastewater, and reclaimed water service area, has been drafted and executed by CFTOD. The amendment is anticipated to be scheduled for a future Board of County Commissioners meeting date.

Orange County Public Schools

On September 8, 2023, Orange County Public Schools (OCPS) issued Formal School Capacity Determination Letter – Revised #OC-23-034. This determination stated that capacity is expected to be available at the elementary, middle, and high schools anticipated to serve the project: Panther Lake Elementary School, Water Spring Middle School, and Horizon High School. This determination was previously valid until February 5, 2024, but was extended to April 6, 2026, by Executive Order 23-212 (Hurricane Idalia), issued by Governor DeSantis, together with notice from the applicant to OCPS. In their letter to the applicant dated January 25, 2024, OCPS acknowledged the extension of Formal School Capacity Determination Letter – Revised #OC-23-034 to the new expiration date.

3. PD/LUP Rezoning Analysis

Overview

The subject property is generally located south of Hartzog Road and east of County Road 545 (Avalon Road). The property is surrounded by wetlands to the south, the Central Florida Tourism Oversight District (CFTOD) RIBS site and solar farm to the east, and residential uses to the north and west. The subject property was previously located in the Reedy Creek Improvement District (RCID) but now lies outside the boundary of the Central Florida Tourism Oversight District (CFTOD). The site is, therefore, located within unincorporated Orange County but currently possesses no County-assigned Future Land Use Map (FLUM) designation or zoning classification.

Through this request, the applicant is seeking to rezone the subject property to PD (Planned Development District) to allow for the development of a mixed-income multi-family community with up to 1,410 dwelling units. Seventy-five (75) percent of the units will be in the attainable range for households with incomes from 50-100 percent of the Area Median Income (AMI), and the remaining units will be market rate. The request also includes one (1) waiver from Orange County Code to allow reduced parking ratios.

A Comprehensive Plan Future Land Use Map Amendment application, Case 2023-3-A-1-1, is associated with this request, entailing a proposal to expand the Horizon West Village H Special Planning Area (SPA) boundary to add the 114.23-acre subject property and apply the Village (V) FLUM designation.

There are 7.43 acres of Adequate Public Facilities (APF) acreage credits required with this application. There are no APF lands planned for the subject property. An APF Agreement, APF-24-08-206, has been submitted for concurrent execution with this request to address the deficit via a fee in lieu payment.

SITE ANALYSIS

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Comprehensive Plan (CP) Consistency

The proposed development program is compatible with existing development in the area and would not adversely impact any adjacent properties. The subject property is located adjacent to the Village H districts of Village Home, Apartment, and Village Center. Multi-family development is located adjacent to the subject property to the north and southwest. Townhomes are located to the northwest. The Village Center, consisting of commercial retail uses and multi-family units, is located on the west side of Avalon Road, across from the subject property. The subject property does not currently have an Orange County FLUM designation. The proposed PD zoning classification and development program are consistent with the requested Village FLUM designation.

Additionally, the request is consistent with the following Comprehensive Plan provisions:

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

FLU1.4.2 states that Orange County shall ensure that land uses changes are compatible with and serve existing neighborhoods.

GOAL FLU2 states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

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.

FLU4.1.1 General Village Principles. Each Village Special Planning Area (SPA) shall be designed based on an urban development pattern, which encourages the formation of a suburban village while ensuring the provision of adequate public facilities and services concurrent with development and protection of environmental quality.

- A. Planning for the Village shall be in the form of complete and integrated neighborhoods containing housing, shops, workplaces, schools, parks and civic facilities essential to the daily life of the Village residents.
- B. Village size shall be designed so that housing is generally within a 1.2 mile radius of the Village Center (shops, services and other activities). This radius may be relaxed where natural or community facilities and services interrupt the design.
- C. A Village shall contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries.
- D. The Village and each neighborhood shall have a center focus that combines commercial, civic, cultural and recreational uses. Higher density residential development should be encouraged in proximity to these centers, with the highest density/attached housing encouraged in proximity to the Village Center District. These residential and adjacent uses shall be sufficiently integrated to support convenient and comfortable pedestrian and bicycle movement and enhance the viability of future transit connections.
- E. The Village shall contain an ample supply of specialized open space in the form of squares, greens and parks whose frequent use is encouraged through placement and design.
- F. Each Village shall have a well-defined edge, such as greenbelts or wildlife corridors permanently protected from development.
- G. Local and collector streets, pedestrian paths and bike paths shall contribute to a system of fully connected and interesting routes from individual neighborhoods to the Village Center District and to other villages. Their design should encourage pedestrian and bicycle use by being spatially defined by buildings, trees, and lighting; and by discouraging high-speed traffic.
- H. Wherever possible, the natural terrain, drainage and vegetation of the area shall be

preserved with superior examples contained within parks or greenbelts.

OBJ FLU8.2 states that 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 states that land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.2 states that continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

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

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

H1.3.11 states that affordable housing is allowed within all residential zoning categories.

Site Data

Existing Use Former Reedy Creek Improvement District RIBS site, undeveloped land, and wetlands

Adjacent Zoning
N: PD (Planned Development District) (Horizon West Village H Parcels 12A and 12B PD/LUP) and PD (Planned Development District) (Waterleigh PD/LUP)
E: Central Florida Tourism Oversight District (CFTOD)
W: PD (Planned Development District) (Waterleigh PD/LUP) and PD (Planned Development District) (Springhill PD/LUP)
S: A-1 (Citrus Rural District), A-2 (Farmland Rural District), and CFTOD

Adjacent Land Uses
N: Vintage Horizon West, Ascend Waterleigh Club, and Braxton Waterleigh (multi-family communities) and Tribute at Ovation (townhome subdivision currently under construction)
E: CFTOD RIBS site and solar field and SR 429
W: Village H Village Center (commercial/retail and multi-family development) and Solay Horizon West (multi-family community)
S: Wetlands and CFTOD RIBS site

Applicable PD Development Standards

Wetland Buffer: 25 feet

Apartment District Standards

Lot standards

Front Setback:	10 feet, including porch
Side Setback:	15 feet/10 feet front porch or bay
Side Street Setback:	15 feet
Rear Setback:	20 feet for primary structure
Building Height:	5 stories/65 feet
Minimum Lot Width:	85 feet
Minimum Living Area:	500 square feet
Maximum Project Impervious Coverage:	75 percent
Minimum Building Separation:	20 feet/45 feet*

*45 feet when utilized as common space, recreation area, or park tract as to achieve a block break which may be counted toward the 7.5 percent required open space (Sec. 38-1387.2(a)(8)(e))

SPECIAL INFORMATION

Community Meeting Summary

A community meeting was held on September 6, 2023, at Water Spring Elementary School, with 70 members of the public in attendance. Residents expressed concern for too many apartments in the area, traffic, inadequate road infrastructure, and school overcrowding. A second community meeting was held on March 18, 2024, with 106 members of the public in attendance. Residents expressed the same concerns: overdevelopment of multi-family residential units and impacts to transportation and school infrastructure.

Environmental

Orange County Conservation Area Determination CAD-23-06-101 was completed, with a certified survey of the conservation area boundary approved by the Environmental Protection Division (EPD), on September 27, 2023. The CAD identified 39.04 acres of Class I wetlands and 75.20 acres of upland area within the project boundary.

In a letter sent August 15, 2024, the Conservation Area Impact (CAI) Permit application CAI-24-02-008, submitted on February 12, 2024, for proposed 0.14 acre of direct impacts and 0.12 acre of secondary impacts to Class I wetlands, is now considered substantially complete. No conservation area or buffer encroachments shall be permitted, unless an impact permit is approved by the Orange County EPD consistent with OC Code Chapter 15, Article X.

No construction, clearing, filling, alteration, or grading is allowed within or immediately adjacent to a conservation area or easement (includes the conservation area and the wetland setback/buffer) without first obtaining a Conservation Area Impact (CAI) Permit approved by the County and obtaining other applicable jurisdictional agency permits.

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

Any miscellaneous regulated solid waste found or generated onsite, including land clearing debris, construction and demolition debris, tires, garbage, and hazardous waste, shall be properly managed through recycling and/or off-site disposal in accordance with local, state, and federal regulations.

This site could be adversely impacted by existing solid waste management activities from the Bay Lake Class III Landfill, located approximately 1.3 miles to the northeast. Potential odor and noise disturbance to residents should be considered during design. Prospective property owners should be notified of this proximity.

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

Transportation Planning

Pursuant to Article XII, Chapter 30, Orange County Code, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential properties must obtain concurrency prior to approval of the plat; non-residential properties that are required to plat must obtain concurrency for any lot with an assigned use prior to approval of the plat (lots without an assigned use shall be labeled as "future development") and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until later in the development process, the County will not be responsible for any delays caused by the applicant's failure to obtain concurrency in a timely fashion.

Existing/Valid transportation capacity entitlements not found. This development will require transportation capacity via a Capacity Encumbrance Letter (CEL) Application. Should this project be located near failing roadways then a traffic study will be required with the CEL application.

Based on the Concurrency Management System (CMS) database dated June 26, 2023, there are multiple failing roadway segments within the project's impact area. Avalon Road from Hartzog Road to Seidel Road (3 segments), Old YMCA Road from Lake Hickory Nut Drive to Avalon Road (3 segments), and Valencia Parkway from Schofield Road to Old YMCA Road are failing. This information is dated and subject to change.

Water / Wastewater / Reclaimed Water

Water:	Orange County Utilities (OCU)*
Wastewater:	Orange County Utilities (OCU)*
Reclaimed Water:	Orange County Utilities (OCU)*

*Refer to PD Conditions of Approval 17-22.

Schools

On September 8, 2023, Orange County Public Schools (OCPS) issued Formal School Capacity Determination Letter – Revised #OC-23-034. This determination stated that capacity is expected to be available at the elementary, middle, and high schools anticipated to serve the project: Panther Lake Elementary School, Water Spring Middle School, and Horizon High School. This determination was previously valid until February 5, 2024, but was extended to April 6, 2026, by Executive Order 23-212, together with notice from the applicant to OCPS. In their letter to the applicant dated January 25, 2024, OCPS acknowledged the extension of Formal School Capacity Determination Letter – Revised #OC-23-034 to the new expiration date.

Specific Project Expenditure Report and Relationship Disclosure Forms

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

4. Policy References

Future Land Use Element

GOAL FLU4 HORIZON WEST. 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 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; 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. Properties with Village Future Land Use Map (FLUM) designation, as well as six villages adopted to date, are depicted on Map 2 of the FLUM series.

FLU4.1.1 General Village Principles. Each Village Special Planning Area (SPA) shall be designed based on an urban development pattern, which encourages the formation of a suburban village while ensuring the provision of adequate public facilities and services concurrent with development and protection of environmental quality.

I. Planning for the Village shall be in the form of complete and integrated neighborhoods containing housing, shops, workplaces, schools, parks and civic facilities essential to the daily life of the Village residents.

J. Village size shall be designed so that housing is generally within a 1.2 mile radius

of the Village Center (shops, services and other activities). This radius may be relaxed where natural or community facilities and services interrupt the design.

- K. A Village shall contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries.
- L. The Village and each neighborhood shall have a center focus that combines commercial, civic, cultural and recreational uses. Higher density residential development should be encouraged in proximity to these centers, with the highest density/attached housing encouraged in proximity to the Village Center District. These residential and adjacent uses shall be sufficiently integrated to support convenient and comfortable pedestrian and bicycle movement and enhance the viability of future transit connections.
- M. The Village shall contain an ample supply of specialized open space in the form of squares, greens and parks whose frequent use is encouraged through placement and design.
- N. Each Village shall have a well-defined edge, such as greenbelts or wildlife corridors permanently protected from development.
- O. Local and collector streets, pedestrian paths and bike paths shall contribute to a system of fully connected and interesting routes from individual neighborhoods to the Village Center District and to other villages. Their design should encourage pedestrian and bicycle use by being spatially defined by buildings, trees, and lighting; and by discouraging high-speed traffic.
- P. Wherever possible, the natural terrain, drainage and vegetation of the area shall be preserved with superior examples contained within parks or greenbelts.
- Q. The Village Center District shall be designed to encourage and accommodate future linkage with the regional transit system.

FLU4.6.2

Land Development Code Update. All development within the boundary of an adopted Village shall comply with the provisions of the Village Planned Development of the Orange County Code and the Planned Development District processing and site development regulations. Where the performance standards in the Village Development Code conflict with said regulations, the Village Development Code shall govern, except as noted in the adopted Village Development Code. Orange County shall amend the Adequate Public Facilities, and Transfer of Development Rights Provisions of the Orange County Code to incorporate the requirements for the adopted Villages as needed.

FLU4.6.3

The following residential districts and densities are established for the adopted Villages:

Residential District	Density
Estate Rural	1
Estate	2
Estate Home	3

Garden Home	4
Village Home	6
Townhome	8
Townhome/Apt	12
Condominium/Apartment	16

Notes:

- In order to accommodate the design principles of FLU4.1.4, the boundary between two adjacent residential districts may be blended within any particular Village Planned Development and the density of the adjacent districts may be blended. Such boundary revisions and density mixes may not be allowed at the perimeter of the Planned Development.

Lakeside Village

- In order to provide for compatibility with existing and approved development abutting Lake Mabel, any redevelopment within the boundaries of the existing Lake Mabel Shores Subdivision shall be limited to a minimum one (1) acre lot size. Development of existing platted lots within the Lake Mabel Shores Subdivision shall be permitted in accordance with the existing zoning and subdivision as recorded in Plat Book Q, page 151, Orange County Records.

Village of Bridgewater

- Development within the Townhome/ Apartment district of the Fourth Neighborhood shall be limited to Townhomes only (no apartments) and shall allow the density within the Townhome District of the Fourth Neighborhood to be reduced from a net density of 12.0 dwelling units per acre to 8 to 10 dwelling units per acre, which shall be designated on the land use plan for the Fourth Neighborhood.
- In order to achieve the required density of 6.0 dwelling units per acre in the Village Home District while maintaining the housing diversity of the overall Village, townhomes shall be considered a permitted use in the Village Home District. Approval of Townhomes within the Village Home district shall only be allowed as a component of the PD. The PD shall indicate compliance with the principles of the Horizon West Policies and the Village Development Code.

Village H

- Village H Master PD LUP allows minimum and maximum densities within identified parcels that vary from the above standards.
- Estate District Parcel 9 may develop at a minimum density of 1.0 DU/AC based upon commitments made to the Hickory Nut Lake Estates Rural Enclave homeowners during adoption of the Village. Minimum densities in the PD LUP are without the use of TDRs.
- New homes within the Rural Enclave may be developed at up to one dwelling unit per developable acre. Homes and lands in the Rural Enclave shall not be included

in determining the overall density of Village H or requirements for Adequate Public Facilities. The Rural Enclave is not subject to the Adequate Public Facilities' requirements of Village H, unless determined otherwise by the County for new development.

Village F

- Minimum lot size in the Estate Rural District is 1 acre.
- In order to achieve the required density of 6.0 dwelling units per acre, while maintaining the housing diversity of the overall Village, townhomes shall be considered a permitted use in the Village Home District. Approval of townhomes within the Village Home District shall only be allowed as a component of the PD and shall be in compliance with Village Development Code.
- To ensure a mix of housing types in the Garden Home District, townhomes shall be considered a permitted use, provided that lots are no less than 25 feet in width.
- Consistent with the density requirements outlined in FLU4.1.4, the Village F Townhome District shall be limited to either single family detached units or attached townhomes (no apartments). In Townhome Districts adjacent to the Village Center, live-work units with ground floor office or residential uses shall be permitted.
- Approval of townhomes within the Village Home District shall only be allowed as a component of the PD and shall be in compliance with Village Development Code.
- Apartments are permitted as a residential use in the Village Center.
- The minimum density for the Estate Rural district in Village F is 0.

Village I

- In order to reflect an appropriate development transition from the adjacent and more intense U.S. Highway 192 Tourist/Commercial Growth Center, a minimum average net density range of 16.0 to 18.0 dwelling units per acre may be considered in the Apartment Districts located in the Village I East Neighborhood.

FLU4.6.4

Housing product types shall be allowed in each district, as established in the following table. The Planned Development Land Use Plan shall specify the location for each housing type proposed for development. Following approval of the Land Use Plan, any proposed change in housing type shall be subject to a substantial change determination.

<i>District</i>	<i>Product Type</i>				
	<i>Apts.</i>	<i>Condos</i>	<i>Townhome</i>	<i>Duplex</i>	<i>Single</i>
Estate Rural	No	No	No	No	Yes
Estate	No	No	No	No	Yes
Estate Home	No	No	No	No	Yes
Garden Home (single-	No	No	No	No	Yes

family only)					
Garden Home	No	Yes	Yes	Yes	Yes
Village Home	No	Yes	Yes	Yes	Yes
Townhome	No	Yes	Yes	Yes	Yes
Condominium	No	Yes	Yes	Yes	No
Apartment	Yes	Yes	Yes	Yes	No
Village Center/ Neighborhood Center	Yes	Yes	Yes	Yes	No

Properties within the Lakeside and Bridgewater Villages that are designated as Townhome/Apartment District shall identify on the PD Land Use Plan the specific location and use of townhomes or apartments, consistent with the adopted Village Development Code, as amended. Properties within the Lakeside and Bridgewater Villages that are designated as Garden Home District shall identify on the PD Land Use Plan the specific location of townhomes, consistent with the adopted Village Development Code, as amended.

FLU4.6.5

Design Standards. The Village Development Code shall establish design standards to control building location, landscaping and signage. In addition, the Village Development Code shall include the following:

- To encourage appropriate residential neighborhood design, the Village Development Code shall establish maximum block lengths and require mixing of block sizes and regulate on-site parking for residential uses.
- The design standards of the Village Development Code shall apply, except that waivers or variances may be approved for such features as garage setbacks, building heights, Village Center parking lot landscaping, lot coverage, building setbacks, lots sizes, other items, when determined by the Board of County Commissioners to further the design objectives of Horizon West through the application of design measures suitable to offset the waived or varied Village Development Code standard.
- To encourage appropriate Neighborhood Center Design, the Village Development Code contains parking controls, including provisions for on-street parking and controls on garage location.

OBJ FLU8.2

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

FLU1.1.1

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

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

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

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

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.

Housing Element

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

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

H1.3.11 Affordable housing is allowed within all residential zoning categories.

Conservation Element

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

ACTION REQUESTED

Local Planning Agency (LPA) Recommendation – (February 15, 2024)

Make a finding that the information contained in the application for the proposed amendment is sufficiently complete; that the proposed amendment has the potential to be found “in compliance,” as defined by Section 163.3184(1)(b), Florida Statutes; and recommend to the Board of County Commissioners that the amendment, 2023-3-A-1-1, be **TRANSMITTED** to the state reviewing agencies.

Local Planning Agency (LPA) Transmittal Public Hearing Synopsis

Chief Planner Jason Sorensen presented the staff report to the PZC/LPA with the recommendation that they make a finding of **consistency** with the Comprehensive Plan and recommend **TRANSMITTAL** of Amendment 2023-3-A-1-1 to the state reviewing agencies. The applicant, Kathy Hattaway of Walt Disney Imagineering, was present and agreed with the staff recommendation. Tajiana Ancora-Brown, Walt Disney World Resort’s Director of External Affairs, spoke to the need for affordable housing in the area and stated that Disney is partnering with The Michaels Organization, the nation’s largest privately-held affordable housing developer, which will build, own, and operate the multi-family community. Ms. Ancora-Brown informed the LPA that the project will be privately funded and noted that The Michaels Organization will not be requesting fee waivers typically available to affordable housing developments, but rather will pay impact fees to help address transportation infrastructure and school capacity needs.

Ned Williams of The Michaels Organization provided an overview of the proposed project. Mr. Williams stated that the mixed-income community will be developed in accordance with the Horizon West design standards. The community will be divided into six distinct neighborhoods with a mix of building typologies, with a combination of apartments, flats, and townhome-style units planned. The development is proposed to feature two amenity buildings and a network of trails, parks, and gathering spaces, including a large central green that will accommodate such events as art walks, festivals, and concerts that will be open to the public. The project will have three full access points: one providing connectivity to Avalon Road to the west and two linking the site to Hartzog Road to the east. Mr. Williams communicated that over 1,000 of the 1,410 units will be reserved for individuals and families with incomes in the range of 50% - 100% of the Area Median Income (AMI). These reserved units will meet Orange County’s definition of Affordable Housing, with rent starting at around \$800 per month for a one-bedroom unit.

Six members of the public appeared to comment on the proposed amendment, one in favor of the request and five in opposition. The speaker in favor of the project stated that the Horizon West area is facing an affordability crisis, and the development of more affordable housing is needed. Opponents expressed concern about the density of the project and its compatibility with existing residential development in the area, with one speaker asserting that it would introduce an urban use into a suburban area and another stating that while there is a need for affordable housing in the community, more apartments should not be approved, as the rental market is already saturated. Rather, the focus should be on home ownership and the development of affordable single-family homes and townhomes.

The present lack of shopping and dining options was also mentioned. The LPA questioned whether the addition of a commercial element to the project had been considered. Mr. Williams replied that the potential inclusion of commercial uses is being discussed.

Speakers opposed to the project also voiced worries about traffic and congestion on area roads and pedestrian safety. Further concerns were raised about school overcrowding, the possibility of increased crime, and the potential burden on emergency services and cell service. In addition, several speakers questioned whether a second community meeting would be held for this application.

During their ensuing discussion, each of the Commissioners in attendance expressed their belief that more affordable housing is needed in the County. However, while several Commissioners stated that the infill project has merit, described it as well-planned, and noted that it simultaneously provides for affordable housing while preserving the onsite wetlands, others voiced concerns about the proposed unit count, the project density, and the intended minimum unit size of 570 square feet. **(Staff Note:** The Horizon West Planned Development Code establishes a minimum living area of 500 square feet for apartments.)

In regard to the proposed unit breakdown, Mr. Williams stated that the multi-family community will offer a mix of junior one-bedroom apartments and one-, two-, three-, and four-bedroom units. He estimated that the project will have a construction period of four years, noting that if construction begins in the fall, the first units will come online by 2026. Joe Shivell of The Michaels Organization informed the LPA that 80 percent of the proposed 1,410 units will be one- and two-bedroom units and will range from 650 to 950 square feet in living area. The largest units in the community will have a living area of approximately 1,000 square feet.

With respect to utility infrastructure, Ms. Hattaway confirmed that Orange County Utilities (OCU) will provide water, wastewater, and reclaimed water service to the project. She further verified that the RIBS site is now defunct and that it will be formally decommissioned.

In answer to a question regarding the possible presence of sand skinks on the subject property, Danny Gough of Bio-Tech Consulting stated that the coverboard survey found no sand skinks on the premises. However, gopher tortoises were observed and will be relocated offsite.

In regard to the traffic and congestion concerns raised by several speakers, Mohammed Abdallah of Traffic & Mobility Consultants stated that a Roadway Agreement will be necessary and that the developer will be required to mitigate any impacts of the project on the roads within its impact area. Mr. Abdallah stated that a number of area road construction projects are currently in the works, including planned improvements to Avalon Road, Seidel Road, and Reams Road.

The LPA noted that the subject property lies in close proximity to the major employment center of Walt Disney World and asked whether shuttle service to Disney will be provided for cast members living in the community. Mr. Abdallah replied that the units are not being developed solely for Disney cast members; rather, they will be available for lease by any qualifying individual. However, if the concentration of Disney cast members is high, shuttle service may be considered.

In answer to a question posed by the LPA, Ms. Ancora-Brown verified that Disney will not receive payment for the land from the Michaels Organization, but rather will dedicate it for the development of a mixed-income community with a significant affordable housing component. In response to the LPA, Mr. Williams stated that the applicant team would consider a potential reduction of the proposed unit count. With respect to a second community meeting, Ms. Ancora-

Brown confirmed that the applicant team would hold an open house-style meeting, at which the requested unit count would be among the topics discussed. **(Staff Note:** This second community meeting has been scheduled for Monday, March 18, 2024, at 6:00 p.m. at Horizon High School.)

Stating concerns for too many apartment units, Commissioner Boers made a motion, seconded by Commissioner Wiggins, to recommend non-transmittal of proposed Amendment 2023-3-A-1-1 to the state reviewing agencies. The motion failed by a vote of 2-5, with Commissioners Boers and Wiggins voting in favor of non-transmittal and Commissioners Arrington, Evans, Pavon, Pena, and Spears voting in opposition.

Commissioner Evans made a second motion, seconded by Commissioner Arrington, to recommend transmittal of the requested amendment to the state reviewing agencies. In response to Commissioner Pena, Commissioner Evans stated that she would not amend her motion to require a second community meeting and the consideration of a reduction of the unit count by the applicant team. The motion carried by a vote of 4-3, with Commissioners Arrington, Evans, Pavon, and Spears voting in favor of transmittal and Commissioners Boers, Pena, and Wiggins voting in opposition.

Motion / Second	<i>Camille Evans / Michael Arrington</i>
Voting in Favor	<i>Michael Arrington, Camille Evans, Walter Pavon, Jr., and Gordon Spears</i>
Voting in Opposition	<i>David Boers, Nelson Pena, and George Wiggins</i>
Absent	<i>Evelyn Cardenas and Eddie Fernandez</i>

BCC Transmittal Outcome

Board of County Commissioners (BCC) Recommendation – (March 26, 2024)

Make a finding that the information contained in the application for the proposed amendment is sufficiently complete; that the proposed amendment has the potential to be found “in compliance,” as defined by Section 163.3184(1)(b), Florida Statutes; and recommend to the Board of County Commissioners that the amendment, 2023-3-A-1-1, be **TRANSMITTED** to the state reviewing agencies.

Board of County Commissioners (BCC) Transmittal Public Hearing Synopsis

Chief Planner Jason Sorensen presented the staff report to the Board with the recommendation that they make a finding of **consistency** with the Comprehensive Plan and **TRANSMIT** Amendment 2023-3-A-1-1 to the state reviewing agencies. The applicant, Kathy Hattaway of Walt Disney Imagineering, was present and agreed with the staff recommendation. Tajiana Ancora-Brown, Walt Disney World Resort’s Director of External Affairs, spoke to the need for affordable housing in the area, noting that over 1,000 of the proposed 1,410 multi-family units will meet Orange County’s definition of Affordable Housing. Ms. Ancora-Brown stated that The Michaels Organization, the nation’s largest privately-held affordable housing developer, will build, own, and operate the multi-family community. She also provided a synopsis of the second community meeting for the requested amendment, held on March 18, 2024, at Horizon High School.

Public policy consultant Adrianna Sekula, representing The Michaels Organization, provided an overview of the proposed project. Ms. Sekula displayed conceptual renderings of the community, which will be comprised of six distinct neighborhoods with a mix of building typologies, with a combination of apartments, flats, and townhome-style units planned. The development is proposed to feature two amenity buildings and a network of trails, parks, and gathering spaces. She noted that the project will have three full access points: one providing connectivity to Avalon Road to the west and two linking the site to Hartzog Road to the east.

Ms. Sekula confirmed that over 1,000 of the 1,410 units will be reserved for individuals and families with incomes in the range of 50% - 100% of the Area Median Income (AMI). She verified that the project will be privately funded and noted that The Michaels Organization will not be requesting fee waivers typically available to affordable housing developments, but rather will pay impact fees to help address infrastructure needs.

45 members of the public appeared to comment on the proposed amendment, 18 in favor of the request and 26 in opposition. Another member of the public appeared to speak about an unrelated matter. Those in favor of the project stated that the Horizon West area is facing an affordability crisis, and the development of more affordable housing is needed. Several speakers in favor of the project asserted that individuals working in the area should have the opportunity to live in the community they serve.

Opponents expressed concern about the density of the project and its compatibility with existing residential development in the area. Several speakers stated that while there is a need for affordable housing in the community, more apartments should not be approved, as the rental market is already saturated.

Speakers opposed to the project also voiced worries about traffic and congestion on area roads and the safety of pedestrians and bicyclists. Further concerns were raised about the present lack of public transportation in the area, school overcrowding, the possibility of increased crime, and the potential burden on utility infrastructure, emergency services, and cell service.

During their ensuing discussion, each of the Commissioners in attendance voiced their belief that more affordable housing is needed in the County. However, the timing of planned transportation infrastructure improvements and the future provision of public transit in the area were central topics of discussion. The appropriateness of expanding Village H to encompass the subject property and the ability of the proposed project to meet the Horizon West design and development standards were also discussed.

In response to a Commissioner's question, Ms. Hattaway expressed her belief that the amendment application package—a copy of which she entered into the record—meets the statutory and County requirements to be deemed “sufficiently complete” and eligible for transmittal to the state for review and comment. She noted that if the proposed amendment is transmitted, it will return for concurrent consideration with the Planned Development (PD) Land Use Plan—currently proceeding through the Development Review Committee (DRC) review process—during the adoption public hearing stage.

Mayor Demings made a motion, seconded by Commissioner Uribe, to transmit proposed Amendment 2023-3-A-1-1 to the state reviewing agencies. The motion carried by a vote of 4-2, with Mayor Demings and Commissioners Gomez Cordero, Moore, and Uribe voting in favor of transmittal and Commissioners Bonilla and Wilson voting in opposition.

Motion / Second	<i>Mayor Jerry Demings / Commissioner Mayra Uribe</i>
Voting in Favor	<i>Mayor Jerry Demings, Commissioner Maribel Gomez Cordero, Commissioner Christine Moore, and Commissioner Mayra Uribe</i>
Voting in Opposition	<i>Commissioner Emily Bonilla and Commissioner Nicole Wilson</i>
Absent	<i>Commissioner Michael Scott</i>

ACTION REQUESTED – ADOPTION PUBLIC HEARING

Local Planning Agency/Planning and Zoning Commission (PZC) Recommendation – (September 19, 2024)

Make a finding of **consistency** with the Comprehensive Plan and recommend **ADOPTION** of Amendment 2023-3-A-1-1 and **APPROVAL** of Rezoning Case LUP-23-06-183, Hartzog Road Attainable Housing Community Planned Development/Land Use Plan (PD/LUP) dated “Received June 11, 2024”, subject to the twenty-three (23) conditions listed in the staff report, including one (1) requested waiver from Orange County Code.

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

Chief Planner Jason Sorensen presented the staff report to the LPA with the recommendation that they make a finding of **consistency** with the Comprehensive Plan and recommend **ADOPTION** of Amendment 2023-3-A-1-1 and **APPROVAL** of Rezoning Case LUP-23-06-183 (Hartzog Road Attainable Housing Community PD/LUP), subject to the twenty-three (23) conditions listed in the staff report, including one (1) requested waiver from Orange County Code. The applicant’s attorney, Julie Kendig-Schrader of GreenbergTraurig, was present and agreed with the staff recommendation.

Ms. Kendig-Schrader spoke to the need for affordable housing in the area and stated that Disney is partnering with The Michaels Organization, the nation’s largest privately-held affordable housing developer, which will build, own, and operate the multi-family community. She stated that The Michaels Organization intends to place a 75-year deed restriction on the subject property to ensure that the units meeting Orange County’s definition of Affordable Housing remain affordable over time. She noted that over 1,000 of the proposed 1,410 multi-family units will be reserved for individuals and families with incomes in the range of 50% - 100% of the Area Median Income (AMI) of the Orlando/Kissimmee/Sanford Metropolitan Statistical Area (MSA), as established by the U.S. Department of Housing and Urban Development (HUD).

Ms. Kendig-Schrader informed the LPA that Walt Disney World has engaged in additional community outreach since the September 26, 2023, and March 18, 2024, community meetings. She stated that Disney has shared information about the proposed project and engaged with area residents and business owners through such means as social media, participation in community events, email correspondence, and engagement with local media, including outlets serving

Horizon West. She added that Disney is continuing its public outreach efforts, including speaking with area residents one-on-one.

The project planner, Brian Forster of Land Design, stated that the conceptual plan continues to be refined in response to input from the public. Mr. Forster informed the LPA that the number of multi-family units will likely be reduced at the Development Plan (DP) stage, with the unit count potentially lowered to 1,369 from the currently-proposed 1,410. He noted that the community will now feature a two-acre park that will be open to the public. He added that the project team is currently gathering input from the public on desired park amenities.

In regard to improvements to the area transportation network, Mohammed Abdallah of Traffic & Mobility Consultants stated a new traffic signal and median opening are warranted at the project entrance on Avalon Road. These improvements will also include a signalized crosswalk across Avalon Road to provide pedestrians and bicyclists safe access to the Village Center directly opposite the site—in which additional commercial uses are planned—and will entail the construction of dedicated left and right turn lanes into the property. Furthermore, the developer is in talks with the County to voluntarily fund and construct additional turn lanes at the Seidel Road/Avalon Road and Hartzog Road/Avalon Road intersections. Moreover, the applicant will enter into a Proportionate Share Agreement with the County to contribute approximately \$3 million toward the planned widening of Avalon Road to four lanes.

Seven members of the public appeared to comment on the proposed amendment, five in opposition to the request and two in favor. Opponents expressed concern about the density of the project and its compatibility with existing residential development in the area. Several speakers stated that while there is a need for affordable housing in the community, more apartments should not be approved, as the rental market is already saturated.

Speakers opposed to the project also voiced worries about traffic and congestion on area roads. One speaker stated that in addition to p.m. peak hour trips, the applicant's traffic study should have considered a.m. peak hour trips. They voiced their belief that in addition to trip generation estimates from the Institute of Transportation Engineers (ITE) *Trip Generation Handbook*, the traffic study should have been based on actual traffic counts. Several speakers expressed concerns about the timing of area transportation improvements, including the planned widening of Avalon Road from two to four lanes, and the lack of public transit.

Several opponents voiced worries about pedestrian and bicyclist safety—particularly that of children walking and biking to and from school. With respect to aquifer recharge, two speakers questioned why the rapid infiltration basins (RIBs) are being removed to allow for the development of the proposed apartments, as they return water back to the aquifer and help define the present edge of Village H. Further concerns were raised about school overcrowding and the potential burden on emergency services, cell service, and utility infrastructure.

The speakers in favor of the project stated that west Orange County is facing an affordability crisis, and the development of more affordable housing is needed. They pointed out that while substantial apartment construction has occurred in the vicinity of the subject site, the units do not meet the County's definition of Affordable Housing. They asserted that those individuals who work in the community and serve its residents—including teachers, first responders, and employees of retail and tourist-oriented establishments—should also be able to live there.

With respect to schools, current Orange County School Board Member Pamela Gould—the District 4 representative—informed the LPA that the proposed project has been factored into the School Board’s calculations for area relief schools. She noted that relief schools are currently in the pipeline and reminded the LPA that in Florida, schools are not built in advance of development, but rather are constructed as development comes online. She added that the planned area road improvements need to be made and that the installation of a traffic light and signalized crosswalk at the project entrance on Avalon Road will help address the issue of safety.

During their ensuing discussion, each of the Commissioners in attendance expressed their belief that more affordable housing is needed in the County. The majority of the Commissioners commended the project team for addressing this need and The Michaels Organization for their commitment to the placement of a 75-year deed restriction on the subject property to ensure that the units meeting Orange County’s definition of Affordable Housing remain affordable over time. They recognized that the project will be privately funded and that The Michaels Organization will not be requesting fee waivers typically available to affordable housing developments, but rather will pay impact fees to help address area infrastructure needs.

The issue of the proposed unit breakdown by income category was also raised. Ms. Kendig-Schrader again noted that at least 75 percent of the multi-family units (more than 1,000 apartment homes) will be reserved for individuals and families with incomes in the range of 50% - 100% of the Area Median Income (AMI). These reserved units will meet Orange County’s definition of Affordable Housing. Up to 25 percent of the units will be leased at market rate. Ms. Kendig-Schrader displayed a chart depicting the project team’s current projected AMI mix, based on 2023 HUD data for the Orlando/Kissimmee/Sanford MSA, with the breakdown as follows:

Average Median Income (AMI)	% Out of ~1,000 Affordable Apartment Homes
50%	11%
60%	21%
80%	38%
100%	30%

When asked by Commissioner Gray if the project team would commit to this breakdown, Ms. Kendig-Schrader stressed that the above percentages are the current projected breakdown for the affordable units. She reiterated that the applicant team has committed to reserving at least 75 percent of the community’s units for individuals and families with incomes in the range of 50% - 100% of the AMI, with the remainder to be rented at market rate. Ms. Kendig-Schrader additionally committed to the community having residents in each AMI band.

With respect to the proposed removal of the 13 onsite RIBs, Mr. Forster informed the LPA that the RIBs were last utilized in 2022. As they are no longer needed, they will be decommissioned and demolished. He verified that the subject property is a defunct former Reedy Creek Improvement District RIBs site, rather than Water Conserv II land.

In regard to the questions raised about the traffic study, Mr. Abdallah confirmed that the traffic study was based on both a.m. and p.m. peak hour trips. He emphasized that the County’s study methodology requires the use of the ITE *Trip Generation Handbook*.

In response to concerns expressed about the lack of public transit, Mr. Abdallah acknowledged that LYNX currently does not serve the area. However, he voiced his belief that the proposed mixed-income project, with its significant affordable housing component, will likely attract individuals working in the community who currently do not have the means to reside there, thus reducing their driving distances and commute times. He added that the project’s transportation hub is intended to provide for carpooling and ridesharing. Commissioner Spears noted that transit is only viable when there is a population to support it. Thus, the approval of higher-density residential development is crucial if the goal is to eventually bring transit to the area.

Commissioner Boers voiced his belief that this is not a true affordable housing project and that the proposed density is excessive. He also voiced concerns about traffic, the timing of planned road improvements, and safety.


Citing his concerns about traffic, the timing of area road improvement projects, safety, affordability, and excessive density, Commissioner Boers made a motion to recommend denial of proposed Amendment 2023-3-A-1-1 and Rezoning Case LUP-23-06-183. The motion died due to lack of a second.

Commissioner Gray made a second motion, seconded by Commissioner Wiggins, to recommend to the Board of County Commissioners **ADOPTION** of Amendment 2023-3-A-1-1 and **APPROVAL** of Rezoning Case LUP-23-06-183, Hartzog Road Attainable Housing Community Planned Development/Land Use Plan (PD/LUP), subject to the twenty-three (23) conditions listed in the staff report, including one (1) requested waiver from Orange County Code. The motion carried by a vote of 5-1, with Commissioners Evans, Fernandez, Gray, Spears, and Wiggins voting in favor of adoption and Commissioner Boers voting in opposition.

Motion / Second	<i>Eric Gray / George Wiggins</i>
Voting in Favor	<i>Camille Evans, Eddie Fernandez, Eric Gray, Gordon Spears, and George Wiggins</i>
Voting in Opposition	<i>David Boers</i>
Absent	<i>Michael Arrington, Evelyn Cardenas, and Nelson Pena</i>

Site Visit Photos

Subject Site	Subject Site
	
Subject Site	Subject Site
	
South of Subject Site	South of Subject Site
	

<p style="text-align: center;">North of Subject Site</p> 	<p style="text-align: center;">North of Subject Site</p> 
<p style="text-align: center;">North of Subject Site</p> 	<p style="text-align: center;">East of Subject Site</p> 
<p style="text-align: center;">West of Subject Site</p> 	<p style="text-align: center;">West of Subject Site</p> 

Hartzog Road Attainable Housing Community PD Land Use Plan DRC-Approved Plan – Site Development Standards

LandDesign.
 11111 UNIVERSITY AVENUE, SUITE 100
 ANAHEIM, CALIFORNIA 92816
 714.944.1111

**HORIZON WEST
 VILLAGE H
 HARTZOG ROAD
 ATTAINABLE
 HOUSING
 COMMUNITY PD**

DEVELOPMENT PLAN
 10/1/2024

PROJECT NO. 23-06-183
 SHEET NO. 001
 DATE: 10/1/2024
 DRAWN BY: JSD
 CHECKED BY: JSD

SCALE: 1" = 100'

LAND USE PLAN
C-002

DEVELOPMENT NOTES

- PROJECT NAME: HORIZON WEST ATTAINABLE HOUSING COMMUNITY PD
- LEGAL DESCRIPTION: SEE COVER
- ZONING: FC
- FUTURE LAND USE: VILLAGE
- APARTMENT DISTRICT STANDARDS:

FRONT SETBACK	10' INCLUDING POACH
SIDE SETBACK	10' TO FRONT FACED, 0' TO SIDE
REAR SETBACK	10'
REAR SETBACK	20' FOR PRIMARY STRUCTURE
REAR SETBACK	5' FOR SECONDARY
MIN. LOT WIDTH*	80'
MIN. LOT AREA*	5,000 SF
MIN. LOT DEPTH*	100'
MIN. SIDE YARD SETBACK*	5'
MIN. SIDE YARD SETBACK*	5'
MIN. SIDE YARD SETBACK*	5'
- PARKS AND OPEN SPACE:

LAND USE	UNITS	PER 1,000 SQ FT
RECREATION	1.40	0.00014
RECREATION	1.40	0.00014
- SCHOOL STUDENT GENERATION:

RECREATION TYPE	STUDENT GENERATION	PROJECTED STUDENT GENERATION
RECREATION TYPE	STUDENT GENERATION	PROJECTED STUDENT GENERATION
- TRAFFIC:

TRAF. GEN. RATE (VPH)	1,400
TRAF. GEN. RATE (VPH)	1,400
- PARKING:

UNIT TYPE	SPACES/UNIT
STORAGE	1.8
STORAGE	1.8

ALTERNATIVE PARKING RATIO

STORAGE	1.8
STORAGE	1.8

LAND USE & SITE DATA SUMMARY

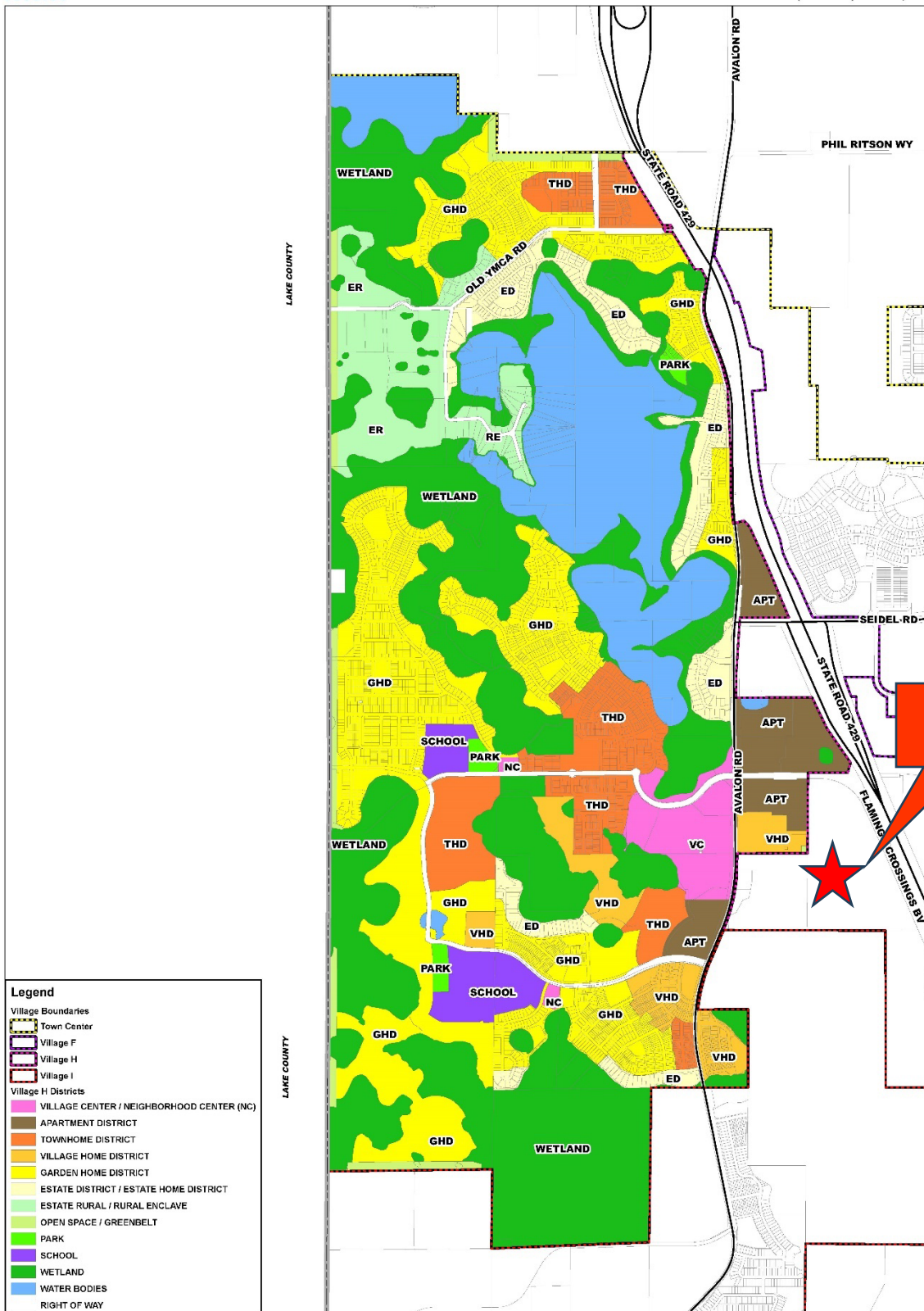
LAND USE DISTRICT	CROSS AREA (ACRES)	ESTIMATED ESTIMATED ESTIMATED	ESTIMATED ESTIMATED ESTIMATED	ESTIMATED ESTIMATED ESTIMATED	ESTIMATED ESTIMATED ESTIMATED	ESTIMATED ESTIMATED ESTIMATED	ESTIMATED ESTIMATED ESTIMATED
APARTMENT DISTRICT	70.38	12.15	13.15	13.15	13.15	13.15	13.15
COMMERCIAL DISTRICT	38.86	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL	109.24	12.15	13.15	13.15	13.15	13.15	13.15



Horizon West - Village H Land Use Map



Updated: September 7, 2021



Legend	
Village Boundaries	
	Town Center
	Village F
	Village H
	Village I
Village H Districts	
	VILLAGE CENTER / NEIGHBORHOOD CENTER (NC)
	APARTMENT DISTRICT
	TOWNHOME DISTRICT
	VILLAGE HOME DISTRICT
	GARDEN HOME DISTRICT
	ESTATE DISTRICT / ESTATE HOME DISTRICT
	ESTATE RURAL / RURAL ENCLAVE
	OPEN SPACE / GREENBELT
	PARK
	SCHOOL
	WETLAND
	WATER BODIES
	RIGHT OF WAY

PUBLIC NOTIFICATION MAP

