Orange County Government • Board of County Commissioners • 201 South Rosalind Avenue County Commission Chambers • 1st Floor • County Administration Center www.OrangeCountyFL.net

## TUESDAY, JANUARY 15, 2013

MEETING STARTS AT 1:30 p.m.

- Invocation - District 6
- Pledge of Allegiance
- Presentation of a proclamation designating January 18, 2013 as Arbor Day
- Presentation of Art in the Chambers
- Public Comment ${ }^{\star}$


## I. CONSENT AGENDA

## A. COUNTY COMPTROLLER

1. Approval of the minutes of the November 27, 2012 meeting of the Board of County Commissioners. (Clerk's Office) Page 14-31
2. Approval of the check register authorizing the most recently disbursed County funds, having been certified that same had not been drawn on overexpended accounts. (Finance/Accounting) Page 14

## CONTINUED

 land use issues.
## I. CONSENT AGENDA (Continued)

## B. COUNTY ADMINISTRATOR

1. Approval of the Membership and Mission Review Board's recommendations for the following advisory board appointments/reappointments: (Agenda Development Office) Page 32-33
A. Affordable Housing Advisory Board: Appointment of Jennifer Pollock to succeed Fernando M. Rucabado in the banking or mortgage banking industry representative category with a term expiring June 30, 2014. Page 34-35
B. Building Codes Board of Adjustments and Appeals: Appointment of Michael R. Holloway to succeed Raul Garcia in the plumbing contractor representative category with a term expiring December 31, 2013. Page 36-37
C. Commission on Aging: Reappointment of Pamela K. Rowe in the at large representative category and the appointment of Pastor Michael R. Frazier to succeed Dorie Croissant in the faith representative category with terms expiring June 30, 2014 and the appointment of Carolyn Reis to succeed Scott C. McCallum in the media/public relations representative category with a term expiring June 30, 2013. Page 38-40
D. Environmental Protection Commission: Appointment of Alexis M. Preisser to succeed Jennifer M. Bray in the at large citizen representative category with a term expiring December 31, 2014. Page 41-42
E. Orange Blossom Trail Development Board: Appointment of Jose A. Rivas, Jr. to succeed Edward J. Smith in the Orange County representative category with a term expiring January 14, 2014. Page 43-44
F. Parks and Recreation Advisory Board: Appointment of Alan Ayash to succeed Laura A. Vedral Mills in the bicycle and pedestrian concern representative category with a term expiring June 30, 2013. Page 45-46
G. Public Works Advisory Board: Appointment of John C. Harris to succeed Solange $C$. Dao in the at large representative category with a term expiring June 30, 2014. Page 47-48
2. Adoption of Resolution approving the issuance of the Orange County Industrial Development Authority Industrial Development Revenue Bonds (Trinity Preparatory School of Florida, Inc.) in an aggregate principal amount of not to exceed $\$ 15,000,000$. (Industrial Development Authority) Page 49-54

## CONTINUED

## I. CONSENT AGENDA (Continued)

## B. COUNTY ADMINISTRATOR (Continued)

3. Adoption of Resolution, approving the issuance of the Orange County Industrial Development Authority Industrial Revenue Bonds (Goodwill Industries of Central Florida, Inc.) in an aggregate principal amount of not to exceed \$18,000,000. (Industrial Development Authority) Page 55-60

## C. ADMINISTRATIVE SERVICES DEPARTMENT

1. Approval to award Invitation for Bids Y13-122-ZM, Aquatic Restoration and Management Services, to the low responsive and responsible bidder, Aquatic Weed Control, Inc. The estimated annual contract award amount is $\$ 1,323,193$ for a 1-year term. ([Community Environmental and Development Services Department Environmental Protection Division] Purchasing and Contracts Division) Page 61-62
2. Approval to award Invitation for Bids Y13-703-RM, Orange County Administration Building $-5^{\text {th }}$ Floor HVAC Replacement (Phase 1), to the low responsive and responsible bidder, Air Mechanical \& Service Corp. (AMSCO). The total contract award amount is $\$ 497,499$. ([Administrative Services Department Capital Projects Division] Purchasing and Contracts Division) Page 63-65
3. Approval to award Invitation for Bids Y13-710-PH, Dr. Phillips Pump Station No. 3151 Rehabilitation, to the low responsive and responsible bidder, TLC Diversified, Inc. The total contract award amount is $\$ 3,248,000$. ([Utilities Department Engineering Division] Purchasing and Contracts Division) Page 66-68
4. Approval to award Invitation for Bids Y13-712-PH, Reams Road Potable Water Transmission Main Replacement Phase 1, to the low responsive and responsible bidder, Wright's Excavation, Inc. The estimated contract award amount is $\$ 812,352$. ([Utilities Department Engineering Division] Purchasing and Contracts Division) Page 69-71
5. Approval and execution of Public Access Easement between SLF IV/Boyd Horizon West JV, LLC and Orange County, approval of Subordination of Encumbrances to Property Rights to Orange County from New Traditions National Bank and authorization to record instruments for Hamlin (APF Park). District 1. (Real Estate Management Division) Page 72-73

## CONTINUED

## TUESDAY, JANUARY 15, 2013

## I. CONSENT AGENDA (Continued)

C. ADMINISTRATIVE SERVICES DEPARTMENT (Continued)
6. Approval of As Is Residential Contract for Sale and Purchase between Orange County and Ebonie Phipps, approval and execution of County Deed from Orange County to Ebonie Phipps and authorization to perform all actions necessary and incidental to closing for NSP Resale - 8014 Dressage Drive, Orlando, FL 32818. District 6. (Real Estate Management Division) Page 74-75
7. Approval of As Is Residential Contract for Sale and Purchase between Orange County and Dina Ortiz, approval and execution of County Deed from Orange County to Dina Ortiz and authorization to perform all actions necessary and incidental to closing for NSP Resale - 10300 Wood Stream Ct., Orlando, FL 32825 (NCST). District 4. (Real Estate Management Division) Page 76-77
8. Approval of Conservation and Access Easement between Conservation Villages, LLC and Orange County with Joinder and Consent to Conservation Easement from United Legacy Bank, Joinder and Consent to Conservation Easement from NVR, Inc. and Joinder and Consent to Conservation Easement from SummerPort Capital, LLC and authorization to record instrument for Stillwater Crossing/Centerbridge PD (SC-13) \#CAI-12-03-008. District 1. (Real Estate Management Division) Page 78-79

## CONTINUED

Page 4

## TUESDAY, JANUARY 15, 2013

## I. CONSENT AGENDA (Continued)

D. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. Approval of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. All Districts. (Code Enforcement Division) Page 80-82

| LC 12-1137 | LC 12-1155 | LC 12-1344 | LC 12-1361 | LC 12-1494 |
| :---: | :---: | :---: | :---: | :---: |
| LC 12-1502 | LC 12-1663 | LC 12-1670 | LC 12-1673 | LC 13-0107 |
| LC 12-1063 | LC 12-1264 | LC 12-1284 | LC 12-1374 | LC 12-1443 |
| LC 12-1496 | LC 12-1500 | LC 12-1518 | LC 12-1524 | LC 12-1580 |
| LC 12-1083 | LC 12-1110 | LC 12-1238 | LC 12-1416 | LC 12-1423 |
| LC 12-1425 | LC 12-1436 | LC 12-1612 | LC 12-1620 | LC 12-1628 |
| LC 13-0023 | LC 13-0059 | LC 13-0090 | LC 13-0091 | LC 13-0098 |
| LC 12-1121 | LC 12-1415 | LC 12-1431 | LC 12-1297 | LC 12-1414 |
| LC 12-1465 | LC 12-1589 | LC 12-1655 | LC 13-0013 | LC 13-0014 |
| LC 13-0037 | LC 12-0919 | LC 12-1002 | LC 12-1175 | LC 12-1189 |
| LC 12-1228 | LC 12-1231 | LC 12-1259 | LC 12-1274 | LC 12-1321 |
| LC 12-1340 | LC 12-1354 | LC 12-1367 | LC 12-1437 | LC 12-1441 |
| LC 12-1445 | LC 12-1446 | LC 12-1449 | LC 12-1450 | LC 12-1455 |
| LC 12-1456 | LC 12-1472 | LC 12-1473 | LC 12-1480 | LC 12-1481 |
| LC 12-1485 | LC 12-1536 | LC 12-1538 | LC 12-1573 | LC 12-1585 |
| LC 12-1623 | LC 12-1642 | LC 13-0033 | LC 13-0041 | LC 13-007 |

2. Approval of the recommendation of the Environmental Protection Commission to uphold the Environmental Protection Officer's recommendation to approve the request for a variance from Orange County Code, Chapter 15, Article IX, Section 15-343 (a) side setback distance for Dock Construction Permit BD 12-10-073; Clint and Deborah Bullock. District 3. (Environmental Protection Division) Page 83-87

## E. FAMILY SERVICES DEPARTMENT

1. Approval of Florida Department of Children and Families Application for a License to Operate a Child Care Facility at the Bithlo Head Start Center. This application is only executed by Orange County. (Head Start Division) Page 88-91
2. Approval of the Orange County Family Services Department Head Start Division Eligibility Priority Selection Criteria 2013-14 School Year to establish a formal selection process for eligible children and families. (Head Start Division) Page 92-93

## TUESDAY, JANUARY 15, 2013

## I. CONSENT AGENDA (Continued)

## E. FAMILY SERVICES DEPARTMENT (Continued)

3. Approval of the Fox Briar Neighborhood and Evergreen Terrace Unit 2 for January 2013 Neighborhood Pride Sign Grants as recommended by the Neighborhood Grants Advisory Board, in an amount not to exceed the estimated budgeted amount of $\$ 7,952$. Districts 2 and 3. (Neighborhood Preservation and Revitalization Division) Page 94-97
4. Approval of the Forsyth Pointe Neighborhood and Wedgefield HOA for January 2013 Neighborhood Pride Entranceway Improvement Grants as recommended by the Neighborhood Grants Advisory Board, in an amount not to exceed the budgeted amount of $\$ 9,539$. Districts 3 and 5. (Neighborhood Preservation and Revitalization Division) Page 98-101
5. Approval of the Harbor Point and Autumn Pines Neighborhoods for January 2013 Neighborhood Pride Wall Repair Grants as recommended by the Neighborhood Grants Advisory Board, in an amount not to exceed the estimated budgeted amount of $\$ 24,982$. Districts 1 and 3. (Neighborhood Preservation and Revitalization Division) Page 102-105
6. Approval of the Orangewood Village HOA for January 2013 Neighborhood Pride Capital Improvement Grant as recommended by the Neighborhood Grants Advisory Board, in an amount not to exceed the estimated budgeted amount of $\$ 10,000$. District 4. (Neighborhood Preservation and Revitalization Division) Page 106-108
7. Approval of the Wedgefield Community Emergency Response Team (CERT) for January 2013 Crime Prevention Grant as recommended by the Neighborhood Grants Advisory Board, in an amount not to exceed the estimated budget amount of $\$ 609$. District 5. (Neighborhood Preservation and Revitalization Division) Page 109-112
8. Approval of the Whisper Lakes Unit 5 HOA for January 2013 Neighborhood Pride Landscaping Grant as recommended by the Neighborhood Grants Advisory Board, in an amount not to exceed the estimated budgeted amount of $\$ 934$. District 4. (Neighborhood Preservation and Revitalization Division) Page 113-115
9. Approval to accept the Federal Health Resources and Services Administration Grant Award for Ryan White Part A funding in the amount of $\$ 9,199,770$ for the period of March 1, 2013 through February 28, 2014; approval for the County Mayor or her designee to approve any increases or decreases in the award amount, and approval for the County Mayor or her designee to approve any increases in Federal Ryan White Part A funding during the period March 1, 2013, through February 28, 2014. (Ryan White Office) Page 116-117

## CONTINUED

## TUESDAY, JANUARY 15, 2013

## I. CONSENT AGENDA (Continued)

## F. PUBLIC WORKS DEPARTMENT

1. Authorization to record the plat of Residences At Lakeside Village. District 1. (Development Engineering Division) Page 118
2. Approval to issue Change Order No. 4 to Contract No. Y12-733 Apopka-Vineland Road at Conroy-Windermere Road Intersection Improvements to Atlantic Civil Constructors Corporation in the amount of $\$ 63,803.30$. District 1. (Highway Construction Division) Page 119-120

## II. INFORMATIONAL ITEMS**

## A. COUNTY COMPTROLLER

1. Receipt of the following items to file for the record: (Clerk's Office) Page 121-122
a. City of Winter Garden Notice of Annexation Ordinances and Legal Descriptions with Maps as follows:

- Ordinance 12-49, An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately $0.57 \pm$ acres located at 441 Lakeview Road on the east side of Lakeview Road, north of West Plant Street and south of Tildenview Road into the City of Winter Garden Florida; redefining the city boundaries to give the city jurisdiction over said property; providing for severability; providing for an effective date.
- Ordinance 12-56, An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately $0.44 \pm$ acres located at 1101 East Plant Street at the northeast corner of East Plant Street and Hennis Road into the City of Winter Garden Florida; redefining the city boundaries to give the city jurisdiction over said property; providing for severability; providing for an effective date.
b. City of Orlando Annexation Ordinance \#2012-47. Notice of Proposed Enactment. On December 3, 2012, the Orlando City Council will consider proposed Ordinance \#2012-47, entitled an Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City of Orlando, Florida, certain real property generally located north of E. Par St., south of Cornell Ave., east of Formosa Ave., and west of Pinewood Dr., comprised of .48 acres, more or less; amending the city's adopted Growth Management Plan to designate the property as office low intensity on the city's official Future Land Use Map; and designating the property as low intensity office with the Wekiva Overlay District on the city's official Zoning Map; providing for severability, correction of scrivener's errors, and an effective date.
c. St. Johns River Water Management District 2013 Governing Board Meeting Schedule
d. Minutes of the July 30, 2012, East Park Community Development District meeting

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## CONTINUED

## TUESDAY, JANUARY 15, 2013

## II. INFORMATIONAL ITEMS** (Continued)

## A. COUNTY COMPTROLLER (Continued)

1. Receipt of the following items to file for the record: (Continued) (Clerk's Office) Page 121-122
e. Audit Report No. 425 - Audit of Orange County Corrections Department Probation Unit
f. Audit Report No. 426 - Follow-Up of the Audit of the Real Estate Management Division
g. Audit Report No. 427 - Limited Review of Orange County's Job Order Contract
[^1]
## CONTINUED

## TUESDAY, JANUARY 15, 2013

## III. WORK SESSION AGENDA

## A. COUNTY ADMINISTRATOR

1. Electronic Communications and Public Records Update. Page 123

## IV. DISCUSSION AGENDA

## A. ADMINISTRATIVE SERVICES DEPARTMENT

1. Selection of one contractor and two ranked alternates to provide Security Guard Services for the Orange County Courthouses and Miscellaneous Sites, Request for Proposals Y13-118-GJ, from the following four firms, listed alphabetically:

- Allegiance Security Group, LLC
- AlliedBarton Security Services
- G4S Secure Solutions, USA, Inc
- HSS, Inc.
([Administrative Services Department Facilities Management Division] Purchasing and Contracts Division) Page 124-127

2. Selection of one contractor and two ranked alternates to provide Security Guard Services for Orange County Utilities Department, Request for Proposals Y13-119GJ, from the following four firms, listed alphabetically:

- ABM Security Services
- Allegiance Security Group, LLC
- G4S Secure Solutions, USA, Inc
- HSS, Inc.
([Utilities Department Fiscal and Operational Support Division] Purchasing and Contracts Division) Page 128-132
B. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. Board direction regarding the Amendment to Orange County Code Chapter 9 "Unlicensed Contracting." All Districts. (Division of Building Safety) Page 133
2. Central Florida's "Open for Business" Update. All Districts. Page 134

## C. UTILITIES DEPARTMENT

1. Approval to implement Solid Waste Study recommendations. Page 135

## CONTINUED

TUESDAY, JANUARY 15, 2013

## V. RECOMMENDATIONS

December 20, 2012 Planning and Zoning Commission Recommendations

## VI. PUBLIC HEARINGS

## Public hearings scheduled for 2:00 p.m.

A. Planning and Zoning Commission Board-Called Public Hearing<br>1. $\checkmark$ Jamie T. Poulos: Florida Hospital East Planned Development; Case LUPA-12-08-178, November 15, 2012; District 3

## B. Ordinance

2. Amending Orange County Code, Chapter 23, pertaining to Law Enforcement Impact Fees (Continued from October 30, 2012 and December 18, 2012)

## Public hearing scheduled for 5:01 p.m.

## C. Ordinance

3. Amending Orange County Code, Chapter 38, pertaining to the use of land in Orange County, Florida, creating the Horizon West Town Center Planned Development Code; Establishing permitted and prohibited uses and uses permitted by location; establishing certain development guidelines and standards; - 1st hearing (2nd hearing on January 29, 2013)
$\sqrt{ }$ The notated public hearing is quasi-judicial in nature. As such, any verbal or written communication with a member of the Board of County Commissioners prior to today's quasi-judicial hearing should be disclosed on the record or made a part of the record during the public hearing by or on behalf of the party who communicated with the Board member to allow any interested party an opportunity to inquire about or respond to such communication. Failure to disclose any such communication may place the party who ultimately prevails at the quasi-judicial hearing at risk of having the Board's decision overturned in a court of law due to prejudice against the party who was not privy to the ex parte communication.

Information regarding meetings held at the County Administration Building between any member of the Board and an outside party may be obtained at http://www.orangecountyfl.net/visitors/reports/MeetingsReportPage.asp.

Any person wishing to appeal any decision made by the Board of County Commissioners at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Orange County Communications Division at (407) 836-5631.

Para mayor información en español, por favor llame al (407) 836-3111.
NOTE: Reports from the County Mayor, the County Commissioners, the County Administrator, and the County Attorney may be presented at unscheduled times throughout the day, depending on the length of time required for advertised public hearings.

Copies of Specific Project Expenditure Reports and Relationship Disclosure Forms are not included with agenda items unless there is a listed expenditure or disclosure. Copies of theses completed reports and forms may be obtained by contacting the relevant Department/Division Office.

## OFFICE OF THE COMPTROLLER

ORANGE
COUNTY
FLORIDA

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## COUNTY COMMISSION AGENDA

Tuesday, January 15, 2013
COUNTY COMPTROLLER
Items Requiring Consent Approval

1. Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Signature authorization and accompanying detail of most recently disbursed County funds are available in the Clerk's Office and on the Comptroller's web site.
2. Approval of the minutes of the November 27, 2012, meeting of the Board of County Commissioners.

## ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS' MEETING

| Date: | Tuesday, November 27, 2012 |
| :--- | :--- |
| Location: | Commission Chambers, Orange County Administration Center, |
| First Floor, 201 S. Rosalind Avenue, Orlando, Florida |  |
| Members Present: | Vice Mayor Jennifer Thompson; Commissioners S. Scott Boyd, <br> Fred Brummer, John Martinez, Ted Edwards, Tiffany Russell |
| Member Absent: | County Mayor Teresa Jacobs <br> Others Present: <br> County Comptroller Martha Haynie as Clerk, Chief Deputy <br> Comptroller Jim Moye as Clerk, County Administrator Ajit <br> Lalchandani, County Attorney Jeffrey J. Newton, Assistant Deputy <br> Clerk Katie Smith |

- CALL TO ORDER, 9:06 a.m.
- REMEMBRANCE

For the passing of Vernon Seitz, father of County Mayor Jacobs.

- OFFICIAL RECOGNIZED: Orange County District 3 Commissioner-Elect Pete Clarke
- INVOCATION - Pastor Riva Tims, Majestic Life Church of Orlando
- PLEDGE OF ALLEGIANCE
- PUBLIC COMMENT

The following persons addressed the Board for public comment:

- Lucy Martin
- Mercedes Tamayo


## - COUNTY CONSENT AGENDA

Motion/Second: Commissioners Russell/Martinez
Absent: County Mayor Jacobs
AYE (voice vote): All present members
Action: The Board deferred Administrative Services Department Items 8 and 11; and further, approved the balance of the County Consent Agenda items as follows:

County Comptroller

1. Approval of the check register authorizing the most recently disbursed County funds, having been certified that same had not been drawn on overexpended accounts. Periods are as follows:

- November 9, 2012, to November 15, 2012; total of $\$ 32,030,600.44$
- November 16, 2012, to November 20, 2012; total of \$8,311,327.66.
(Finance/Accounting)
County Administrator

1. Confirmation of Commissioner Edwards' reappointment to the Lake Killarney Advisory Board of Michael Gorenflo, Conrad Necrason, and V. David Hunter with terms expiring December 31, 2013 and John Mitchell and Carl Jenne with terms expiring December 31, 2014.
-and-
Confirmation of Commissioner Edwards' reappointment to the Lake Price Advisory Board of Robert Marant with a term expiring December 31, 2013 and Lee Lacy with a term expiring December 31, 2014. (Agenda Development Office)
2. Receipt and filing of the minutes received by the Agenda Development Office of various advisory board meetings for the official Board record. (Agenda Development Office)
3. Approval of School Concurrency Mitigation Agreement OC-12-005 Project Name: Windermere Botanical Gardens/Casabella Parcel ID\#: 12-23-27-0000-00-008; 12-23-27-0000-00-009 between Orange County, The School Board of Orange County, and REDUS Florida Land, LLC, a Delaware Limited Liability Company. District 1.
4. Approval of Change Order 9, Contract Y9-722 with Honeywell Building Solutions in the amount of $\$ 178,760$, for a revised contract amount of $\$ 3,061,241$. (Convention Center)
5. Approval of Orange County, Florida and Digital Risk, LLC Economic Development Grant Agreement Digital Risk, LLC Quick Action Closing Fund. (Office of Economic, Trade and Tourism Development)
6. Approval of Orange County, Florida and National Center for Simulation FY 2013 Grant Agreement and authorization to disburse $\$ 35,000$ as provided in the FY 2012-13 adopted budget. (Office of Economic, Trade and Tourism Development)
7. Approval of Orange County, Florida and Hispanic Business Initiative Fund of Florida, Inc. FY 2013 Grant Agreement and authorization to disburse $\$ 123,472$ as provided in the FY 2012-13 adopted budget. (Office of Economic, Trade and Tourism Development)
8. Approval of a) Orange County, Florida and Black Business Investment Fund of Central Florida, Inc. FY 2013 Grant Agreement and authorization to disburse $\$ 135,724$ as provided in the FY 2012-13 adopted budget; and b) Orange County, Florida and Black Business Investment Fund of Central Florida, Inc. FY 2013

Microloan Grant Agreement for Fiscal Year 2013 and authorization to disburse $\$ 75,000$ as provided in FY 2012-13 adopted budget. (Office of Economic, Trade and Tourism Development)
9. Approval of budget amendments \#13-05, \#13-06, \#13-07, and \#13-08. (Office of Management and Budget)
10. Approval of budget transfer \#12-1721. (Office of Management and Budget)

Administrative Services Department

1. Approval of Change Order \#7, Contract Y11-778, with APM Construction Corporation in the amount of $\$ 154,232.63$, for the Coalition for the Homeless Men's Service Center construction project. The revised total contract amount will be $\$ 5,865,242.07$. (Capital Projects Division)
2. Approval to award Invitation for Bids Y12-1100-DG, Water Watch and Mobile Irrigation Lab Audit Program, to the low responsive and responsible bidder, East Central Florida Resource Conservation and Development Council, Inc., a not-forprofit corporation, for a 36-month term contract in the estimated contract award amount of $\$ 304,808$. Further, authorized the Purchasing and Contracts Division to renew the contract for two additional twelve month periods. ([Utilities Department Water Division] Purchasing and Contracts Division)
3. Approval to award Invitation for Bids Y13-111-LC, Chronic Dialysis Corrections Health Services, to the single responsive and responsible bidder, Fresenius Medical Care Healthcare, in the estimated contract award amount of $\$ 367,500$ for a 3 -year term contract renewable for two additional 1-year periods by the Purchasing and Contract Division. ([Health Services Department EMS Office of the Medical Director Division] Purchasing and Contracts Division)
4. Approval to award Invitation for Bids Y12-7025-EZ, Randolph Avenue Phase II Outfall Pipe from Control Structure to Lake Conway, to the low responsive and responsible bidder, C.E. James, Inc., in the estimated contract award amount of $\$ 418,325.85$. ([Public Works Department Roads and Drainage Division] Purchasing and Contracts Division)
5. Approval to award Invitation for Bids Y12-7036-PH, Hidden Springs Water Supply Facility Improvements, to the low responsive and responsible bidder, Brasfield and Gorrie, LLC, in the total contract award amount of $\$ 3,624,000$. ([Utilities Department Engineering Division] Purchasing and Contracts Division)
6. Approval of Contract Y13-2050-LC, Family Drug Court Substance Abuse Treatment and Case Management Program with The Center for Drug Free Living, Inc. in the estimated contract award amount of $\$ 250,000$ for a 1-year period. ([Ninth Judicial Circuit Court Orange County Drug Court] Purchasing and Contracts Division)
7. Approval and execution of Amendment Number One to Sublease Number 4599-01 between the State of Florida Department of Environmental Protection, Division of Recreation and Parks, Successor in Interest to State of Florida Department of Environmental Protection, Office of Greenways and Trails and Orange County for Cady Way Trail. District 5. (Real Estate Management Division)
8. Approval of Purchase Agreement and Warranty Deed between Florida Power Corporation d/b/a Progress Energy Florida, Inc. and Orange County, authorization to disburse funds to pay purchase price and recording fees and perform all actions necessary and incidental to closing for Valencia College Lane (Goldenrod Road to Econlockhatchee Trail). District 3. (Real Estate Management Division)
(This item was deferred.)
9. Approval of Conservation and Access Easement between Jen Florida V, LLC and Orange County and authorization to record instrument for Bridgewater Crossings Boulevard Extension ((Conservation Area Impact Permit) CAIP \#12-02-002). District 1. (Real Estate Management Division)
10. Approval of Utility Easement between Chugin (U.S.A), Inc. and Orange County and authorization to record instrument for International Plaza Sitework - Utility File \#71665. District 5. (Real Estate Management Division)
11. Approval and delegation of authority to the Director of Administrative Services Department to execute a Lease and Funding Agreement between Orange County and the Central Florida YMCA (Young Men's Christian Association). This agreement will allow the YMCA to extend their existing Billboard Lease with Clear Channel Outdoor Services for three years and require them to assign the Billboard Lease to Orange County by January 1, 2013. The agreement will also provide for funding to the YMCA from the Billboard Lease revenue in an annual amount of $\$ 184,000$ for three years. (Real Estate Management Division)
(This item was deferred.)
Community, Environmental and Development Services Department
12. Approval of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. All Districts. (Code Enforcement Division)

| LC 12-0912 | LC 12-0915 | LC 12-0956 | LC 12-0991 | LC 12-1131 |
| :--- | :--- | :--- | :--- | :--- |
| LC 12-1195 | LC 12-1263 | LC 12-1267 | LC 12-1269 | LC 12-0945 |
| LC 12-1029 | LC 12-1037 | LC 12-1068 | LC 12-1139 | LC 12-1245 |
| LC 12-1275 | LC 12-1278 | LC 12-1317 | LC 12-0952 | LC 12-1205 |


| LC 12-1247 | LC 12-0948 | LC 12-1089 | LC 12-1295 | LC 12-1407 |
| :--- | :--- | :--- | :--- | :--- |
| LC 12-1190 | LC 12-1216 | LC 12-0993 | LC 12-1106 | LC 12-1129 |
| LC 12-1141 | LC 12-1151 | LC 12-1156 | LC 12-1171 | LC 12-1176 |
| LC 12-1193 | LC 12-1196 | LC 12-1230 | LC 12-1237 | LC 12-1291 |

2. Approval of Resolution 2012-M-50 of the Orange County Board of County Commissioners regarding a Resolution Supporting Central Florida's "Open for Business" Initiative to Promote Business Climate, Great Service, Job Creation, and Business Investment; and Providing an Effective Date. All Districts. (Community, Environmental and Development Services Department)
3. Approval of State of Florida Department of Transportation Joint Participation Agreement Amendment Number 1 to Contract No: APS17 (Financial Management Number) FM\# 422615-2-58-01 between the State of Florida Department of Transportation and Orange County for the Lake Mary Jess Drainage and Water Quality Improvement Project, to extend the expiration date to December 31, 2013. District 4. (Environmental Protection Division)

## Corrections Department

1. Approval of the U.S. Department of Justice, Bureau of Justice Assistance under the State Criminal Alien Assistance Program for FY 2012 in the amount of $\$ 137,647$ for reimbursement of costs incurred for the incarceration of undocumented criminal aliens. No local match is required.

Family Services Department

1. Approval of the Orange County Family Services Department, Head Start Division Standard Operating Procedures for Program Performance Standards. (Head Start Division)

Office of Regional Mobility

1. Approval of Service Funding Agreement by and between Orange County, Florida and LYNX (Central Florida Regional Transportation Authority) for FY 2012-13. All Districts.

- INFORMATIONAL ITEMS FILED FOR THE RECORD IN THE ORANGE COUNTY COMPTROLLER CLERK'S OFFICE*


## County Comptroller

1. Receipt of the following items to file for the record: (Clerk's Office)
a. Minutes of the October 3, 2012, Meeting in the Sunshine with County Mayor Teresa Jacobs and Commissioners John Martinez and Jennifer Thompson along with the Mayors of City of Orlando and Windermere, and the Chairmen of Brevard and Seminole Counties attending a meeting regarding the Central Florida Branding Summit.
b. Florida Public Service Commission Consummating Order Suspending Water and Wastewater Rates and Holding Interim Revenues Subject to Refund with Interest re: Application for increase in water and wastewater rates in Orange County by Pluris Wedgefield, Inc.
*With respect to informational items, Board action is neither required nor necessary, and Board approval (or disapproval) is not to be implied.

- ADMINISTRATIVE SERVICES DEPARTMENT CONSENT AGENDA ITEM 8 DEFERRED

Approval of Purchase Agreement and Warranty Deed between Florida Power Corporation d/b/a Progress Energy Florida, Inc. and Orange County, authorization to disburse funds to pay purchase price and recording fees and perform all actions necessary and incidental to closing for Valencia College Lane (Goldenrod Road to Econlockhatchee Trail). District 3. (Real Estate Management Division)

Commissioner Edwards announced a conflict of interest for the following reason, as stated in a Memorandum of Voting Conflict filed in the Clerk's Office: "A measure came or will come before my agency which inured to the special gain or loss of Progress Energy Florida, Inc.; client of Foley \& Lardner, my employer, by whom I am retained. The measure before my agency and the nature of my conflicting interest in the measure is as follows:
I. CONSENT AGENDA

## C. ADMINISTRATIVE SERVICES DEPARTMENT

8. Approval of Purchase Agreement and Warranty Deed between Florida Power Corporation d/b/a Progress Energy Florida, Inc. and Orange County, authorization to disburse funds to pay purchase price and recording fees and perform all actions necessary and incidental to closing for Valencia College Lane (Goldenrod Road to Econlockhatchee Trail). District 3. (Real Estate Management Division)

Page 171-172."
Motion/Second: Commissioners Boyd/Martinez
Absent: County Mayor Jacobs
Abstain: Commissioner Edwards
AYE (voice vote): Vice Mayor Thompson; Commissioners Boyd, Brummer, Martinez, Russell
Action: The Board approved the Purchase Agreement and Warranty Deed between Florida Power Corporation d/b/a Progress Energy Florida, Inc. and Orange County, and authorized to disburse funds to pay purchase price and recording fees and perform all actions necessary and incidental to closing for Valencia College Lane (Goldenrod Road to Econlockhatchee Trail).

## - ADMINISTRATIVE SERVICES DEPARTMENT CONSENT AGENDA ITEM 11 DEFERRED

Approval and delegation of authority to the Director of Administrative Services Department to execute a Lease and Funding Agreement between Orange County and the Central Florida YMCA (Young Men's Christian Association). This agreement will allow the YMCA to extend their existing Billboard Lease with Clear Channel Outdoor Services for three years and require them to assign the Billboard Lease to Orange County by January 1, 2013. The agreement will also provide for funding to the YMCA from the Billboard Lease revenue in an annual amount of $\$ 184,000$ for three years. (Real Estate Management Division)

Commissioner Martinez announced an appearance of a conflict of interest for the following reason, as stated in a Memorandum of Voting Conflict filed in the Clerk's Office: "A measure came or will come before my agency which inured to the special gain or loss of YMCA, by where I serve on the Board of Directors. The measure before my agency and the nature of my conflicting interest in the measure is as follows:
Florida Statute 112.313(3) - Doing Business with one's Agency.
I. Consent Agenda
C. Administrative Services
11. Approval and delegation of authority to the Director of Administrative Services Dept. to execute a lease and funding agreement between Orange County and the Central Florida YMCA."

Commissioner Boyd announced an appearance of a conflict of interest for the following reason, as stated in a Memorandum of Voting Conflict filed in the Clerk's Office: "The measure before my agency and the nature of my conflicting interest in the measure is as follows: I sit on two boards that make recommendations to the Dr. Phillips YMCA and Roper YMCA that impact membership and financial guidelines. As I do not have a direct conflict with the YMCA Aquatic Center I refrained from voting as I felt the perception of a conflict would exist."

Motion/Second: Commissioners Edwards/Russell
Absent: County Mayor Jacobs
Abstain: Commissioners Boyd, Martinez
AYE (voice vote): Vice Mayor Thompson; Commissioners Edwards, Russell
NO (voice vote): Commissioner Brummer
Action: The Board approved delegation of authority to the Director of Administrative Services Department to execute a Lease and Funding Agreement between Orange County and the Central Florida YMCA (Young Men's Christian Association). This agreement will allow the YMCA to extend their existing Billboard Lease with Clear Channel Outdoor Services for three years and require them to assign the Billboard Lease to Orange County by January 1, 2013. The agreement will also provide for funding to the YMCA from the Billboard Lease revenue in an annual amount of $\$ 184,000$ for three years.

- COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT DISCUSSION AGENDA ITEM 1

Adoption of the Orange County Trails Master Plan by the Board of County Commissioners. All Districts. (Parks and Recreation Division)

The following person addressed the Board: David Barth.

## Motion/Second: Commissioners Edwards/Russell

Absent: County Mayor Jacobs
AYE (voice vote): All present members
Action: The Board adopted the Orange County Trails Master Plan by the Board of County Commissioners with direction to staff to proceed with determining the feasibility of acquiring right-of-way and reporting back to the Board.

## - COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT DISCUSSION AGENDA ITEM 2

Acceptance of Regulatory Streamlining Task Force Final Report transmitting the recommendations of the Task Force. All Districts.

The following person addressed the Board: Miranda Fitzgerald.
Motion/Second: Commissioners Edwards/Russell
Absent: County Mayor Jacobs
AYE (voice vote): All present members
Action: The Board accepted the Regulatory Streamlining Task Force Final Report transmitting the recommendations of the Task Force with the understanding that staff, when it comes back, will have some kind of role for the Streamlining Task Force moving forward with implementation, whenever that should occur.

## - COUNTY ADMINISTRATOR DISCUSSION AGENDA ITEM 1

Board direction regarding amending the Zoning Code to allow for the implementation of the Florida Cottage Food Act.

Action: None

- ADMINISTRATIVE SERVICES DEPARTMENT DISCUSSION AGENDA ITEM 1

Courthouse Space Needs Report.
Action: None

- FAMILY SERVICES DEPARTMENT DISCUSSION AGENDA ITEM 1

Board direction on staff's recommendations on the use of revenue from the County's Tree Replacement Trust Fund to enhance tree plantings in the County. (Cooperative Extension Service Division)

- MEMBER EXITED: Commissioner Martinez

Motion/Second: Commissioners Edwards/Boyd
Absent: County Mayor Jacobs; Commissioner Martinez
AYE (voice vote): All present members
Action: The Board approved staff's recommendations on the use of revenue from the County's Tree Replacement Funds to enhance tree plantings in the County excluding the four EPD (Environmental Protection Division) projects, subject to further review by the Board on those EPD projects.

- MEETING RECESSED, 12:11 p.m.
- MEETING RECONVENED, 2:13 p.m.

Members Present: Vice Mayor Jennifer Thompson; Commissioners Fred Brummer, John Martinez, Tiffany Russell; Commissioner Ted Edwards joined the meeting where indicated
Members Absent: County Mayor Teresa Jacobs; Commissioner S. Scott Boyd
Others Present: County Administrator Ajit Lalchandani, Deputy County Attorney Joel Prinsell

## - BOARD OF ZONING ADJUSTMENT RECOMMENDATIONS, NOVEMBER 1, 2012

- MEMBER JOINED: Commissioner Edwards

Motion/Second: Commissioners Martinez/Edwards
Absent: County Mayor Jacobs; Commissioner Boyd
AYE (voice vote): All present members
Action: The Board accepted the recommendations of the Orange County Board of Zoning Adjustment under the date of November 1, 2012, with the exception of and authorizing a public hearing be scheduled for Case VA-12-11-081, CBS Outdoor, on January 8, 2013; subject to the usual right of appeal by any aggrieved party.

## - SUBSTANTIAL CHANGE PUBLIC HEARING

Applicant: David C. Lowe, DRMP, Inc., Hunter's Creek Planned Development (PD) Land Use Plan (LUP) (Case \#CDR-12-09-181)
Consideration: Substantial change request to grant the following waivers:

1) Waiver from Section 38-1258(c) to increase the building height to 55 ' in lieu of $40^{\prime}$ for Tract 330, Lot 2 only;
2) Waiver from Section 38-1258(d) to increase the building stories from four (4) stories in lieu of two (2) stories and to decrease the building setbacks from 150' to $135^{\prime}$ for Tract 330, Lot 2 only;
3) Waiver from Section 1258 (f) to eliminate the six (6) foot masonry wall for Tract 330, Lot 2 only; and
4) Waiver from Section $38-1477$ to allow for thirty-three (33) parking spaces to be located on Hunter's Park Lane, a private right-of-way, subject to HOA approval in lieu of all required parking spaces to be located on the same lot; pursuant to Orange County Code, Chapter 30, Section 38-1207
Location: District 1; property generally located east of Town Loop Boulevard, south of Hunters Park Lane; Parcel ID 29-24-29-3208-00-022; S/T/R: 29/24/29; Orange County, Florida (legal property description on file)

Clerk's Note: After the Notice of Public Hearing published in the newspaper and landowners' notifications were distributed, the request was modified by County staff as follows:

To grant the following four (4) waivers from Orange County Code Sections 38-1258 and 38-1477, applicable to PD Tract 330, Lot 2 only:

1) A $\underline{w} W$ aiver from Section $38-1258(d \underline{b})$ to allow all multi-family buildings located within one hundred thirty-five (135) feet of single-family zoned property to be ingrease the building-stories from-four (4) stories in height (not to exceed 55 feet), in lieu of three (3) (2) stories and 40 ' to be located to decrease the building setbacks from 150' from single-family property to 135' for Tract 330, Lot 2 only;
2) A waiver from Section $38-1258$ (c) to allow a maximum height of increase the building height to fifty-five (55) feet for all multi-family buildings, in lieu of a maximum building height of forty (40) feet for Tract 330 , Lot 2 only;
3) A wWaiver from Section 1258(f) to eliminate the requirement to construct a six (6) foot masonry wall whenever a multi-family development is located adjacent to single-family zoned property for Tract 330, Lot-2 only; and
4) A waiver from Section 38-1477 to allow for thirty-three (33) parking spaces to be located on Hunter's Park Lane, a private right-of-way, subject to HOA approval in lieu of all required parking spaces to be located on the same lot.

The applicant was present and in concurrence with staff's recommendation.
Motion/Second: Commissioners Edwards/Russell
Absent: County Mayor Jacobs; Commissioner Boyd
AYE (voice vote): All present members
Action: The Board made a finding of consistency with the Comprehensive Plan; and further, approved the substantial change request by David C. Lowe, DRMP, Inc., Hunter's Creek Planned Development (PD) Land Use Plan (LUP), (Case \#CDR-12-09181), to grant:

1) A waiver from Section 38-1258(b) to allow all multi-family buildings located within one hundred thirty-five (135) feet of single-family zoned property to be four (4) stories in height (not to exceed 55 feet), in lieu of three (3) stories and 40' to be located 150' from single-family property;
2) A waiver from 38-1258(c) to allow a maximum height of fifty-five (55) feet for all multi-family buildings, in lieu of a maximum building height of forty (40) feet;
3) A waiver from Section 1258(f) to eliminate the requirement to construct a six (6) foot masonry wall whenever a multi-family development is located adjacent to singlefamily zoned property; and
4) A waiver from Section 38-1477 to allow for thirty-three (33) parking spaces to be located on Hunter's Park Lane, a private right-of-way, subject to HOA approval, in lieu of all required parking spaces to be located on the same lot;
which constitutes a substantial change to the development on the described property; subject to the following conditions:
1. Development shall conform to the PD Land Use Plan dated "April 16, 2008" 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, ordinance 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 of this zoning and the land use plan dated "April 16, 2008," 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 at the public hearing where this development was approved, 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. 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 or approved.
3. The following waivers from Orange County Code Sections 38-1258 and 38-1477 are granted to address multi-family residential building setbacks, height, buffering/screening and parking standards for PD Tract 330 - Lot 2 only:
a. A waiver from Section 38-1258(b) to allow all multi-family buildings located within one hundred thirty-five (135) feet of single-family zoned property to be four (4) stories in height (not to exceed 55 feet), in lieu of three (3) stories and 40 ' to be located 150 ' from single-family property;
b. A waiver from Section 38-1258(c) to allow a maximum height of fifty-five (55) feet for all multi-family buildings, in lieu of a maximum building height of forty (40) feet;
c. A waiver from Section $38-1258(\mathrm{f})$ to eliminate the requirement to construct a six (6) foot masonry wall whenever a multi-family development is located adjacent to single-family zoned property; and
d. A waiver from Section 38-1477 to allow thirty-three (33) parking spaces to be located on Hunter's Park Lane, a private right-of-way, subject to (Home Owners' Association) HOA approval, in lieu of all required parking spaces to be located on the same lot.
4. Additional access to Hunter Park Lane on the NE corner on lot 2 shall obtain approval from the Master HOA to access the private road.
5. All previous applicable BCC Condition of Approval shall apply: November 22, 1983, April 23, 1990, February 12, 1991, December 8, 1992, May 21, 1996, August 26, 1997, May 13, 2003, July 29, 2008, and February 17, 2009.

- PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING

Consideration: Boggy Creek Enclave Planned Development / Boggy Creek Enclave Preliminary Subdivision Plan Case \# PSP-11-10-232 submitted in accordance with Orange County Code Article II, Section 34-27; This project is proposing to construct 336 single-family units, on a total of 134.26 acres.

Location: District 4; property generally located West of Boggy Creek Road / South of S.R. 417; Parcel IDs 33-24-30-0000-00-05; S33/T24/R30; Orange County, Florida (legal property description on file in Development Engineering Division)

Clerk's Note: After the Notice of Public Hearing published in the newspaper and landowners' notifications were distributed, the request was modified by County staff as follows:

Consideration: Boggy Creek Enclave Planned Development / Boggy Creek Enclave Preliminary Subdivision Plan Case \# PSP-11-10-232 submitted in accordance with Orange County Code Article II, Section 34-27; This project is proposing to construct 336 single-family units residential units with a minimum living area of 1,500 square feet on a total of 134.26 acres.

The County Mayor noted the applicant present and in concurrence with the recommendation.

The following persons addressed the Board:

- Juanita Wicker
- Joe Kolb
- R.P. Mohnacky

Motion/Second: Vice Mayor Thompson/Commissioner Edwards
Absent: County Mayor Jacobs; Commissioner Boyd
AYE (voice vote): All present members
Action: The Board made a finding of consistency with the Comprehensive Plan; and further, approved Boggy Creek Enclave Planned Development / Boggy Creek Enclave Preliminary Subdivision Plan (PSP) Case \# PSP-11-10-232, on the described property, subject to the following conditions:

1. Development shall conform to the Boggy Creek Enclave Planned Development; Orange County Board of County Commissioners (BCC) approvals; Boggy Creek

Enclave Preliminary Subdivision Plan dated "Received June 25, 2012," and to the following conditions of approval. Development based upon this approval shall comply with all applicable federal, state and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances and regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC. In the event of a conflict or inconsistency between a condition of approval of this preliminary subdivision plan and the actual preliminary subdivision plan dated "Received June 25, 2012," 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 at the public hearing where this development was approved, 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. 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 or approved.
3. Prior to construction plan approval, a master stormwater management plan including a drainage study to establish the 100-year flood elevation shall be submitted to the Development Engineering Division for review and approval.
4. The stormwater management system shall be designed to retain the 100-year/24hour storm event onsite, unless documentation with supporting calculations is submitted, which demonstrates that a positive outfall is available. If the applicant can show the existence of a positive outfall for the subject basin, then the developer shall comply with all applicable state and local stormwater requirements and regulations. An emergency high water relief outfall shall be provided to assure overflow does not cause flooding of surrounding areas.
5. Roads and drainage system, including the retention pond, will be owned and maintained by Orange County with an MSBU established for stormwater system functionality. Routine maintenance, including mowing above and beyond the frequency provided by the County, shall be the responsibility of the Home Owners' Association.
6. A Municipal Service Benefit Unit (MSBU) shall be established for the standard operation and maintenance of street lighting inventory including leasing, fuel and energy costs for this project. Street lighting fixtures, poles, and luminaries used in this project shall be selected from the approved inventory list supplied by the Orange County Comptroller. Street lighting fixtures, poles, and luminaries used in
this project shall be supplied and installed by the utility company that services the area of the project, as authorized by law or agreement, and thereafter maintains the street lighting inventory. The developer shall obtain approval of the street lighting fixtures, poles, and luminaries from the Orange County Comptroller Special Assessments Section via a Letter of Commitment prior to the installation of the street lighting fixtures, poles, and luminaries and prior to the plat being recorded by Orange County Comptroller Official Records Department. All installation costs and street lighting operational costs prior to the effective date of the MSBU approval by the Orange County Board of County Commissioners shall be the sole responsibility of the developer.
7. Prior to issuance of the Certificate of Completion for this project, any offsite roadway, drainage and utility improvements deemed necessary in the Preliminary Subdivision Plan must be substantially complete.
8. The applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to platting. However, nothing in this condition and nothing in the decision to approve this preliminary subdivision plan shall be construed to mean that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
9. At the time of platting, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement. Unless the property is vested and/or exempt, the applicant shall be subject to school concurrency and required to go through the review process prior to platting.
10. Unless a Conservation Area Impact (CAI) permit is approved by Orange County consistent with Chapter 15 prior to Construction Plan approval, no conservation area or buffer encroachments shall be permitted.
11. Prior to earthwork or construction, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection.
12. The site shall be stabilized following grubbing, clearing, earth work or mass grading to establish a dense stand of grass, or shall incorporate other approved Best Management Practices, on all disturbed areas if development does not begin within 7 days. Final stabilization shall achieve a minimum of $70 \%$ coverage of the disturbed land area and shall include a maintenance program to ensure minimum coverage survival and overall site stabilization until site development. Prior to clearing or grubbing, approval of mass grading or construction plans, a letter of
credit or cash escrow shall be submitted to the County to guarantee the required site stabilization and maintenance of all disturbed areas. The County Engineer shall establish the amount of the letter of credit.
13. A Master Utility Plan and connection points shall be approved prior to Construction Plan approval.
14. This property lies within Airport Noise Land Use Control Zone "E" as defined in Section 9-603. A waiver of claim is required at platting.
15. Right-of-way along Boggy Creek Road shall be dedicated at no cost to the County with the plat or via separate instrument. Such dedication shall occur prior to December 31, 2013.
16. As soon as practicable after the issuance of the Certificate of Completion for the Stonewyck Street Extension improvements and prior to issuance of any vertical building permits, the right-of-way for Stonewyck Street Extension shall be conveyed to the County at no cost to the County.

- SUBSTANTIAL CHANGE PUBLIC HEARING


## Applicant: Bob Ziegenfuss, Z Development Services, Waterford Commons Planned Development (PD) Land Use Plan (LUP), (Case \#CDR-12-10209)

Consideration: Substantial change request to:

1) Grant a waiver from Section 38-1287(2) to reduce the minimum side building setback from the east property line (for the existing convenience store orly) to five (5) feet, in lieu of a minimum side building setback of thirty (30) feet;
2) Grant a waiver from Section $38-1287(2)$ to reduce the minimum side building setback from the west property line (for the Helipad sales office only) to five (5) feet, in lieu of a minimum side building setback of thirty (30) feet;
3) Grant a waiver from Section $38-1287(4)$ to reduce the minimum paving setback from the east property line (for the existing convenience store parking area only) to zero (0) feet, in lieu of a minimum paving setback of seven and one-half (7.5) feet;
4) Grant an extension of the temporary sales trailer with a new expiration date of February 13, 2014; pursuant to Orange County Code, Chapter 30, Section 38-1207
Location: District 1; property generally located south of International Drive South, East of Vineland Avenue; Parcel IDs 23-24-28-0000-00-014, 23-24-28-0000-00-017, 23-24-28-0000-00-018; S/T/R: 23/24/28; Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Martinez/Russell
Absent: County Mayor Jacobs; Commissioner Boyd
AYE (voice vote): All present members
Action: The Board continued the public hearing until January 8, 2013, at 2 p.m.

- OFFICIAL RECOGNIZED: Orange County District 3 Commissioner-Elect Pete Clarke
- ADJOURNMENT, 2:40 p.m.


## ATTEST:

County Mayor Teresa Jacobs
Date: $\qquad$

## ATTEST SIGNATURE:

Martha O. Haynie
County Comptroller as Clerk

[^2]December 28, 2012

| TO: | Mayor Teresa Jacobs <br> -AND- <br> Board of County Commissioners |
| :--- | :--- |
| THRU: | Cheryl J. Gillespie, Supervisor <br> Agenda Development Office |
| FROM: | Diane D. Shes <br> Agenda Development Office |
| SUBJECT: Membership and Mission Review Board Recommendations |  |
| CONSENT AGENDA ITEM JANUARY 15, 2013. |  |

1. At its December 20, 2012 meeting, the Membership and Mission Review Board approved recommending the following advisory board appointments/reappointments:
A. Affordable Housing Advisory Board: Appointment of Jennifer Pollock to succeed Fernando M. Rucabado in the banking or mortgage banking industry representative category with a term expiring June 30, 2014.
B. Building Codes Board of Adjustments and Appeals: Appointment of Michael R. Holloway to succeed Raul Garcia in the plumbing contractor representative category with a term expiring December 31, 2013.
C. Commission on Aging: Reappointment of Pamela K. Rowe in the at large representative category and the appointment of Pastor Michael R. Frazier to succeed Dorie Croissant in the faith representative category with terms expiring June 30, 2014 and the appointment of Carolyn Reis to succeed Scott C. McCallum in the media/public relations representative category with a term expiring June 30, 2013.
D. Environmental Protection Commission: Appointment of Alexis M. Preisser to succeed Jennifer M. Bray in the at large citizen representative category with a term expiring December 31, 2014.

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E. Orange Blossom Trail Development Board: Appointment of Jose A. Rivas, Jr. to succeed Edward J. Smith in the Orange County representative category with a term expiring January 14, 2014.
F. Parks and Recreation Advisory Board: Appointment of Alan Ayash to succeed Laura A. Vedral Mills in the bicycle and pedestrian concern representative category with a term expiring June 30, 2013.
G. Public Works Advisory Board: Appointment of John C. Harris to succeed Solange C. Dao in the at large representative category with a term expiring June 30, 2014.

Attached for your review are detailed summaries of each recommendation. Recommendation books have been delivered separately.

ACTION REQUESTED: Approval of the Membership and Mission Review Board recommendations for advisory board appointments/reappointments.

Attachments

## AFFORDABLE HOUSING ADVISORY BOARD

MMRB Liaison: Evelyn S. Rivera, (407) 810-8562

## MISSION

Provides assistance in the development of a housing assistance plan and housing incentive plan; assists in the development of incentives to promote affordable housing.

## STATUS OF VACANCIES

There is one vacancy on this 11-member board due to the final term expiration of Fernando $M$. Rucabado.

## THE MMRB RECOMMENDS:

Consideration of the appointment of Jennifer Pollock to succeed Fernando M. Rucabado in the banking or mortgage banking industry representative category with a term expiring June 30, 2014.

| APPLICANT | OCCUPATION | RACE | SEX | DISTRICT |
| :--- | :--- | :---: | :---: | :---: | :---: |
| Jennifer Pollock | Popular Community Bank/Vice <br> President | $W$ | $F$ | 2 |

## SUMMARY OF QUALIFICATIONS

Jennifer Pollock: Ms. Pollock has been in banking for 15 years, specializing in industrial, office and multi-family properties. She has worked closely with both private owners and housing authorities and has served on several local non-profit boards in which she held positions in budget and finance. Ms. Pollock earned her bachelor's degree from the University of North Carolina and her executive master's degree from the University of Central Florida.


# BUILDING CODES BOARD OF ADJUSTMENTS AND APPEALS 

MMRB Liaison: Ron Beardslee, (407) 721-7369

## MISSION

Hears and decides appeals from decisions of the building official regarding the application or interpretation of technical codes, denial or revocation of permits, requests for variances from the application of technical codes, and applications for certificates of competency; reviews and proposes amendments to building codes.

## STATUS OF VACANCIES

There are three vacancies on this 11-member board in the residential contractor representative category, the electrical engineer/contractor representative category, and the plumbing contractor representative category.

## THE MMRB RECOMMENDS:

Consideration of the appointment of Michael R. Holloway to succeed Raul Garcia in the plumbing contractor representative category with a term expiring December 31, 2013.

| APPLICANT | OCCUPATION | RACE | SEX | DISTRICT |
| :--- | :--- | :---: | :---: | :---: |
| Michael R. Holloway | Holloway Plumbing Co. Inc./ <br> General Manager and Chief <br> Estimator | W | M | 2 |

## SUMMARY OF QUALIFICATIONS:

Michael R. Holloway: Mr. Holloway has 30 years of experience in all phases of plumbing and is state licensed. He previously served on the Building Codes Board of Adjustments and Appeals. He attended ABC Construction School.

## CURRENT BOARD

## ORIGINAL TERM <br> APPOINTMENT EXPIRES RACE SEX DISTRICT

$\frac{\text { General Contractor }}{\text { Gregory M. Hardwick }}$
$\frac{\text { Residential Contractor }}{\text { [Vacancy] }}$

| Electrical Engineer/Contractor |
| :--- |
| [Vacancy] |

Roofing Contractor

| Raymond T. Kilmer | $10 / 4 / 11$ | W |
| :--- | :--- | :--- | :--- | :--- | :--- |

## Architect

| Eric O. Kleinsteuber | $5 / 8 / 12$ | $12 / 31 / 13$ | W | M |
| :--- | :--- | :--- | :--- | :--- | :--- |

Structural Engineer

| Donald P. Graham | 8/7/12 | $12 / 31 / 13$ | W | M |
| :--- | :--- | :--- | :--- | :--- | :--- |

Mechanical Engineer/Contractor
Anthony A. Millward $4 / 11 / 06 \quad 12 / 31 / 13 \quad$ W M 1

Plumbing Contractor
$\begin{array}{llllll}\text { Raul Garcia } & 2 / 7 / 12 & 12 / 31 / 13 & H & \text { M } & 4\end{array}$ [Resigned]

Consumer Representative not from Regulated Professions (3)

| Jeff Davies | $9 / 15 / 09$ | $12 / 31 / 13$ | W | M | 6 |
| :--- | :--- | :--- | :--- | :--- | :--- |


| Jaime L. Rodriguez | $2 / 7 / 12$ | $12 / 31 / 13$ | W | F | 4 |
| :--- | :--- | :--- | :--- | :--- | :--- |

Adam T. Lovejoy $4 / 3 / 11 \quad 12 / 31 / 12$ Not M 1

## COMMISSION ON AGING

MMRB Liaison: Evelyn S. Rivera, (407) 810-8562

## MISSION

Collects information and data on the needs of and services for elders, their families, and caregivers; assists agencies in assessing these needs and services; analyzes the elderreadiness of the county.

## STATUS OF VACANCIES

There are two vacancies on this 15-member board in the media/public relations representative category due to the resignation of Scott C . McCallum and in the faith representative category due to the resignation of Dorie Croissant.

## THE MMRB RECOMMENDS:

Consideration of the reappointment of Pamela K. Rowe in the at large representative category and the appointment of Pastor Michael R. Frazier to succeed Dorie Croissant in the faith representative category with terms expiring June 30, 2014 and the appointment of Carolyn Reis to succeed Scott C. McCallum in the media/public relations representative category with a term expiring June 30, 2013.

| APPLICANT | OCCUPATION | RACE | SEX | DISTRICT |
| :--- | :--- | :---: | :---: | :---: |
| Pastor Michael R. Lighthouse Baptist Church/ <br> Frazier Wenior Pastor | M | 3 |  |  |
| Carolyn Reis | Corporate Communications <br> Consultant/Carolyn Reis, APR, Inc. | W | F | 5 |

## SUMMARY OF QUALIFICATIONS

Pastor Michael R. Frazier: Pastor Frazier has been a minister for 30 years and has lived in Orange County for six years. He is an assistant to the chairman of an international broadcast ministry, based in Orlando. He received his graduate theology degree from Liberty University.

Carolyn Reis: Ms. Reis is accredited by the Public Relations Society of America and has decades of experience in corporate communications, marketing, and advertising. In addition, Ms. Reis has knowledge and expertise in healthcare. She indicates that she is part of the sandwich generation and has experienced some of the issues of aging parents. She received her bachelor's degree from the University of Florida.

| CURRENT BOARD |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
|  | ORIGINAL APPOINTMIENT | TERM EXPIRES | RACE | SEX | DISTRICT |
| Business |  |  |  |  |  |
| Robert W. Riley | 5/10/11 | 6/30/13 | B | M | 1 |
| Faith |  |  |  |  |  |
| Dorie Croissant [Resigned] | 11/11/08 | 6/30/12 | W | F | 1 |
| Health Care |  |  |  |  |  |
| Suyrea L. Reynolds | 8/17/10 | 6/30/14 | W | F | 5 |
| Transportation |  |  |  |  |  |
| Lewis E. Mattox | 10/13/09 | 6/30/13 | W | M | 3 |
| Media/Public Relations |  |  |  |  |  |
| Scott C. McCallum [Resigned] | 10/13/09 | 6/30/13 | W | M | 4 |
| Local Foundation |  |  |  |  |  |
| Rhonda K. Pearlman | 10/13/09 | 6/30/13 | W | F | 2 |
| At Large (4) |  |  |  |  |  |
| Pamela K. Rowe | 8/17/10 | 6/30/12 | B | F | 2 |
| Monserrate Vargas | 10/16/12 | 6/30/14 | H | F | 3 |
| Dr. Esther Pichardo | 10/16/12 | 6/30/13 | H | F | 6 |
| Awilda "Wendy" Roman | 8/17/10 | 6/30/14 | H | F | 4 |
| Education |  |  |  |  |  |
| Ellen D. Jones | 3/6/12 | 6/30/13 | B | F | 1 |
| County Commissioner |  |  |  |  |  |
| Commissioner Ted Edwards | 3/6/12 | 6/30/13 | W | M | 5 |
| Area Agency on Aging CEO (Ex-officio, non-voting) |  |  |  |  |  |
| Randall D. Hunt |  |  | W | M | Lake |
| Chairman of the City of Orlando's Mayor's Committee on Aging (Ex-officio, non-voting) |  |  |  |  |  |
| Darlene Ragan |  |  | W | $F$ | 5 |

## ORIGINAL TERM <br> APPOINTMENT EXPIRES RACE SEX DISTRICT

Chairman of the Community Partnerships Committee (Ex-officio)
Alison C. Issen ..... W F5

# ENVIRONMENTAL PROTECTION COMMISSION <br> MIMRB Liaison: Sami Qubty (407) 370-3030 

## MISSION

Recommends revisions to regulations affecting the continuing protection of the environmental quality of the air, water, and land in Orange County.

## STATUS OF VACANCIES

There are two vacancies on this seven-member board in the at large citizen representative category due to the final term expiration of Jennifer M. Bray and the regulated business or municipal representative category due to the removal of Charles $A$. White for non-attendance.

## THE MMRB RECOMMENDS:

Consideration of the appointment of Alexis M. Preisser to succeed Jennifer M. Bray in the at large citizen representative category with a term expiring December 31, 2014.

| APPLICANT | OCCUPATION | RACE | SEX | DISTRICT |
| :--- | :--- | :--- | :--- | :--- |
| Alexis M. Preisser | Bowyer-Singleton \& Associates, <br> Inc./Manager of Environmental <br> Services | $W$ | $F$ | 5 |

## SUMMARY OF QUALIFICATIONS:

Alexis M. Preisser: Ms. Preisser has over nine years of experience in biological sciences. Her training and experience include biology, botany, conservation biology, transportation and land development permitting, ecology, and land management practices. She has worked with state agencies, as well as various cities and counties. She is a member of Florida Association of Environmental Professionals and Central Florida Association of Environmental Professionals. She received her bachelor's degree in Conservation Biology from Brigham Young University.

## CURRENT BOARD

|  | ORIGINAL APPOINTMENT | TERM EXPIRES | RACE | SEX | DISTRICT |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Professional Engineer |  |  |  |  |  |
| Glenn W. Dunkelberger | 12/11/12 | 12/31/14 | W | M | 4 |
| Agricultural Interest |  |  |  |  |  |
| David R. Ward | 4/10/12 | 12/31/13 | W | M | 5 |
| Conservation Organization |  |  |  |  |  |
| John Miklos | 4/6/10 | 12/31/13 | W | M | 4 |
| Regulated Business or Municipal Representative |  |  |  |  |  |
| Charles A. White [Removed 12/7/12] | 2/6/10 | 12/31/13 | W | M | 6 |
| Michael L. Kyhos | 3/8/11 | 12/31/12 | w | M | 4 |
| Environmental Specialist |  |  |  |  |  |
| Joel A. Thomson | 3/17/09 | 12/31/13 | w | M | 5 |
| At Large Citizen Representative |  |  |  |  |  |
| Jennifer M. Bray | 4/11/06 | 12/31/12 | W | F | 2 |

# ORANGE BLOSSOM TRAIL DEVELOPMENT BOARD <br> MMRB Liaison: Caroline Dales, (407) 797-4181 

## MISSION

Promotes the revitalization of the Orange Blossom Trail area.

## STATUS OF VACANCIES

There is one vacancy on this nine-member board in the Orange County representative category due to the removal of Edward J . Smith for non-attendance.

## THE MIMRB RECOMIMENDS:

Consideration of the appointment of Jose A. Rivas, Jr. to succeed Edward J. Smith in the Orange County representative category with a term expiring January 14, 2014.

| APPLICANT | OCCUPATION | SEX | RACE | DISTRICT |
| :--- | :--- | :---: | :---: | :---: |
| Jose A. Rivas, Jr. | Sol Time Inc./CEO | $H$ | $M$ | 3 |

## SUMIMARY OF QUALIFICATIONS:

Jose A. Rivas, Jr.: Mr. Rivas has resided in District 3 for over 20 years and has a business on Orange Blossom Trail. He has been involved with numerous zoning and land use cases involving special exceptions, variances, and rezoning issues. In addition to his double major and the J.D. degree he completed in 2005 at the FAMU College of Law, he is also a licensed realtor in Florida. Mr. Rivas is a member of the Orlando Regional Chamber of Commerce and the Hispanic Chamber of Metro Orlando.

## CURRENT BOARD

## ORIGINAL TERM APPOINTMENT EXPIRES RACE SEX DISTRICT

| Orange County | $11 / 11 / 08$ | $1 / 14 / 13$ | W | F | 4 |
| :--- | :---: | :---: | :---: | :---: | :---: |
| Monica King | $4 / 6 / 10$ | $1 / 14 / 14$ | W | M | 6 |
| Edward J. Smith |  |  |  |  |  |
| [Removed] | $11 / 9 / 10$ | $1 / 14 / 13$ | W | M | 4 |
| Thomas Murphy | $9 / 9 / 08$ | $1 / 14 / 13$ | W | M | 4 |
| John J. Davis | $1 / 9,07$ | $1 / 14 / 15$ | B | F | 6 |
| Commissioner Tiffany Moore | $5 / 10 / 11$ | $1 / 14 / 13$ | B | M | 3 |
| Edward Johnson | $1 / 30 / 06$ | $1 / 14 / 13$ | W | F | 5 |
| City of Orlando | $4 / 13 / 01$ | $1 / 14 / 13$ | W | M | 5 |

## PARKS AND RECREATION ADVISORY BOARD <br> MMRB Liaison: Caroline Dales, (407) 797-4181

## MISSION

Considers present and future needs of the park system, including possible expansions or major capital improvements; recommends park programs to the Board of County Commissioners.

## STATUS OF VACANCIES

There is one vacancy on this 11 -member board in the bicycle and pedestrian concern representative category due to the removal of Laura A. Vedral Mills for non-attendance.

## THE MIMRB RECOMIMENDS:

Consideration of the appointment of Alan Ayash to succeed Laura A. Vedral Mills in the bicycle and pedestrian concern representative category with a term expiring June 30, 2013.

| APPLICANT | OCCUPATION | RACE | SEX | DISTRICT |
| :--- | :--- | :--- | :---: | :---: |
| Alan Ayash | Valencia College/ <br> Adjunct Professor | Unlisted | $M$ | 4 |

## SUMMARY OF QUALIFICATIONS:

Alan Ayash: Mr. Ayash has over 27 years' experience in engineering and management, which includes the management of a multimillion dollar pedestrian program for Seminole County. He also served on the Seminole County School Safety Advisory Committee. He is a member of the Florida Engineering Society and the National Society of Professional Engineers. He received his bachelor's degree from State University of New York and his master's degree from George Washington University.

## CURRENT BOARD

|  | ORIGINAL APPOINTMENT | TERM EXPIRES | RACE | SEX | DISTRICT |
| :---: | :---: | :---: | :---: | :---: | :---: |
| District 1 |  |  |  |  |  |
| Sue N. Carpenter | 7/8/08 | 6/30/14 | W | F | 1 |
| District 2 |  |  |  |  |  |
| Ainsworth E. Nurse | 4/6/10 | 6/30/13 | B | M | 2 |
| District 3 |  |  |  |  |  |
| Rene Plasencia | 11/9/10 | 6/30/14 | H | M | 3 |
| District 4 |  |  |  |  |  |
| Alan Morrison | 10/4/11 | 6/30/13 | W | M | 4 |
| District 5 |  |  |  |  |  |
| Robert "Don" Spacht | 8/8/06 | 6/30/12 | Unlisted | M | 5 |
| District 6 |  |  |  |  |  |
| George M. Ramsey | 6/7/11 | 6/30/13 | B | M | 6 |
| Mayor's At Large |  |  |  |  |  |
| Jacqueline A. Blake | 2/7/12 | 6/30/14 | W | F | 3 |
| Senior Citizen |  |  |  |  |  |
| Linda B. Becker | 9/15/09 | 6/30/14 | W | F | 3 |
| Bicycle/Pedestrian Interests |  |  |  |  |  |
| Laura A. Vedral Mills [Removed] | 6/7/11 | 6/30/13 | W | F | 5 |
| Youth Recreational Activities Representative |  |  |  |  |  |
| Demetrius V. Smith | 7/16/12 | 6/30/13 | B | M | 3 |
| Natural Resource/Environmental Representative |  |  |  |  |  |
| Jennifer E. Thomson | 7/16/12 | 6/30/14 | W | F | 5 |

## PUBLIC WORKS ADVISORY BOARD

MMRB Liaison: Genean McKinnon, (407) 341-0341

## MISSION

Reviews Public Works items including, but not limited to, road construction, road maintenance, stormwater, transportation planning, transportation engineering, drainage, street lighting, and other functions.

## STATUS OF VACANCIES

There are two vacancies on this seven-member board in the general consulting representative category due to the removal of Linda F. Bennett for non-attendance and in the at large representative category due to the term expiration of Solange $C$. Dao.

## THE MMRB RECOMMENDS:

Consideration of the appointment of John C. Harris to succeed Solange C. Dao in the at large representative category with a term expiring June 30, 2014.

| APPLICANT | OCCUPATION | RACE | SEX | DISTRICT |
| :--- | :--- | :---: | :---: | :---: |
| John C. Harris | Balfour Beatty Construction/Vice <br> President | W | $M$ | 1 |

## SUMMARY OF QUALIFICATIONS:

John C. Harris: Mr. Harris has 20 years of commercial construction experience and has been employed with Balfour Beatty Construction for 14 years. He received his bachelor's degree in building construction with a minor in business administration from the University of Florida. He is currently a member of the Downtown Orlando Partnership and the Central Florida Partnership.

| CURRENT BOARD |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
|  | ORIGINAL APPOINTMENT | TERM EXPIRES | RACE | SEX | DISTRICT |
| Geotechnical Discipline |  |  |  |  |  |
| Daniel C. Stanfill | 7/16/12 | 6/30/14 | W | M | 3 |
| General Consulting Discipline |  |  |  |  |  |
| Linda F. Bennett [REMOVED] | 6/3/08 | 6/30/13 | W | F | 4 |
| Transportation Engineer |  |  |  |  |  |
| Thomas G. Lochrane | 6/9/09 | 6/30/13 | W | M | 5 |
| Development Industry |  |  |  |  |  |
| R. Scott Batterson | 7/26/11 | 6/30/13 | Unlisted | M | 5 |
| Stormwater Discipline |  |  |  |  |  |
| Claude L. Cassagnol | 4/5/11 | 6/30/14 | B | M | 5 |
| Construction Discipline |  |  |  |  |  |
| Eric Bain | 9/11/12 | 6/30/14 | B | M | 2 |
| At Large |  |  |  |  |  |
| Solange C. Dao | 11/17/09 | 6/30/12 | A | F | 5 |

## VIA HAND DELIVERY

Mayor Teresa Jacobs
AND
Board of County Commissioners
Orange County Administration Center
201 South Rosalind Avenue, 5 th Floor
Orlando, FL 32801
Re: Action Requested: Adoption of Resolution Approving the Issuance of the Orange County Industrial Development Authority Industrial Development Revenue Bonds (Trinity Preparatory School of Florida, Inc.) in an Aggregate Principal Amount of Not to Exceed \$15,000,000

Dear Mayor Jacobs:
We serve as legal counsel to the Orange County Industrial Development Authority (the "Authority"), in connection with the proposed Orange County Industrial Development Authority Industrial Development Revenue Bonds (Trinity Preparatory School of Florida, Inc. Project), Series 2013 in an aggregate principal amount not to exceed $\$ 15,000,000$ (the "Trinity Bonds").

The Authority hereby respectfully requests that at its January 15,2013 meeting, the Orange County Board of County Commissioners (the "Board") approve under Section 147(f) of the Internal Revenue Code and Sections 159.47(1)(f) and 125.01(1)(z), Florida Statutes, the issuance by the Authority of the Trinity Bonds. The Authority adopted Resolution No. 2012-04 relating to the Trinity Bonds (the "Authority Inducement Resolution") at a special meeting of the Authority held on December 11, 2012 after conducting an advertised public hearing with respect to the Trinity Bonds.

As requested in the Application for Industrial Development Revenue Bond Financing that has been submitted to the Authority (the "Bond Application") by Trinity Preparatory School of Florida, Inc., a Florida not-for-profit corporation exempt from taxation under Section 501(c)(3) of the Internal Revenue Code ("Trinity"), the Trinity Bonds will be issued for the benefit of Trinity. The proceeds from the sale of the Trinity Bonds will be loaned to Trinity for the principal purposes of (a) refunding all outstanding Series 1998, Series 1998A, and Series 2005 Bonds that the Authority heretofore issued for the benefit of Trinity, and (b) providing funds to finance or refinance the acquisition, construction, renovation and equipping of educational facilities for Trinity, including construction of a middle school and fine arts

Mayor Teresa Jacobs
Board of County Commissioners
December 27, 2012
Page 2
building, and renovation of Trinity House, including a conference center, both in Orange County, athletic facilities improvements in Seminole County, and life safety, security and technology improvements, completion of a trail around campus, and related improvements in both Orange and Seminole Counties. Trinity's campus is a contiguous tract located in both Orange and Seminole Counties.

As you know, the Trinity Bonds may be issued only if the Board has approved the Trinity Bonds as required by Section 147(f) of the Internal Revenue Code and by Sections 159.47 (1)(f) and 125.01 (1)(z), Florida Statutes (collectively, the "Statutory Requirements"). For the Board's convenience, I have attached to this letter the following:

1. The proposed Board Resolution in the form similar to that used in the past by the Board for its approval of industrial development revenue bonds issued by the Authority (the "Board Resolution"). Section 2 of the proposed Board Resolution explicitly provides that the approval therein is limited solely to the approval of the Trinity Bonds as required by the Statutory Requirements.
2. The Authority's published Notice of Public Hearing relating to the Trinity Bonds, a copy of which is to be attached to the Board Resolution as Exhibit A;
3. A copy of the Authority Inducement Resolution, certified by the Authority's Secretary as adopted by the Authority on December 11, 2012, which is to be attached to the Board Resolution as Exhibit B;
4. An executed copy of the Memorandum of Agreement referenced in the Authority Inducement Resolution;
5. Draft minutes of the Authority's December 11, 2012 meeting, without attachments.
6. A copy of Trinity's Application for the Issuance of Industrial Development Bonds that was addressed to the Authority.

Should the Board desire to consider the Board Resolution at its January 15, 2013 meeting, the item need only be placed on the consent agenda and prior to the adoption thereof the Board must provide the public with an opportunity to comment on the issuance of the Trinity Bonds and the adoption of the Board Resolution. Once the Board has adopted the Board Resolution, the Authority and Trinity will have all of the legislative authority necessary to issue the Trinity Bonds and loan the proceeds thereof to Trinity and thereafter will only be required to finalize various customary financing documents with the assistance of staff and advisors.

Mayor Teresa Jacobs
Board of County Commissioners
December 27, 2012
Page 3

As noted in the Board Resolution and in the minutes included as item 5 above, at the public hearing conducted by the Authority, no member of the public objected to the issuance of the Trinity Bonds or any of the projects to be constructed on Trinity's campus with the new money portion of the Trinity Bonds.

As stated in the draft minutes of the Authority's December 11, 2012 meeting, all of the Trinity Bonds will be privately placed with Wells Fargo Bank, N.A.

In order to permit the sale of the Trinity Bonds and the funding of the Project as soon as possible, we will appreciate the Board's consideration of the enclosed Board Resolution at its January 15, 2013 meeting.

A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.

If there is a problem with scheduling this matter on January 15,2013 or if you or any of the other members of the Board or its staff require any additional information, please contact me at your earliest convenience.

ACTION REQUESTED: Adoption of Resolution approving the issuance of the Orange County Industrial Development Authority Industrial Development Revenue Bonds (Trinity Preparatory School of Florida, Inc.) in an aggregate principal amount of not to exceed $\$ 15,000,000$.

Very truly yours,


Leighton D. Yates, Jr.
cc: (All with enclosures)
Ms. Cheryl Gillespie, Agenda Development (3 copies)
Mr. Ajit Lalchandani, Orange County Administrator
Jeff Newton, Esq., Orange County Attorney
Lila I. McHenry, Esq., Assistant County Attorney
Mr. Jim Moye, Chief Deputy Comptroller
Mr. Fred Winterkamp, Manager, Fiscal and Business Services
Ms. Amy Cutter Mulford, Secretary, OCIDA
Edward W. Vogel, III, Bond Counsel
\#11938555_v2

> No.
> RESOLUTION
> APPROVING THE ISSUANCE OF THE ORANGE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY INDUSTRIAL DEVELOPMENT REVENUE BONDS (TRINITY PREPARATORY SCHOOL OF FLORIDA, INC.) IN AN AGGREGATE PRINCIPAL AMOUNT OF
> NOT TO EXCEED $\$ 15,000,000$

WHEREAS, the Orange County Board of County Commissioners (the "Board") declared a need for the Orange County Industrial Development Authority (the "Authority"), appointed its members and empowered it to act under the provisions of Chapter 159, Part III of the Florida Statutes; and

WHEREAS, after publication in the Orlando Sentinel of the Notice of Public Hearing, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (the "Notice of Public Hearing") the Authority held, on behalf of itself and of Seminole County, Florida ("Seminole County"), at its December 11, 2012 meeting, the public hearing (the "Public Hearing") required by the Internal Revenue Code of 1986, as amended (the "Internal Revenue Code"), relating to the Orange County Industrial Development Authority Industrial Development Revenue Bonds (Trinity Preparatory School of Florida, Inc. Project), Series 2013 in an aggregate principal amount not to exceed $\$ 15,000,000$ (the "Bonds"), proposed to be issued by the Authority, and adopted the Resolution, a copy of which is attached hereto as Exhibit "B" and incorporated herein by reference (the "Authority's Resolution") for the purpose of authorizing the execution by the Authority of Interlocal Agreement described therein with Seminole County and providing for the issuance of the Bonds for the benefit of Trinity Preparatory School of Florida, Inc., a Florida not-for-profit corporation (the "Corporation"), to finance or refinance the cost of the acquisition, construction and equipping of educational facilities (the "Projects") in the County and Seminole County, as described in the Notice of Public Hearing; and

WHEREAS, the Board is the elected legislative body of Orange County, Florida (the "County") and, based upon representations of the Corporation, the County has jurisdiction over the Projects located in Orange County, Florida for purposes of Section $147(f)$ of the Internal Revenue Code; and

WHEREAS, the Board has been furnished with a copy of the Notice of Public Hearing and has been advised that: (a) the Notice of Public Hearing apprised residents of the County and Seminole County of the proposed issuance of the Bonds not less than 14 days before the Public Hearing; (b) the Public Hearing was conducted in a manner which provided a reasonable opportunity for persons with differing views on both the issuance of the Bonds and the location and nature of the

Projects to be heard; and (c) no members of the public (other than those present on behalf of the Corporation and members of the Authority and its staff) appeared at the Public Hearing or otherwise expressly objected to the issuance of the Bonds for the Projects; and

WHEREAS, the Board has been requested by the Authority to consider and approve the Authority's issuance of the Bonds under the provisions of Sections 125.01(1)(z) and 159.47(1)(f), Florida Statutes, as amended, and Section 147(f) of Internal Revenue Code;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Orange County, Florida as follows:

SECTION 1. Issuance by the Authority of its Orange County Industrial Development Authority Industrial Development Revenue Bonds (Trinity Preparatory School of Florida, Inc. Project), Series 2013 in an aggregate principal amount of not to exceed $\$ 15,000,000$, as contemplated by the Notice of Public Hearing and the Authority's Resolution shall be, and hereby are, approved.

SECTION 2. This approval is solely for the purpose of Section 147(f) of the Internal Revenue Code and Sections 125.01(z) and 159.47(1)(f), Florida Statutes. The issuance of the Bonds and the use of the proceeds thereof to finance and refinance the costs of the Projects as contemplated by the Authority's Resolution shall be, and hereby are, approved.

SECTION 3. The approval given herein shall not be construed as (i) an endorsement of the creditworthiness of the Corporation or the financial viability of the Projects, (ii) a recommendation to any prospective purchaser to purchase the Bonds, (iii) an evaluation of the likelihood of the repayment of the debt service on the Bonds, or (iv) approval of any necessary rezoning applications or approval or acquiescence to the alteration of existing zoning or land use nor approval for any other regulatory permits relating to the Projects, and the Board shall not be construed by reason of its adoption of this Resolution to make any such endorsement, finding or recommendation or to have waived any right of the Board or to have estopped the Board from asserting any rights or responsibilities it may have in such regard. Further, the approval by the Board of the issuance of the Bonds by the Authority shall not be construed to obligate the County to incur any liability, pecuniary or otherwise, in connection with either the issuance of the Bonds, the acquisition and construction of the Projects, and the Authority shall so provide in the financing documents setting forth the details of the Bonds.

SECTION 4. Nothing contained in this approval shall be deemed to create any obligation or obligations of the County or the Board.

SECTION 5. This Resolution shall take effect immediately upon its adoption.

ADOPTED this $15^{\text {th }}$ day of January, 2013.
ORANGE COUNTY, FLORIDA
BY: BOARD OF COUNTY COMMISSIONERS

County Mayor
(SEAL)

## ATTEST:

Martha O. Haynie, County
Comptroller, as Clerk to the
Board of County Commissioners

By:
Deputy Clerk
\#11865030_v3 602011-197

December 27, 2012

## VIA HAND DELIVERY

Mayor Teresa Jacobs
AND
Board of County Commissioners
Orange County Administration Center
201 South Rosalind Avenue, 5th Floor
Orlando, FL 32801
Re: Action Requested: Adoption of Resolution Approving the Issuance of the Orange County Industrial Development Authority Industrial Development Revenue Bonds (Goodwill Industries of Central Florida, Inc. Project) in an Aggregate Principal Amount of Not to Exceed $\$ 18,000,000$

Dear Mayor Jacobs:
We serve as legal counsel to the Orange County Industrial Development Authority (the "Authority"). The Authority hereby respectfully requests that at its January 15, 2013 meeting, the Orange County Board of County Commissioners (the "Board") approve under Section 147(f) of the Internal Revenue Code and Sections 159.47(l)(f) and 125.01(1)(z), Florida Statutes, the issuance by the Authority of the above-referenced bonds in an aggregate principal amount not to exceed $\$ 18,000,000$ (the "Bonds"). The Authority adopted Resolution No. 201205 (the "Authority Inducement Resolution") at a special meeting of the Authority held on December 11, 2012 after conducting an advertised public hearing with respect to the Bonds.

As requested in the Application for Industrial Development Revenue Bond Financing that has been submitted to the Authority (the "Bond Application") by Goodwill Industries of Central Florida, Inc., a Florida not-for-profit corporation exempt from taxation under Section 501 (c)(3) of the Internal Revenue Code (the "Borrower"), the Bonds will be issued for the benefit of the Borrower. The proceeds from the sale of the Bonds will be loaned to the Borrower for the principal purposes of (a) refunding all or a portion of the bonds that the Authority heretofore issued for the benefit of the Borrower in 1999 (the "Series 1999 Bonds"), and (b) providing funds for the acquisition, construction, equipping, and renovation of certain social service center facilities located in Orange County, Florida, Brevard County, Florida, Lake County, Florida and Seminole County, Florida to be operated by the Borrower.

As you know, the Bonds may be issued only if the Board has approved the Bonds as required by Section 147(f) of the Internal Revenue Code and by Sections 159.47(1)(f) and 125.01(1)(z), Florida Statutes (collectively, the "Statutory Requirements"). For the Board's convenience, I have attached to this letter the following:

1. The proposed Board Resolution in the form similar to that used in the past by the Board for its approval of industrial development revenue bonds issued by the

Mayor Teresa Jacobs
Board of County Commissioners
December 27, 2012
Page 2

Authority (the "Board Resolution"). Section 2 of the proposed Board Resolution explicitly provides that the approval therein is limited solely to the approval of the Bonds as required by the Statutory Requirements.
2. The Authority's published Notices of Public Hearing, copies of which are to be attached to the Board Resolution as Exhibit A;
3. A copy of the Authority Inducement Resolution, certified by the Authority's Secretary as adopted by the Authority on December 11, 2012, which is to be attached to the Board Resolution as Exhibit B;
4. An executed copy of the Memorandum of Agreement, which is to be attached to the Board Resolution as Exhibit C;
5. Draft minutes of the Authority's December 11, 2012 meeting, without attachments. The attachments to such minutes relating to the Bonds are the same attachments that we have referenced in items 2 through 4 above.
6. A copy of the Borrower's Application for the Issuance of Industrial Development Bonds that was addressed to the Authority.

Should the Board desire to consider the Board Resolution at its January 15, 2013 meeting, the item need only be placed on the consent agenda and prior to the adoption thereof the Board must provide the public with an opportunity to comment on the issuance of the Bonds and the adoption of the Board Resolution. Once the Board has adopted the Board Resolution, the Authority and the Borrower will have all of the legislative authority necessary to issue the Bonds and loan the proceeds thereof to the Borrower and thereafter will only be required to finalize various customary financing documents with the assistance of staff and advisors.

As noted in the Board Resolution and in the minutes included as item 5 above, at the public hearing conducted by the Authority, no member of the public expressly objected to the issuance of the Bonds for the refunding of the Refunded Bonds.

As stated in the draft minutes of the Authority's December 11, 2012 meeting, all of the Bonds will be privately placed with SunTrust Bank.

In order to permit the sale of the Bonds and the funding of the Project as soon as possible, we will appreciate the Board's consideration of the enclosed Board Resolution at its January 15, 2013 meeting.

A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.

Mayor Teresa Jacobs
Board of County Commissioners
December 27, 2012
Page 3

If there is a problem with scheduling this matter on January 15,2013 or if you or any of the other members of the Board or its staff require any additional information, please contact me at your earliest convenience.

ACTION REQUESTED: Adoption of Resolution approving the issuance of the Orange County Industrial Development Authority Industrial Development Revenue Bonds (Goodwill Industries of Central Florida, Inc. Project) in an aggregate principal amount of not to exceed $\$ 18,000,000$.


cc: (All with enclosures)<br>Ms. Cheryl Gillespie, Agenda Development (3 copies)<br>Mr. Ajit Lalchandani, Orange County Administrator<br>Jeff Newton, Esq., Orange County Attorney<br>Lila I. McHenry, Esq., Assistant County Attorney<br>Mr. Jim Moye, Chief Deputy Comptroller<br>Mr. Fred Winterkamp, Manager, Fiscal and Business Services<br>Ms. Amy Cutter Mulford, Secretary, OCIDA<br>Edward W. Vogel, III, Esq., Holland \& Knight, Bond Counsel

No. $\qquad$
RESOLUTION
APPROVING THE ISSUANCE OF THE ORANGE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY INDUSTRIAL DEVELOPMENT REVENUE BONDS (GOODWILL INDUSTRIES OF CENTRAL FLORIDA, INC. PROJECT) IN AN AGGREGATE PRINCIPAL AMOUNT OF

NOT TO EXCEED \$18,000,000

WHEREAS, the Orange County Board of County Commissioners (the "Board") declared a need for the Orange County Industrial Development Authority (the "Authority"), appointed its members and empowered it to act under the provisions of Chapter 159, Part III of the Florida Statutes; and

WHEREAS, after publication in the Orlando Sentinel and the Florida Today of the Notices of Public Hearing, copies of which are attached hereto as Exhibit "A" and incorporated herein by reference (collectively, the "Notices of Public Hearing") the Authority held, on behalf of itself and of Lake County, Florida ("Lake County"), Seminole County, Florida ("Seminole County") and Brevard County, Florida ("Brevard County"), at its December 11, 2012 meeting, the public hearing (the "Public Hearing") required by the Internal Revenue Code of 1986, as amended (the "Internal Revenue Code"), relating to the Orange County Industrial Development Authority Industrial Development Revenue Bonds (Goodwill Industries of Central Florida, Inc. Project), Series 2013 in an aggregate principal amount not to exceed $\$ 18,000,000$ (the "Bonds"), proposed to be issued by the Authority, and adopted the Resolution, a copy of which is attached hereto as Exhibit "B" and incorporated herein by reference (the "Authority's Resolution") for the purpose of authorizing the execution by the Authority of Interlocal Agreements described therein with Seminole County, Lake County and Brevard County and providing for the issuance of the Bonds for the benefit of Goodwill Industries of Central Florida, Inc., a Florida not-for-profit corporation (the "Corporation"), to finance or refinance the cost of the acquisition, construction and equipping of social service center facilities (the "Projects") in the County, Seminole County, Brevard County and Lake County, as described in the Notices of Public Hearing; and

WHEREAS, the Board is the elected legislative body of Orange County, Florida (the "County") and, based upon representations of the Corporation, the County has jurisdiction over the Projects for purposes of Section 147(f) of the Internal Revenue Code; and

WHEREAS, the Board has been furnished with a copy of the Notices of Public Hearing and has been advised that: (a) the Notices of Public Hearing apprised residents of the County, Seminole County, Lake County and Brevard County of the proposed issuance of the Bonds not less than 14 days before the

Public Hearing; (b) the Public Hearing was conducted in a manner which provided a reasonable opportunity for persons with differing views on both the issuance of the Bonds and the location and nature of the Projects to be heard; and (c) no members of the public (other than those present on behalf of the Corporation and members of the Authority and its staff) appeared at the Public Hearing or otherwise expressly objected to the issuance of the Bonds for the Projects; and

WHEREAS, the Board has been requested by the Authority to consider and approve the Authority's issuance of the Bonds under the provisions of Sections $125.01(1)(\mathrm{z})$ and $159.47(1)(\mathrm{f})$, Florida Statutes, as amended, and Section $147(\mathrm{f})$ of Internal Revenue Code;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Orange County, Florida as follows:

SECTION 1. Issuance by the Authority of its Orange County Industrial Development Authority Industrial Development Revenue Bonds (Goodwill Industries of Central Florida, Inc. Project), Series 2013 in an aggregate principal amount of not to exceed $\$ 18,000,000$, as contemplated by the Notices of Public Hearing and the Authority's Resolution shall be, and hereby are, approved.

SECTION 2. This approval is solely for the purpose of Section 147(f) of the Internal Revenue Code and Sections 125.01(z) and 159.47(1)(f), Florida Statutes. The issuance of the Bonds and the use of the proceeds thereof to finance and refinance the costs of the Projects as contemplated by the Authority's Resolution shall be, and hereby are, approved.

SECTION 3. The approval given herein shall not be construed as (i) an endorsement of the creditworthiness of the Corporation or the financial viability of the Projects, (ii) a recommendation to any prospective purchaser to purchase the Bonds, (iii) an evaluation of the likelihood of the repayment of the debt service on the Bonds, or (iv) approval of any necessary rezoning applications or approval or acquiescence to the alteration of existing zoning or land use nor approval for any other regulatory permits relating to the Projects, and the Board shall not be construed by reason of its adoption of this Resolution to make any such endorsement, finding or recommendation or to have waived any right of the Board or to have estopped the Board from asserting any rights or responsibilities it may have in such regard. Further, the approval by the Board of the issuance of the Bonds by the Authority shall not be construed to obligate the County to incur any liability, pecuniary or otherwise, in connection with either the issuance of the Bonds, the acquisition and construction of the Projects, and the Authority shall so provide in the financing documents setting forth the details of the Bonds.

SECTION 4. Nothing contained in this approval shall be deemed to create any obligation or obligations of the County or the Board.

SECTION 5. This Resolution shall take effect immediately upon its adoption.

ADOPTED this $13^{\text {th }}$ day of January, 2013.

# ORANGE COUNTY, FLORIDA <br> BY: BOARD OF COUNTY COMMISSIONERS 

## County Mayor

(SEAL)

## ATTEST:

Martha O. Haynie, County
Comptroller, as Clerk to the
Board of County Commissioners

By:
Deputy Clerk

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#11863741_v2
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December 21, 2012
TO: $\quad$ Mayor Teresa Jacobs and the Board of County Commissioners
FROM: ${ }^{H}$, Johnny M. Richardson, Manager, Purchasing and Contracts Division
CONTACT: Lori Cuniff, Manager, Environmental Protection Division
PHONE: 407-836-1499
SUBJECT: Award of Invitation for Bids Y13-122-ZM, Aquatic Restoration and Management Services

## RECOMMENDATION

Approval to award Invitation for Bids Y13-122-ZM, Aquatic Restoration and Management Services, to the low responsive and responsible bidder, Aquatic Weed Control, Inc., for a 1-year term contract in the estimated annual contract amount of $\$ 1,323,193$. Further request authorization for the Purchasing and Contracts Division to renew the contract for four additional 1-year terms. The Environmental Protection Division and the Business Development Division concur with this recommendation.

Due to projected usage, the Environmental Protection Division anticipates that the entire estimated contract amount will be ordered during the initial contract term.

## PURPOSE

To procure specialized services for the restoration, preservation and management of the County's lakes, wetlands and uplands. Services include herbicide application, identification and mapping of exotic species, physical removal of vegetation biomass, re-vegetation of project shorelines and conservation areas and ongoing maintenance of project areas. Services will assist with the maintenance of over 15,000 acres of surface water and associated wetlands, distributed among 36 Lake Taxing Districts (MSTU's/MSBU's). Additionally, this contract will assist with the maintenance of 4,500 acres of preservation areas under our Green Place Program.

## DISCUSSION

Four bids were received in response to this Invitation for Bids and were evaluated for price, responsiveness and responsibility. The low bidder, Aquatic Weed Control, Inc., is the current contractor for this service and has performed in a satisfactory manner. The price for this service is considered reasonable since it is within $2 \%$ of the previous contract for the same services.

The bid tabulation is as follows:

Aquatic Weed Control, Inc.
Texas Aquatic Harvesting Inc
Deangelo Brothers Aquagenix
Earth Balance


# BUSINESS DEVELOPMENT DIVISION 

December 12, 2012

| TO: | Zulay Millan, Senior Purchasing Agent <br> Purchasing \& Contracts Division |
| :--- | :--- |
| FROM: | Kesi Warren, Senior Contract Administrator <br> Business Development Division |
| SUBJECT: | Business Development Division Bid Evaluation |
| PROJECT: | IFB \#Y13-122-ZM, Aquatic Restoration and Management Services |

The Business Development Division evaluated the 4 bids submitted for this project and found that none of the bidders are Orange County Certified Minority Women Business Enterprises. Hence, the bid preference program in accordance with the County's M/WBE Ordinance, Section 17-324 can not be applied.
c: Errick W. Young, Manager, Business Development Division


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December 13, 2012
TO: Mayor Teresa Jacobs
FROM: Wound and the Board of County Commissioners
CONTACT: Roan Waterbury, Project Manager, Capital Projects Division (407) 836-0037

SUBJECT: Award of Invitation for Bids Y13-703-RM, Orange County Administration Building - $5^{\text {th }}$ Floor HVAC Replacement (Phase 1)

## RECOMMENDATION:

Approval to award Invitation for Bids Y13-703-RM, Orange County Administration Building $-5^{\text {th }}$ Floor HVAC Replacement (Phase 1), to the low responsive and responsible bidder, Air Mechanical \& Service Corp. (AMSCO), in the total contract amount of $\$ 497,499$. Funds are available in account 1023 0432049 6210. The Capital Projects Division and the Business Development Division concur with this recommendation.

## PURPOSE:

The existing HVAC equipment is old and in need of replacement. The air distribution systems need to be modified in order to correct deficiencies in distribution and pressure. The project location is the Orange County Administration Building, $5^{\text {th }}$ floor 201 South Rosalind Avenue, Orlando, FL 32801.

## DISCUSSION:

Four bids were received. The bid submitted by Millennium Mechanical, Inc. was rejected because they were unable to demonstrate experience on similar projects. Technical analysis of the AMSCO bid by staff determined that it was reasonable. References provided by AMSCO were acceptable and they were determined to be responsible.

A protest was filed by Millennium Mechanical, Inc. The protest involved determination of non-responsibility. The protest was denied by the Manager of Purchasing and Contracts Division and was not appealed.

Therefore, award is recommended to Air Mechanical \& Service Corp. (AMSCO).

Bids Received:
Air Mechanical \& Service Corp. (AMSCO)
Pipeline Mechanical, Inc.
General Mechanical Corporation
Millennium Mechanical, Inc.

Bid Amount:
\$497,499
\$543,500
\$617,000
Non-Responsible


# BUSINESS DEVELOPMENT DIVISION 

December 13, 2012

| TO: | Ray Mobley, Senior Contract Administrator <br> Purchasing \& Contracts Division |
| :--- | :--- |
| FROM: | Dexter Watts, Senior Contract Administrator <br> Business Development Division |
| SUBJECT: | Business Development Division Bid Evaluation |
| PROJECT: | Y13-703 / Orange County Administration Building - 5th Floor HVAC <br> Replacement (Phase D) |

The Business Development Division evaluated the 3 bids submitted for this project and found that the apparent low bidder Air Mechanical \& Service Corp. did not achieve good faith effort documentation and reported $19.45 \%$ MWBE participation in their bid. Please note the following certified MWBE participation:

| Wbe-wf | ABC Cleaning | $\$ 32,500.00$ |
| :---: | :--- | :---: |
| Mbe-HM | Lakeside Electrical | $\$ 64285.00$ |
| Total MWBE Participation | $\mathbf{\$ 9 6}, \mathbf{7 8 5 . 0 0 ( 1 9 . 4 5 \% )}$ |  |

The second low bid submitted by Pipeline Mechanical, Inc. did not achieve good faith effort documentation and reported $10.94 \%$ MWBE participation in their bid.

The third low bid submitted by General Mechanical Corporation achieved good faith effort documentation and reported $10.64 \%$ MWBE participation in their bid.

None of the bids met the MWBE sliding scale range criteria to be awarded this contract over the low bidder.

Our evaluation of these bids was based on the participation listed on the subcontractor/supplier page. If the low bidder is not chosen, please let us know so that we may obtain Letters of Intent to confirm the participation.

Attached is a spreadsheet reconciling the bidders' compliance with the IFB's M/WBE requirements, including the percentage breakdown for all bidders and a comparison of the relative bids versus participation percentages.
c: Errick Young, Manager, Business Development Division


## BID COMPARISON

| IFB-Y13-703-RM / Orange County Administration Building - 5th Floor HVAC Replacement (Phase I) |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Rank | Bidder | Bid Amount | $\square$ | \% MNBE <br> (Goal 25\%) | GFE | \$ Over Low Bid | Difference From Low Bid (7\%) | \$ Over 2nd Low Bid | Difference From 2nd <br> Low Bid | $\begin{aligned} & \text { EEO \% } \\ & \text { M } / \mathrm{W} \end{aligned}$ |
| Low Bid | Air Mechanical \& Service Corp. (AMSCO) | \$497,499 | \$96,785 | 19.45\% | no |  |  |  |  | $21 / 1$ |
| 2nd Low | Pipeline Mechanical, Inc. | \$543,500 | \$59,480 | 10.94\% | no | \$46,001.00 | 9.25\% |  |  | 16/20 |
| 3rd Low | General Mechanical Corporation | \$617,000 | \$65,676 | 10.64\% | yes | \$119,501.00 | 24.02\% | \$73,500.00 | 13.52\% | 0/28 |

December 19, 2012

TO: Mayor Teresa Jacobs
and the Board of County Commissioners
FROM: ${ }^{\circ}$ Johnny M. Richardson, Manager, Purchasing and Contracts Division
CONTACT: Andres Salcedo P.E., Manager, Utilities Engineering Division

SUBJECT: Award of Invitation for Bids Y13-710-PH, Dr. Phillips Pump Station No. 3151 Rehabilitation

## RECOMMENDATION

Approval to award Invitation for Bids Y13-710-PH, Dr. Phillips Pump Station No. 3151 Rehabilitation, to the low responsive and responsible bidder, TLC Diversified, Inc., in the contract award amount of $\$ 3,248,000$. Funding is available in account number 4420-038-1506-6340. The Utilities Engineering Division and the Business Development Division concur with this recommendation.

## PURPOSE

The project includes rehabilitation of an existing wastewater pump station. Also included are new dual cast-in-place concrete wetwell, submersible pumps, piping, a generator, odor control and site work at 7379 W. Sand Lake Road, Orlando, FL 32819.

## DISCUSSION

TLC Diversified, Inc. provided adequate good faith documentation. TLC Diversified, Inc. has a satisfactory performance record on similar projects. Therefore, award is recommended to TLC Diversified, Inc. The bid submitted by Close Construction, LLC was rejected because they failed to demonstrate similar project experience.

| Bidder: | Estimated Bid |
| :--- | :--- |
| TLC Diversified, Inc. | $\$ 3,248,000$ |
| Prime Construction Group, Inc. | $\$ 3,346,000$ |
| Close Construction, LLC | Non-responsible |

# BUSINESS DEVELOPMENT DIVISION 

January 3, 2013

| TO: | Patty Hobbs, Senior Contract Administrator <br> Purchasing \& Contracts Division |
| :--- | :--- |
| FROM: | Dexter Watts, Senior Contract Administrator <br> Business Development Division |
| SUBJECT: | Business Development Division Bid Evaluation |
| PROJECT: $\quad$ Y13-710-PH/Dr. Phillips Pump Station No. 3151 Rehabilitation |  |

The Business Development Division evaluated the 2 bids submitted for this project and found that the apparent low bidder TLC Diversified, Inc. achieved good faith effort documentation and reported 12.11\% MWBE participation in their bid. Please note the following certified MWBE participation:

| Mbe-afam | Sterling Silverscape \& Sod | $\$ 2,800.00$ |
| :---: | :--- | :---: |
| Mbe-afam | Jay \& L Doors | $\$ 750.00$ |
| Wbe-wf | L.P. Video | $\$ 600.00$ |
| Wbe-wf | Morris \& Associates, Inc. | $\$ 11,020.00$ |
| Mbe-hm | Rodriguez Concrete | $\$ 378,016.00$ |
|  |  |  |
| Total MWBE Participation | $\mathbf{\$ 3 9 3 , 1 8 6 . 0 0}(\mathbf{1 2 . 1 1 \%})$ |  |

The second low bid submitted by Prime Construction Group, Inc. met the MWBE goal and reported $26.35 \%$ MWBE participation in their bid.

None of the bids met the MWBE sliding scale range criteria to be awarded this contract over the low bidder.

Our evaluation of these bids was based on the participation listed on the subcontractor/supplier page. If the low bidder is not chosen, please let us know so that we may obtain Letters of Intent to confirm the participation.

Attached is a spreadsheet reconciling the bidders' compliance with the IFB's M/WBE requirements, including the percentage breakdown for all bidders and a comparison of the relative bids versus participation percentages.
c: Errick Young, Manager, Business Development Division


## BID COMPARISON

| IFB-Y13-710-PH/Dr. Phillips Pump Station No. 3151 Rehabilitation |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Rank | Bidder | Bid Amount | $\underset{\text { in Bid }}{\text { MWBE }} \$$ | \% MNBE (Goal 25\%) | GFE | \$ Over Low Bid | \% <br> Difference From Low Bid (4\%) | \$ Over 2nd Low Bid | \% <br> Difference <br> From 2nd Low Bid | $\begin{aligned} & \text { EEO \% } \\ & \text { M / W } \end{aligned}$ |
| Low Bid | TLC Diversified, Inc. | \$3,248,000.00 | \$393,186.00 | 12.11\% | yes |  |  |  |  | 19/10 |
| 2nd Low | Prime Construction Group, Inc. | \$3,346,000.00 | \$881,693.00 | 26.35\% | na | \$98,000.00 | 3.02\% |  |  | $30 / 19$ |

December 19, 2012

TO: Mayor Teresa Jacobs and the Board of County Commissioners

FROM:
/56 Hin Mi. Richardson, Manager, Purchasing and Contracts Division
CONTACT: Andres Salcedo P.E., Manager, Utilities Engineering Division

SUBJECT: Award of Invitation for Bids Y13-712-PH, Reams Road Potable Water Transmission Main Replacement Phase I

## RECOMMENDATION

Approval to award Invitation for Bids Y13-712-PH, Reams Road Potable Water Transmission Main Replacement Phase I, to the low responsive and responsible bidder, Wright's Excavating, Inc., in the estimated contract award amount of $\$ 812,352$. Funding is available in account number 4420-038-1506-6340. The Utilities Engineering Division and the Business Development Division concur with this recommendation.

## PURPOSE

The work consists of installation of approximately 7,000 linear feet of 16 -inch water transmission main along Reams Road from Lake Hancock to Bay Court, Orlando Florida, 32836.

## DISCUSSION

Wright's Excavating, Inc. achieved the MN/BE goal with $29.81 \%$ participation. Wright's Excavating, Inc. has a satisfactory performance record on similar projects. The bid submitted by Wright's Excavating, Inc. is considered reasonable based on technical analysis performed by the County. Therefore, award is recommended to Wright's Excavating, Inc.

> Bidder: Estimated Bid

| Wright's Excavating, Inc. | $\$ 812,352.00$ |
| :--- | :--- |
| T B Landmark Construction, Inc. | $\$ 837,562.25$ |
| United Infrastructure Group, Inc. | $\$ 858,777.50$ |
| Schuller Contractors, Incorporated | $\$ 970,000.00$ |
| Maxwell Contracting, Inc. | $\$ 1,000,001.00$ |
| American Persian Engineers and Constructors, Inc. | $\$ 1,025,300.00$ |
| Jr. Davis Construction, Company, Inc. | $\$ 1,034,515.00$ |



## BUSINESS DEVELOPMENT DIVISION

November 29, 2012

TO: Patty Hobbs, Senior Contract Administrator
Purchasing \& Contracts Division
FROM: Dexter Watts, Senior Contract Administrator
Business Development Division
SUBJECT: Business Development Division Bid Evaluation
PROJECT: Y13-712-PH / Reams Road Potable Water Transmission Main Replacement Phase 1

The Business Development Division evaluated the 3 lowest bids of the 7 bids submitted for this project and found that the apparent low bidder Wright's Excavating, Inc. met the MWBE goal and reported $29.81 \%$ MWBE participation in their bid. Please note the following certified MWBE participation:

| Mbe-hm | Diversified Supply Company | $\$ 213,186.01$ |
| :---: | :--- | :---: |
| Wbe-wf | Winter Garden Grassing | $\$ 29,000.00$ |
| Total MWBE Participation | $\$ \mathbf{2 4 2 , 1 8 6 . 0 1 ( \mathbf { 2 9 . 8 1 \% ) }}$ |  |

The second low bid submitted by T B Landmark Construction, Inc. met the MWBE goal and reported 25.31\% MWBE participation in their bid.

The third low bid submitted by United Infrastructure Group, Inc. met the MWBE goal and reported $25.20 \%$ MWBE participation in their bid.

None of the bids met the MWBE sliding scale range criteria to be awarded this contract over the low bidder.

Our evaluation of these bids was based on the participation listed on the subcontractor/supplier page. If the low bidder is not chosen, please let us know so that we may obtain Letters of Intent to confirm the participation.

Attached is a spreadsheet reconciling the bidders' compliance with the IFB's M/WBE requirements, including the percentage breakdown for all bidders and a comparison of the relative bids versus participation percentages.
c: Errick Young, Manager, Business Development Division


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|  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Rank | Bidder | Bid Amount | M/WBE \$'s in Bid | \% M/WBE <br> (Goal 25\%) | GFE | \$ Over Low Bid | \% <br> Difference <br> From Low <br> Bid (5\%) | \$ Over 2nd Low Bid | \% <br> Difference <br> From 2nd <br> Low Bid | $\begin{aligned} & \text { EEO \% } \\ & \mathrm{M} / \mathrm{W} \end{aligned}$ |
| Low Bid | Wright's Excavating, Inc. | \$812,352.00 | \$242,186.01 | 29.81\% | na |  |  |  |  | 15/12 |
| 2nd Low | T B Landmark Construction, Inc. | \$837,526.25 | \$211,999.75 | 25.31\% | na | \$25,174.25 | 3.10\% |  |  | $30 / 5$ |
| 3rd Low | United Infrastructure Group, Inc. | \$858,777.50 | \$216,377.50 | 25.20\% | na | \$46,425.50 | 5.71\% | \$21,251.25 | 2.54\% | $62 / 3$ |
| 4th Low | Schuiler Contractors Incorporated | \$970,000.00 | \$3,525.00 | 0.36\% | yes | \$157,648.00 | 19.41\% | \$132,473.75 | 15.82\% | 71/14 |
| 5th Low | Maxwell Contracting, Inc. | \$1,000,001.00 | \$250,062.50 | 25.01\% | na | \$187,649.00 | 23.10\% | \$162,474.75 | 19.40\% | 25/12 |
| 6th Low | American Persian Engineers \& Constructors, Inc. | \$1,025,300.00 | \$129,750.00 | 12.65\% | no | \$212,948.00 | 26.21\% | \$187,773.75 | 22.42\% | $55 / 6$ |
| 7th Low | Jr. Davis Construction Company, Inc. | \$1,034,515.00 | \$200,993.00 | 19.43\% | yes | \$222,163.00 | 27.35\% | \$196,988.75 | 23.52\% | $35 / 7$ |

REAL ESTATE MANAGEMENT ITEM 1
DATE: January 4, 2013

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners
THROUGH:

FROM:

CONTACT
PERSON:
DIVISION:

ACTION REQUESTED:

PROJECT: Hamlin (APF Park)
District 1

PURPOSE: To provide for access, ingress and egress for passive recreational and park purposes for the benefit of the public, as a requirement of development.

ITEMS: Public Access Easement
Cost: Donation
Size: 6.66 acres
Subordination of Encumbrances to Property Rights to Orange County

Real Estate Management Division
Agenda Item 1
January 4, 2013
Page 2

APPROVALS: Real Estate Management Division
County Attorney's Office
Community, Environmental and Development Services Department Parks and Recreation Division

REMARKS: The County is executing this document to reflect approval of its terms and conditions.

Grantor to pay all recording fees.
A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.


GOVERNMENT

DATE:
TO:
THROUGH:

FROM:

CONTACT
PERSON:
DIVISION: Real Estate Management
Phone: 836-7082
December 12, 2012
REQUESTED:

PROJECT:
NSP Resale - 8014 Dressage Drive, Orlando, FL 32818

## District 6

PURPOSE: To sell a renovated former foreclosure property to a qualified buyer under the Neighborhood Stabilization Program.

ITEMS: As Is Residential Contract for Sale and Purchase
County Deed
Revenue: $\$ 130,000$ (less closing costs and NSP assistance)*

## APPROVALS: Real Estate Management Division

County Attorney's Office
Housing \& Community Development Division
REMARKS: This property was purchased as part of the Neighborhood Stabilization Program (NSP). The house has been renovated and is being returned to private ownership under the terms of the NSP.
*The revenue (sales price) is $\$ 130,000$ or the lender's appraised value, whichever is less, subject to the approval of the lender's appraisal by the Manager or Assistant Manager of the Real Estate Management Division, provided the lender's appraisal is no more than $10 \%$ less than the contract sales price. Orange County will pay closing costs, except documentary stamp tax, and may provide up to $\$ 20,000$ NSP assistance from the County's revenue. The buyer will execute a mortgage to the County in the amount of the closing costs and NSP assistance provided, which mortgage will be forgiven if the buyer occupies the house a minimum of 15 years.

Grantee to pay documentary stamp tax.

## A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.

## REAL ESTATE MANAGEMENT ITEM 3

## DATE:

TO:

THROUGH:

FROM:

## CONTACT

PERSON:

## DIVISION: Real Estate Management

Phone: 836-7082

Ann Caswell, Assistant Manager

ACTION
REQUESTED:

PROJECT:
NSP Resale - 10300 Wood Stream Ct., Orlando, FL 32825 (NCST)

## District 4

PURPOSE: To sell a renovated former foreclosure property to a qualified buyer under the Neighborhood Stabilization Program.

ITEMS: As Is Residential Contract for Sale and Purchase
County Deed
Revenue: $\$ 120,000$ (less closing costs and NSP assistance)*

## Agenda Item 3

December 13, 2012
Page 2

REVENUE: Account No.: 7705-065-7679-6870
APPROVALS: Real Estate Management Division
County Attorney's Office
Housing \& Community Development Division
REMARKS: This property was purchased as part of the Neighborhood Stabilization Program (NSP). The house has been renovated and is being returned to private ownership under the terms of the NSP.
*The revenue (sales price) is $\$ 120,000$ or the lender's appraised value, whichever is less, subject to the approval of the lender's appraisal by the Manager or Assistant Manager of the Real Estate Management Division, provided the lender's appraisal is no more than $10 \%$ less than the contract sales price. Orange County will pay closing costs, except documentary stamp tax, and may provide up to $\$ 20,000$ NSP assistance from the County's revenue. The buyer will execute a mortgage to the County in the amount of the closing costs and NSP assistance provided, which mortgage will be forgiven if the buyer occupies the house a minimum of 15 years.

Grantee to pay documentary stamp tax.
A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.

| DATE: | December 21, 2012 |
| :---: | :---: |
| TO: | Mayor Teresa Jacobs and the |
|  | Board of County Commissioners |
| THROUGH: |  |
|  | Administrative Services Department |
| FROM: | Mickie A. Robbins, Title Examiner Real Estate Management Division |
| CONTACT |  |
| PERSON: | Ann Caswell, Assistant Manager |
| DIVISION: | Real Estate Management <br> Phone: 836-7082 |
| ACTION |  |
| REQUESTED: | APPROVAL OF CONSERVATION AND ACCESS EASEMENT BETWEEN CONSERVATION VILLAGES, LLC AND ORANGE COUNTY WITH JOINDER AND CONSENT TO CONSERVATION EASEMENT FROM UNITED LEGACY BANK, JOINDER AND CONSENT TO CONSERVATION EASEMENT FROM NVR, INC. AND JOINDER AND CONSENT TO CONSERVATION EASEMENT FROM SUMMERPORT CAPITAL, LLC AND AUTHORIZATION TO RECORD INSTRUMENT |
| PROJECT: | Stillwater Crossing/Centerbridge PD (SC-13) \#CAI-12-03-008 |
|  | District 1 |
| PURPOSE: | To provide for conservation of wetlands and uplands as a requirement of development. |
| ITEM: | Conservation and Access Easement with Joinders and Consents to Conservation Easement <br> Cost: Donation <br> Total size: 9.39 acres |

APPROVALS: Real Estate Management Division<br>County Attomey's Office<br>Environmental Protection Division

REMARKS: Conservation Area Impact Permit No. CAI-12-03-008 issued by Orange County Environmental Protection Division requires a Conservation Easement on a portion of the site being developed. This Conservation Easement will protect and preserve the property forever in its existing natural condition and prevent any use that will impair or interfere with the environmental value of the property. Those wetland and upland areas included in the Conservation Easement that are to be enhanced, restored, or created pursuant to the Permit shall be retained and maintained in the enhanced, restored, or created conditions required by the Permit.

Access to the Conservation Easement is through a platted subdivision known as SummerPort Phase 5 recorded in Plat Book 58, Page 124 of the Public Records of Orange County, Florida which lies North of and adjacent to the conservation area.

Grantor to pay all recording fees.
A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.

# AGENDA ITEM 

December 17, 2012
TO: Mayor Teresa Jacobs

- AND -

Board of County Commissioners
FROM:
Jon V. Weiss, P.E., Director
Community, Environmental and Development
Services Department
CONTACT PERSON: Robert Spivey, Manager Code Enforcement Division (407) 836-4221

SUBJECT: January 15, 2013-Consent Agenda Item(s)
Resolutions for Special Assessment Lien(s) Lot Cleaning (80)
Pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning, the County is authorized to have property cleaned through an independent contractor when not done voluntarily by the property owner, after sufficient notice. Further, the regulation allows the Board of County Commissioners by Resolution to place Special Assessment Liens on such properties to recoup the cost of cleaning. The following properties have been cleaned at the expense of the County with associated costs as indicated.

Case No. Dist.\# Property Owner
LC 12-1137 1 MARTINEZ LUIS EDWARDO; MARTINEZ JENNIFER S
LC 12-1155 1 ORTIZ JOSE A; PARRILLA IVETTE 89.82
LC 12-1344 1 SUN PROPERTY MANAGEMENT LLC $\$ 136.74$
LC 12-1361 1 WAKS JOEL; WAKS LYDIA \$ 73.02
LC 12-1494 1 PITTALA ANTHONY J; PITTALA RACHEL M \$ 163.32
LC 12-1502 1 PEREZ GIZELLE; PEREZ PEDRO MIGUEL \$ 294.10
LC 12-1663 1 DUKES SAMUEL ESTATE; JACKSON NELLIE; HARRISON \$ 191.10 MABEL DUKES; DUKES FLORENCE ESTATE; DUKES DAVID; SMITH OCILLA DUKES ESTATE; DUKES HEARN
LC 12-1670 1 BEKE GINO; MARKVOORT MARGO \$153.30
LC 12-1673 1 SCHENKE DANIEL JON JR 880.58
LC 13-0107 1 RECTOR ANDREA LH $\quad \$ 72.90$
LC 12-1063 2 SIERPUTOWSKI RALPH C; SIERPUTOWSKI JUNE ELLEN \$ 90.85
LC 12-1264 2 STEWART PAUL \$ 130.38
LC 12-1284 2 JOHNSON GARY W ESTATE $\$ 108.42$
LC 12-1374 2 LEDET KAREN \$ 115.50
LC 12-1443 2 FERRARI ANGELO 1/2 INT; OLIAI ZIBA 1/2 INT \$ 113.94

| Page Two |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: |
| Case No. Dist.\# Property Owner |  |  | Amount* |  |
| LC 12-1496 |  | KING VIRGIL R SR; KING VIRGIL JR | \$ | 252.30 |
| LC 12-1500 |  | SHANKS CHRISTINA; ATKINS LARRY M; SHANKS BRADLEY J | \$ | 149.25 |
| LC 12-1518 | 2 | FERREL ALEJANDRO | \$ | 147.60 |
| LC 12-1524 | 2 | MALTESE ANTHONY | \$ | 399.41 |
| LC 12-1580 | 2 | SCHMIT JOSEPH; SCHMIT SUE | \$ | 115.62 |
| LC 12-1083 | 3 | DELGADO AURELIO; DELGADO VIVIAN | \$ | 124.23 |
| LC 12-1110 | 3 | MM AND M MARTIN LLC | \$ | 72.10 |
| LC 12-1238 | 3 | VAZQUEZ ANGELITA; RODRIGUEZ GENARO | \$ | 156.42 |
| LC 12-1416 | 3 | SANCHEZ MADELINE; GARCIA RUBEN | \$ | 200.75 |
| LC 12-1423 | 3 | MORROW MICHAEL W | \$ | 106.82 |
| LC 12-1425 | 3 | MDG PROPERTY HOLDINGS LLC |  | 2,184.63 |
| L.C 12-1436 | 3 | TOMLINSON JOHN; TOMLINSON DORIS B; DOBBS JENNIFER A | \$ | 208.83 |
| LC 12-1612 | 3 | GERTRUDE I GOOD LIVING TRUST | \$ | 247.41 |
| LC 12-1620 | 3 | RIVERA RAFAEL; RIVERA MARGARITA | \$ | 208.34 |
| LC 12-1628 | 3 | JAVERY MARY LU | \$ | 93.18 |
| LC 13-0023 | 3 | ASAMOTO JULIE; MARCOTTE SYLVAIN | \$ | 161.69 |
| LC 13-0059 | 3 | SANTIAGO MELVIN | \$ | 185.40 |
| LC 13-0090 | 3 | JOVETIC ANKICA; JOVETIC MIILAN | \$ | 104.70 |
| LC 13-0091 | 3 | BALIC JILLIAN; BALIC SAMIIR | \$ | 89.10 |
| LC 13-0098 | 3 | MARTINEZ BRIGIDA | \$ | 101.58 |
| LC 12-1121 | 4 | BERGER ALEXANDER W; BERGER M ALEXANDER | \$ | 133.01 |
| LC 12-1415 | 4 | HERBER WENDY; HERBER MICHAEL | \$ | 59.23 |
| LC 12-1431 | 4 | BENAVIDES LUIS A | \$ | 85.50 |
| LC 12-1297 | 5 | LANGLEY CHRISTOPHER B; LANGLEY LINDA S | \$ | 98.05 |
| LC 12-1414 | 5 | KING THOMAS R | \$ | 64.50 |
| LC 12-1465 | 5 | BRATCHER WILLIAM T; BRATCHER SUSAN | \$ | 859.65 |
| LC 12-1589 | 5 | MARCINKO ANDREW; TOUCHSTONE REBECCA | \$ | 350.17 |
| LC 12-1655 | 5 | MARTIN JORGE | \$ | 98.60 |
| LC 13-0013 | 5 | PRUITT MARY C TRUST | \$ | 222.47 |
| LC 13-0014 | 5 | GONZALEZ JOYCE | \$ | 234.85 |
| LC 13-0037 | 5 | GABUCAN MARIA TERESA G ESTATE | \$ | 370.25 |
| LC 12-0919 | 6 | ELOI LOURDES | \$ | 90.38 |
| LC 12-1002 | 6 | SZYMKOWSKI BRIAN D | \$ | 66.75 |
| LC 12-1175 | 6 | TORRES JOSE; SALAZAR LUCRECIA | \$ | 73.02 |
| LC 12-1189 | 6 | PATWARI MOHSINA | \$ | 107.94 |
| LC 12-1228 | 6 | BAYON ANIBAL | \$ | 190.26 |
| LC 12-1231 | 6 | PERSAUD MCLEAN; PERSAUD VICIE | \$ | 91.38 |
| LC 12-1259 | 6 | THOMAS LINDA J; THOMAS JAMES E | \$ | 105.54 |
| LC 12-1274 | 6 | DANGELIS ROSEMARY | \$ | 209.22 |
| LC 12-1321 | 6 | GANATRA MAHENDRA; EDIDAY 2010LLC | \$ | 173.10 |
| LC 12-1340 | 6 | CONFIDENTIAL | \$ | 84.84 |

Page Three
1/15/2013 - Consent Item
Resolutions for Special Assessment Lien(s) Lot Cleaning (80)

| Case No. | Dist.\# Property Owner | Amount* |  |
| :--- | :--- | :--- | :--- |
| LC 12-1354 | 6 | HANINE ALI | $\$ 124.86$ |
| LC 12-1367 | 6 | SOOKRAJ CASSANDRA; MUHAMIMAD KAMROOL | $\$ 125.46$ |
| LC 12-1437 | 6 | ALLEN EDITH R | $\$ 135.30$ |
| LC 12-144.1 | 6 | GELLERT STEPHAN E ESTATE | $\$ 132.54$ |
| LC 12-1445 | 6 | SAWH SHRIMATI DEVI | $\$ 128.22$ |
| LC 12-1446 | 6 | SAWH SHRIMATI DEVI | $\$ 136.08$ |
| LC 12-1449 | 6 | BRISCOE SAMUEL P | $\$ 113.82$ |
| LC 12-1450 | 6 | ZINK MICHAEL H | $\$ 116.58$ |
| LC 12-1455 | 6 | BRAXTON EARL | $\$ 95.10$ |
| LC 12-1456 | 6 | SULLIVAN DAVID A | $\$ 153.48$ |
| LC 12-1472 | 6 | ROSARIO YUDELKA | $\$ 145.02$ |
| LC 12-1473 | 6 | LEVENE LINCOLN A | $\$ 131.58$ |
| LC 12-1480 | 6 | RAD MORTEZA; RAD TEHEREH | $\$ 148.50$ |
| LC 12-1481 | 6 | YALE MORTGAGE CORP | $\$ 125.34$ |
| LC 12-1485 | 6 | ALVAREZ JESUS | $\$ 189.01$ |
| LC 12-1536 | 6 | LEWIS LIONEL E; LEWIS BRENDA M | $\$ 115.40$ |
| LC 12-1538 | 6 | SMALL GIENA SU-LIN | $\$ 261.78$ |
| LC 12-1573 | 6 | DARLINGTON NICOLA | $\$ 162.06$ |
| LC 12-1585 | 6 | CASY DJANICKA; CASY ERICK | $\$ 169.50$ |
| LC 12-1623 | 6 | HAUPT RUTH E | $\$ 327.02$ |
| LC 12-1642 | 6 | MADRY EDNA; MADRY W | $\$ 165.42$ |
| LC 13-0033 | 6 | HERRERA FIDEL; HERRERA EVANGELIO | $\$ 345.74$ |
| LC 13-0041 | 6 | CATINNA HORACE HAYES V; CATINNA JANET G | $\$ 116.10$ |
| LC 13-0071 | 6 | PHILLIPS IRENE E | $\$ 130.98$ |

Copies of the Resolutions for the Special Assessment Liens are on file and available for review in the Code Enforcement Division.

* Administrative costs to process and collect on these cases have been added.

$$
\begin{array}{ll}
\text { Action Requested: } & \begin{array}{l}
\text { Approval of Orange County, Florida, Resolutions Establishing } \\
\text { Special Assessment Liens for Lot Cleaning Services and } \\
\text { approval to record Special Assessment Liens on property } \\
\text { cleaned by Orange County, pursuant to Orange County Code, } \\
\text { Chapter 28, Nuisances, Article II, Lot Cleaning. Districts 1, } 2,3, \\
4,5 \text { and } 6 .
\end{array}
\end{array}
$$

JVW/RS:rg
Attachments


## AGENDA ITEM

December 27, 2012
TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners
FROM:
Jon V. Weiss, P.E., Director
Community, Environmental and Development
Services Department
CONTACT PERSON: Lori Cunniff, CEP, CHMM, Deputy Director Community, Environmental and Development Services Department (407) 836-1406

SUBJECT: January 15,2013 - Consent Item
Environmental Protection Commission Recommendation
On October 11, 2012, the Environmental Protection Division (EPD) received an Application to Construct a Dock for the property located at 4739 Rosewood Drive, Orlando (Parcel ID No. 18-23-30-0000-00-002). In the same submittal, EPD also received an Application for Variance to Section 15-343 (a), side setback distance. Pursuant to Orange County Code, Chapter 15, Article IX, EPD staff has evaluated the proposed application and required documents.

The applicant has 59.68 feet of shoreline; therefore the required side setback distance from the adjacent property owners is 10 feet. The applicant is requesting a side setback distance of one (1) foot from the adjacent property owner to the south.

Notifications for the variance request were sent to all shoreline property owners within 300 feet of the property on October 15, 2012. The immediate neighbors on both sides of the proposed dock raised objections; however, prior to the EPC hearing on December 12, 2012, the applicant and EPD staff facilitated a compromise between all parties, and prior written objections to the dock were removed.

Pursuant to Orange County Code, Chapter 15, Article IX, Section 15-350 (b), the Environmental Protection Officer recommended approval of the variance request for a side setback distance of one foot from the adjacent neighbor to the south.

Page Two
January 15, 2013 - Consent Item
Environmental Protection Commission Recommendation

Based upon evidence and testimony presented at the December 12, 2012 public hearing, the Environmental Protection Commission made a recommendation to approve the request for variance as presented, including the change to the stair design where the stairs on the northern edge will be cut at a 45-degree angle as to not cross over the northern edge of the entire deck structure. The supporting information and documents are attached.

ACTION REQUESTED: Approval of the recommendation of the Environmental Protection Commission to uphold the Environmental Protection Officer's recommendation to approve the request for a variance from Orange County Code, Chapter 15, Article IX, Section 15-343 (a) side setback distance for Dock Construction Permit BD 12-10-073; Clint and Deborah Bullock. District 3

JVW/LC: mn
Attachments

## Dock Construction Variance Request



Dock Construction Variance Request

## District






ENVIRONMENTAL PROTECTION DIVISION
Lori Cunniff, CEP, CHMM, Deputy Ditector
800, Merey Drive, Sutce 4
そrhando, liknida 32808
$107.836-1400$ fax $407.8361+99$
mavertius

## ORANGE COUNTY ENVIRORMENTAL ROOTECTION COMMISSION

Recommendation regarding a variance request from Orange County Code, Chapter 15, Article 1X, Dock Construction Permit BD-12-10-073; Clint and Deborah Bullock, 4739 Rosewood Drive.

## ACTION TAKEN BY THE ENVIRONMENTAL PROTECTION COMMISSION ("ERC") on the above

 application was as follows:REQUEST: Clint and Deborah Bullock (the "Applicam") are requesting a variance from Orange County Code, Chapter 15, Article IX, Section 15.343 ( 0 ).

BACKGROUND: On October 11, 2012, EPD received an Application io Construct a Dock for the subjeet property, In the same submittal, EPD also received an Application for Variance to Section 15-343 (a), side setback distance.
The applicam has 59.68 feet of shoreline; therefore the required side setback distance from the adjacem property owners is to feet. The applicant is requesting a side setback distance of dne (1) foot from the adjacent propery owner to the south.

Notifications for the variance request were sent to all shoreline property owners within 300 leet of the property on October 15, 2012.
Pursuant to Section 15-350(a)(1) Variances, "the applicant shall also describe (1) how strict compliance with the provisions from which a variance is sought would impose a unique and unnecessary hardship on the applicant the hardship cannot be self-imposed; and (2) the effee of the proposed variance on abuting shoreline owners." The applicant has stated that the proposed structure will go in the same location as the existing boat dock which has been in place for 30 years.
EPD has a leter of support from the affected property owner to the sounh (Clay Townsend) in regards to the proposed variance, provided the Applicant repair the roof structure of the remaining grandfalhered dock.

EFD has also received a writuen objection for this variance reques. Dan and Ana O Loane, whose property is located at 4715 Rosewood Avenue (the adjacent property to the north), filed an objection with EPD on November 21, 2012. The O'Loanes have stated that the proposed stricture would "impair navigation to and from their dock and woutd consinue a sujery hazard as a resulf."

On November 20, 2012, EPD staff, the Orange Comaty Sherriff's Office, the OLoanes and their atomey; as well as Mir. Bullock (and his atorney and comeactor) met on site to discuss the O Loancs concerms with the site plan which was received by EFD in the original submireal.

Prior to this meeting, Mr. Bullock and his contractor staked the toation of the proposed cerminal platorm so that the Sheritt's Office could assess any navigational concerns. The Sherriff's Depuly stated that the proposed structure would pose a navigational issie for the O'Loames. Alter further discussion on site, all parties agreed What it Mr. Bullock moved the proposed structure over three foel to the south (away from the O Loancs property), the mavigational issue would be resolved.

On Novenher 30, 2012, EPD received revised plans showing the proposed structure moved over infee feet to the south. The revised plans also showed an addition of saiss to the area of the terminal platform closest to the storeline. The OLoanes have also verbally ohjected to the addition of the stairs.
At the December 12, 2012 EPC meeting, the Applicant submited a revised site plan showing that the proposed stairs on the nothern edge will be cul al a forty-five (45) degrec angle as to not cross over the northern edge of the entire deck structure. Due to this revision. Dan and Ana OLoane verbally withdrew any objection to the variance request at the hearing.
Pursuant to Orange County Code. Chepter 15, Article IX. Section 15-350 (b), the EPO recommended approval of the variance request for a side seiback distance that is choser than allowed by Code.

```
ENVIRONAEENIAL PROTECTION DIVISION
Loni Cunniff, CEP, CHMM, Depucy Director
800 Nerey Drive, Sure 4
Orlando, Ithrida 32808
407-836.1400 124x+47-836-1490
wwacollmes
```

RECOMMENDATION: Approval with condition. Based upon the evidence and testimony presented al the December 12, 2012, public hearing, the EPC made a recommendation to approve the request for variance as presented including the change 10 the stair design where the stairs on the northern edge will be cut at a 45 -degree angle as to not cross over the norther edge of the entire deck structure.

Signature of EPC Chairman: $\qquad$


Interoffice Memorandi

December 12, 2012

TO: Mayor Teresa Jacobs
and
THRU: Lonnie C. Bell, Jr., Director Mreal
FROM:
Family Services Departmpht
Jacquelyn Jenkins, Manager
Family Services Department
Head Start Division
Contact: Khadija Pirzadeh, 68812
Jacquelyn Jenkins, 68998

SUBJECT: Florida Department of Children and Families Application for a License to Operate a Child Care Facility BCC Meeting 1/15/13 Consent Agenda/District 5

The Head Start Division requests Board approval for a renewal license application between Florida Department of Children and Families and Orange County. The license will allow the Head Start Program to provide comprehensive early childhood development for preschool children and support to their families at the Bithlo Head Start Center. The effective date of this license is from March 25, 2013 through March 25, 2014. The license fee of $\$ 60$ will be paid with Head Start funds. This is in accordance with legal and policy guidelines with no cost to the County.

This is a standard application for a license that is required by the Florida Department of Children and Families for all licensed childcare facilities. The County Attorney's Office and Risk Management Division have reviewed this application in the past for Head Start Centers currently in operation.

ACTION REQUESTED: Approval of Florida Department of Children and Families Application for a License to Operate a Child Care Facility at the Bithlo Head Start Center. This application is only executed by Orange County. (Head Start Division)

JJ/kp
C: Linda Weinberg, Deputy County Administrator, County Administrator's Office Wanzo Galloway, Assistant Attorney, County Attorney's Office John Petrelli, Manager, Risk Management Division Yolanda Brown, Manager, Fiscal Division, Family Services Department Jamille Clemens, Grants Supervisor, Finance Division Patria Morales, Grants Coordinator, Office of Management \& Budget

## APPLICATION FOR A LICENSE TO OPERATE A CHILD CARE FACILITY

PLEASE TYPE OR PRINT LEGIBLY USING BLUE OR BLACK INK

Instructions: All information on this application must be truthful and correct. Complete this application in its entirety, as appropriate. Not all sections apply. Incomplete applications will not be accepted. Please contact the licensing agency if there are any questions relating to this application
*FOR LICENSE RENEWALS ONLY: Renewal of this license is contingent upon the payment of any fines previously imposed as a sanction against this license that was not contested, or that was affirmed at an administrative hearing. If, at the time of this license renewal application, there is a pending administrative hearing resulting from a proposed fine, it shall not affect the renewal of this license.


| SECTION 2. OWNERSHIP TYPE(CHECKONE) |  |  |
| :---: | :---: | :---: |
| $\square$ Individual Ownership - Not incorporated | Individual Owner | Complete Sections A and E |
| $\square$ Corporation | Corporation Documentation required | Complete Sections B and E |
| $\square$ Partnership - Not Incorporated | Partnership Documentation required | Complete Sections C and E |
| X Other Entity - Not Incorporated Local government | e.g. School Board, Local Government Before \& After School programs, Parks and Recreation, Faith Based | Complete Sections D and E |



[^3]

| SECTION C: PARTNERSHIP - NOT INCORPORATED (Special Instructions: Attach a copy of the Parthership Agreement annuall. Attach additional: sheets as applicable if more than two parthers.) |  |  |  |
| :---: | :---: | :---: | :---: |
| Partner \#1 (First Middle (Maiden) Last) |  |  |  |
| Date of Birth: | Social Security Number*: |  |  |
| Home Address (street address): | City: | State: | Zip Code: |
| Telephone Number (including area code): ( ) |  |  |  |
| Partner \#2 (First Middle (Maiden) Last): |  |  |  |
| Date of Birth: | Social Security Number*: |  |  |
| Home Address (street address): | City: | State: | Zip Code: |
| Telephone Number (including area code): ( ) |  |  |  |


| SECTIOND. OTHER ENTITY - NOT INCORPORATED (Special Instructions: These are programs operated by School Boards, before and after school programs, faith based programs and other non incorporated entities.) |  |  |  |
| :---: | :---: | :---: | :---: |
| Name of Entity: Orange County, Florida |  |  |  |
|  |  |  |  |
| Entity's Designated Representative (First Middle and or Maiden Last):Ajit Lalchandani, County Administrator |  |  |  |
|  |  |  |  |
| Address of Entity (Street Address): | City: | State: | Zip Code: |
| 201 S. Rosalind Avenue | Orlando | FL | 32801 |
| Telephone Number (including area code) (407) 836-6590 |  |  |  |

[^4]| SECHON EF ON-SITE DIRECTOR INFORMATION - TO be completed by all applicants (Special listructions: An On sife Director holds a Director Credentia and is responsible to for the day-to-day operation of the facilty and is required to te on-site the majority of operating hours, A Muth-site Director holds a Difector Credential and supenvises multiple before-school and after-school programs for a Single organizaton as follows (a) Three sites regardess of the number of children enrolled or (b) More than three sites il hhe combined number of chidren does hot exceed 350 ) of children does not exceed 350 . <br> Name: (First Middle and or Maiden |  |  |  |
| :---: | :---: | :---: | :---: |
|  |  |  |  |
| Date of Birth: | Social Security Number*: |  |  |
| Home Address: | City: | State: | Zip Code: |
| Telephone Number (including area code) ( ) | If Applicable, Name of Multi-Site Programs and enrollment: |  |  |

## SECTION 3: ATESTATION CO be completed by ali applicants)

Has the owner, applicant, or director ever had a license denied, revoked, or suspended in any state or jurisdiction, been the subject of a disciplinary action, or been fined while employed in a child care facility?
$\square$ Yes $\bar{X}$ No if yes, please explain: (attach additional sheet(s) if necessary)
Have you or anyone identified as a party to ownership ever held a license (child care, foster care, cosmetology, etc.) with any state agency in any capacity other than a driver's license?
[ $\overline{\mathrm{X}}$ Yes $\square$ No If yes, where, what type of license, license number, and under what name? FL Child Care Facility
Certificate of License No. C090R0200, Bithlo Head Start Center

Pursuant to section 402.3054 , F.S., child enrichment service providers shall be of good moral character based upon screening, using level 2 standards in Chapter 435, F.S. If this facility utilizes a child enrichment service provider, it is the responsibility of the director to ensure that the child enrichment service provider is screened accordingly and parents/guardians provide written consent before a child may participate in activities conducted by the child enrichment service provider

The Health Insurance Portability and Accountability Act (HIPAA) requires that personally identifiable health information must be protected from disclosure and maintained in a manner to prevent inadvertent disclosure to the public and to otherwise assure the privacy of such information. Your signature on this application indicates that you agree to comply with the requirements of HIPAA by protecting the confidentiality of employee and children's health records in your possession.

Falsification of application information is grounds for denial or revocation of the license to operate a child care facility. Your signature on this application indicates your understanding and compliance with this law.

I hereby attest that the information contained in this application is truthful and correct under penalty of perjury. This application may be withdrawn at any time the applicant so desires.

## Signature of Owner or Organization's Designated Representative

## Date

Teresa Jacob, Orange County Mayor
Person completing application if other than Owner or Organization's Designated Representative.
Person completing application if other than Owner or Organization's Designated Representative.

| Name: (Piease Print) | Orange County |
| :--- | :--- | :--- |
| Khadija Pirzadeh, Contract Administrator, Head Start Division |  |
| Telephone number including area code: |  |
| 407 | $836-8912$ |

Do Not Write Below this Line - Official Use Only

| Date Fee Received: | Amount: | Check Number: | Received By Signatureel/nitials: | Date Fee Fonwarded to Fiscal Office: |
| :---: | :---: | :---: | :---: | :---: |
|  |  |  |  |  |


| Sexual Offender Address Cröss-Rëference <br> (http:l/offender.fdle:state.flus) | Date of Search: |
| :--- | :--- | :--- | :--- | :--- |

## AGENDA ITEM

December 17, 2012


SUBJECT: Orange County Family Services Department Head Start Division Eligibility Priority Selection Criteria BCC Meeting 1/15/13 Consent Agenda/All Districts

The Head Start Division requests Board approval of the Orange County Family Services Department, Head Start Division Eligibility Priority Selection Criteria for the 2013-14 School Year. The eligibility priority selection criteria is required to establish a formal selection process, as mandated by the Improving Head Start for School Readiness Act of 2007 and Head Start Program Performance Standard 1305.6.

The eligibility priority selection criteria awards more points for at-risk children and families with lower income at or below $100 \%$ of the poverty level. The Head Start Policy Council approved the eligibility priority selection criteria at its meeting on December 15, 2012.

This standard eligibility priority selection criteria is used to determine the selection of eligible children for the Head Start Program. The County Attorney's Office and Risk Management have reviewed the eligibility priority selection criteria for legality and compliance with County requirements. There is no cost to the County.

ACTION REQUESTED: Approval of the Orange County Family Services Department Head Start Division Eligibility Priority Selection Criteria 2013-14 School Year to establish a formal selection process for eligible children and families.

JJ/kp
C: Linda Weinberg, Deputy County Administrator, County Administrator's Office Wanzo Galloway, Assistant County Attorney, County Attorney's Office John Petrelli, Manager, Risk Management Divsion Yolanda S. Brown, Manager, Fiscal Division, Family Services Department Jamille Clemens, Grants Supervisor, Finance Division Patria Morales, Grants Coordinator, Office of Mangaement \& Budget

ORANGE COUNTY FAMILY SERVICES DEPARTMENT
HEAD START DIVISION
ELIGIBLITY PRIORITY SELECTION CRITERIA 2013-2014 SCHOOL YEAR

| Child's Name (Last, First) | Center: | Date of Application: |
| :--- | :--- | :--- |


|  | Categories | Points | Clients Points: |
| :---: | :---: | :---: | :---: |
| A | Age <br> 4 years <br> 3 years | $\begin{aligned} & 95 \\ & 55 \end{aligned}$ |  |
| B | Cateqorically Eliqible <br> - Foster Child <br> - Homeless <br> (McKinney-Vento Homeless Assistance Act of 1987) <br> - Currently in TANF benefits <br> - Currently in SSI benefits <br> Income <br> $0 \%-50 \%$ below the poverty guideline <br> $50 \%-100 \%$ below the poverty guideline <br> 100\% - Over Income Disability (Public School IEP) <br> 100\% - Over Income | $\begin{gathered} 95 \\ 95 \\ \\ 95 \\ 95 \\ \hline \\ 95 \\ 85 \\ 0 \\ 0 \\ \hline \end{gathered}$ |  |
| C | Disability* <br> Diagnosed (Public School IEP) <br> Diagnosed (Documented by Professional) <br> Suspected (Documented by Professional) | $\begin{aligned} & 95 \\ & 75 \\ & 25 \end{aligned}$ |  |
| D | 2012-2013 Waiting List Child | 25 |  |
| E | Other Factors <br> Family Crisis / At Risk** <br> - Teen Parent - 17 years old or less <br> - Domestic Violence (documented by Agency) <br> - Single Parent - Incarcerated or Military Deployed (documented by Agency) <br> - Alcohol, Drug Abuse, or Mental Illness (documented by Agency) | $\begin{aligned} & 55 \\ & 55 \\ & 55 \\ & \\ & 55 \end{aligned}$ |  |
| F | Agency Referral <br> - DCF/Court Referral <br> - OCPS Preschool Diagnostic and Intervention Services <br> - Other Head Start Program <br> - Other Early Head Start <br> - Kinship/Caregiver Assigned by DCF/Court <br> - Homeless (Referral) (McKinney-Vento Homeless Assistance Act of 1987) | $\begin{aligned} & 55 \\ & 55 \\ & \\ & 55 \\ & 55 \\ & 55 \\ & 55 \end{aligned}$ |  |

[^5]Interoffice Memorandi
3
AGENDA ITEM

January 8, 2013

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners
THRU: $\quad \begin{aligned} & \text { Lonnie C. Bell, Jr., Director } \\ & \text { Family Services Deparmeft }\end{aligned}$
FROM: $\quad \begin{aligned} & \text { Lavon B. Williams, Manager } \\ & \text { Neighborhood Preservation and Revitalizat }\end{aligned}$ Neighborhood Preservation and Revitalization Division

SUBJECT: Consent Agenda Item - January 15, 2013 January 2013 Neighborhood Pride Sign Grant Recipients

The Neighborhood Preservation and Revitalization Division administers the Neighborhood Pride Grant Program that provides funds for citizen organizations to enhance the quality of their neighborhoods. The Neighborhood Pride Grants are available countywide in amounts ranging between $\$ 1,500$ to $\$ 10,000$. Neighborhood Pride Grant applications are accepted year-round and are reviewed monthly by the Neighborhood Grants Advisory Board (NGAB).

The NGAB is recommending approval of the Fox Briar Neighborhood and Evergreen Terrace Unit 2 Neighborhood Pride Sign Grants. (see Attachment A). The grant requests are displayed in greater detail in Attachments B and C. The grant requests were reviewed and scored by Orange County staff and presented to the NGAB for recommendation. The applications were reviewed based on project feasibility, organizational readiness, and benefit to the community. In addition, the applications were reviewed against the County's permitting requirements to ensure that the project would comply with appropriate County codes.

ACTION REQUESTED: Approval of the Fox Briar Neighborhood and Evergreen Terrace Unit 2 January 2013 Neighborhood Pride Sign Grants as recommended by the Neighborhood Grants Advisory Board, in an amount not to exceed the estimated budgeted amount of $\$ 7,952$. (Districts 2 and 3)

Attachment(s)
c: Antwan Nelson, Neighborhood Preservation and Revitalization Division Eric Lasso, Chairperson, Neighborhood Grants Advisory Board

LBW/ydl

Neighborhood Pride Sign Grant
Orange County Board of County Commissioners
January 15, 2013 Consent Agenda
ATTACHMENT A

|  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| District | Organizatlon | Type of <br> Organization | Project | Property <br> Ownership | Estimated <br> Amount | Community <br> Match | Project Location |
| 2 | Fox Briar <br> Neighborhood | Neighborhood <br> Group | Sign | Private | $\$ 2,952$ | $\$ 0$ | North Powers Drive and Fox Briar <br> Trail |
| 3 | Evergreen <br> Terrace Unit 2 | Neighborhood <br> Group | Sign | Private | $\$ 5,000$ | $\$ 0$ | Eucalyptus Street and North <br> Goldenrod Road |
|  |  |  | Total <br> Requests |  | $\$ 7,952$ |  |  |

## Neighborhood Pride Grant Profile

| Organization Name: Fox Briar Neighborhood | Estimated Grant Amount: $\$ 2,952$ |
| :--- | :--- |
| Commission District 2: Frederick C. Brummer | Estimated Match Amount: N/A |
| Municipality Jurisdiction: N/A | Total Estimated Project Cost: $\$ 2,952$ |
| Property Ownership: Private | Type of Grant: Sign Grant |

Summary: The group wants to install two neighborhood signs.


## Neighborhood Pride Grant <br> Profile

| Organization Name: Evergreen Terrace Unit 2 | Estimated Grant Amount: \$5,000 |
| :--- | :--- |
| Commission District 3: Pete Clarke | Estimated Match Amount: N/A |
| Municipality Jurisdiction: N/A | Total Estimated Project Cost: \$5,000 |
| Property Ownership: Private | Type of Grant: Sign Grant |

Summary: Neighborhood wishes to install two new neighborhood signs.


## Interoffice Memorandum

January 8, 2013

TO: Mayor Teresa Jacobs -AND-
Board of County Commissioners
THRU: Lonnie C. Bell, Jr., Director Mimpink Alll
Family Services Department

FROM: Lavon B. Williams, Manager
Neighborhood Preservation and Revitalization Division

SUBJECT: Consent Agenda Item - January 15, 2013 January 2013 Neighborhood Pride Entranceway Improvement Grant Recipients

The Neighborhood Preservation and Revitalization Division administers the Neighborhood Pride Grant Program that provides funds for citizen organizations to enhance the quality of their neighborhoods. The Neighborhood Pride Grants are available countywide in amounts ranging between $\$ 1,500$ to $\$ 10,000$. Neighborhood Pride Grant applications are accepted year-round and are reviewed monthly by the Neighborhood Grants Advisory Board (NGAB).

The NGAB is recommending approval of Forsyth Pointe Neighborhood and Wedgefield HOA Entranceway Improvement Grants. (see Attachment A). The grant requests are displayed in greater detail in Attachments B and C. The grant requests were reviewed and scored by Orange County staff and presented to the NGAB for recommendation. The applications were reviewed based on project feasibility, organizational readiness, and benefit to the community. In addition, the applications were reviewed against the County's permitting requirements to ensure that the project would comply with appropriate County codes. Finally, the organizations were required to document the appropriate cash match and demonstrate an ability to maintain the project.

## ACTION REQUESTED: Approval of the Forsyth Pointe Neighborhood and Wedgefield HOA for January 2013 Neighborhood Pride Entranceway Improvement Grants as recommended by the Neighborhood Grants Advisory Board, in an amount not to exceed the budgeted amount of $\$ 9,539$. (Districts 3 and 5 )

Attachment(s)
c: Antwan Nelson, Neighborhood Preservation and Revitalization Division Eric Lasso, Chairperson, Neighborhood Grants Advisory Board

LBW/ydI

Neighborhood Pride Entranceway Improvement Grant
Orange County Board of County Commissioners
January 15, 2013 Consent Agenda
ATTACHMENT A

| District | Organization | Type of <br> Organization | Project | Property <br> Ownership | Estimated <br> Amount | Community Match | Project Location |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 3 | Forsyth Pointe <br> Neighborhood | Neighborhood <br> Group | Neighborhood <br> Sign Repair | Private | $\$ 4,740$ | North Forsyth Road and <br> Andrea Jane Lane |  |
| 5 | Wedgefield <br> HOA | HOA | Pressure <br> Washing, ground <br> lighting and minor <br> irrigation repair | Private | $\$ 250$ | S4,799 | State Road 520 and <br> Maxim Parkway |
|  |  | Total Requests |  | $\$ 253$ |  |  |  |

# Neighborhood Pride Grant <br> Profile 

| Organization Name: Forsyth Pointe Neighborhood | Estimated Request Amount: $\$ 4,740$ |
| :--- | :--- |
| Commission District 3: Pete Clarke | Estimated Match Amount: $\$ 250$ |
| Municipality Jurisdiction: N/A | Total Estimated Project Cost: $\$ 4,990$ |
| Property Ownership: Private | Type of Grant: Entranceway |

Summary: Organization wishes to repair their neighborhood sign.


# Neighborhood Pride Grant Profile 

Organization Name: Wedgefield Homeowners Association
Commission District 5: Ted B. Edwards

Municipality Jurisdiction: N/A
Property Ownership: Private

Estimated Grant Amount: $\$ 4,799$
Estimated Match Amount: \$ 253

Total Estimated Project Cost: \$5,052
Type of Grant: Entranceway

Summary: Organization wishes to improve their neighborhood entranceway. Project includes: entranceway wall pressure wash, ground lighting, and repair of the irrigation system.


TO: Mayor Teresa Jacobs -ANDBoard of County Commissioners

THRU: Lonnie C. Bell, Jr., Director Prisis Family Services Department

FROM: Lavon B. Williams, Manager \& 80 Neighborhood Preservation and Revitalization Division

SUBJECT: Consent Agenda Item - January 15, 2013 January 2013 Neighborhood Pride Wall Repair Grant Recipient

The Neighborhood Preservation and Revitalization Division administers the Neighborhood Pride Grant Program that provides funds for citizen organizations to enhance the quality of their neighborhoods. There has been a continued interest from a wide range of neighborhood organizations for funding requests under the Neighborhood Pride Grant Program.

In an effort to assist individual property owners and neighborhood organizations to repair damaged subdivision walls, the Neighborhood Pride Grant Program offers wall repair grants. The grants are designed to repair damage to walls that do not exceed more than $50 \%$ of the wall's value or $\$ 20,000$, whichever is less. This grant is not available to organizations that carry insurance on the perimeter walls. The repair grant complements the wall Municipal Service Benefit Unit program that allows subdivisions to construct completely new perimeter walls, which may include demolition of existing walls.

The Neighborhood Grants Advisory Board is recommending approval of the Harbor Point and Autumn Pines Neighborhoods for Wall Repair Grants (see Attachment $A$ ). The grant request is displayed in greater detail in Attachments $B$ and $C$. The grant request is reviewed by Orange County staff and presented to the NGAB for recommendation. The application was reviewed based on project feasibility, organizational readiness, and benefit to the community. In addition, the application was reviewed against the County's permitting requirements to ensure that the project would comply with appropriate County codes.

ACTION REQUESTED: Approval of the Harbor Point and Autumn Pines Neighborhoods for January 2013 Neighborhood Pride Wall Repair Grants as recommended by the Neighborhood Grants Advisory Board, in an amount not to exceed the estimated budgeted amount of $\$ 24,982$. (Districts 1 and 3 )
Attachment

[^6]Neighborhood Pride Wall Repair Grant
Orange County Board of County Commissioners
January 15, 2013 Consent Agenda
ATTACHMENT A

|  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| District | Organization | Type of <br> Organization | Project | Property <br> Ownership | Estimated <br> Amount | Community <br> Match | Project Location <br> 1Harbor Point <br> Neighborhood |
| Neighborhood | Wall Repair | Private | $\$ 5,092$ | $\$ 0$ | Old Winter Garden <br> Road and Harbor <br> Point Boulevard |  |  |
| 3 | Autumn Pines <br> Neighborhood | Neighborhood | Wall Repair | Private | $\$ 19,890$ | $\$ 0$ | South Goldenrod <br> Road and Autumn <br> Pines Drive |
|  |  |  | Total Requests | $\$ 24,982$ |  |  |  |

## Neighborhood Pride Grant <br> Profile

| Organization Name: Harbor Point Neighborhood | Estimated Grant Amount: \$5,092 |
| :--- | :--- |
| Commission District 1: S. Scott Boyd | Estimated Matching Amount: N/A |
| Municipality Jurisdiction: N/A | Total Estimated Project Cost: $\$ 5,092$ |
| Property Ownership: Private | Type of Grant: Wall Repair |

Summary: Resident wishes to repair their damaged neighborhood wall.


## Neighborhood Pride Grant Profile

| Organization Name: Autumn Pines Neighborhood | Estimated Grant Amount: \$ 19,890 |
| :--- | :--- |
| Commission District 3: Pete Clarke | Estimated Matching Amount: N/A |
| Municipality Jurisdiction: N/A | Total Estimated Project Cost: \$19,890 |
| Property Ownership: Private | Type of Grant: Wall Repair |

Summary: Organization wishes to repair their neighborhood wall.


Interoffice Memorandur

## AGENDA ITEM

January 8, 2013

TO: Mayor Teresa Jacobs -AND-
Board of County Commissioners
THRU: Lonnie C. Bell, Jr., Director Mrial \& MAM Il
FROM: Lavon B. Williams, Manager 1
Neighborhood Preservation and Revitalization Division

SUBJECT: Consent Agenda Item - January 15, 2013 January 2013 Neighborhood Pride Capital Grant Recipient

The Neighborhood Preservation and Revitalization Division administers the Neighborhood Pride Grant Program that provides funds for citizen organizations to enhance the quality of their neighborhoods. The Neighborhood Pride Grants are available countywide in amounts ranging between $\$ 1,500$ to $\$ 10,000$. Neighborhood Pride Grant applications are accepted year-round and are reviewed monthly by the Neighborhood Grants Advisory Board (NGAB).

The NGAB is recommending approval of Orangewood Village HOA Capital Improvement Grant (see Attachment A). The grant request is displayed in greater detail in Attachment B. The grant request was reviewed and scored by Orange County staff and presented to the NGAB for recommendation. The application was reviewed based on project feasibility, organizational readiness, and benefit to the community. In addition, the application was reviewed against the County's permitting requirements to ensure that the project would comply with appropriate County codes. Finally, the organization was required to document the appropriate cash match and demonstrate an ability to maintain the project.

ACTION REQUESTED: Approval of the Orangewood Village HOA for January 2013 Neighborhood Pride Capital Improvement Grant as recommended by the Neighborhood Grants Advisory Board, in an amount not to exceed the estimated budgeted amount of $\$ 10,000$. (District 4)

Attachment(s)
c: Antwan Nelson, Neighborhood Preservation and Revitalization Division Eric Lasso, Chairperson, Neighborhood Grants Advisory Board

LBW/ydl

Neighborhood Pride Capital Improvement Grant Orange County Board of County Commissioners January 15, 2013 Consent Agenda
ATTACHMENT A

| District | Organization | Type of Organization | Project | Property Ownership | Estimated Amount | Community Match | Project Location |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 4 | Orangewood Village HOA | HOA | Replacement of playground perimeter fence | Private | \$10,000 | \$10,000 | Woodway Drive |
|  |  |  | Total Requests |  | \$10,000 |  |  |

# Neighborhood Pride Grant Profile 

Organization Name: Orangewood Village HOA
Commission District 4: Jennifer Thompson
Municipality Jurisdiction: N/A
Property Ownership: Private

Estimated Grant Amount: $\$ 10,000$
Estimated Matching Amount: \$10,000
Total Estimated Project Cost: $\$ 20,000$
Type of Grant: Capital Improvement

Summary: Organization wishes to replace playground's perimeter fence.


January 8, 2013

TO: Mayor Teresa Jacobs -AND-
Board of County Commissioners

FROM: Lavon B. Williams, Manager \& 4
Neighborhood Preservation and Revitalization Division
SUBJECT: Consent Agenda Item - January 15, 2013
Countywide Crime Prevention Grants
Orange County, as authorized in Chapter 163.501-523, Florida Statutes, created the Safe Neighborhood Program. The program is funded by fines on criminal activity, as authorized by Chapter 775.083, Florida Statutes, which allows the County to place revenue in a Crime Prevention Fund. Locally, two ordinances define the Safe Neighborhood Program: Ordinance No. 98-01 and Ordinance No. $02-02$. The program funds benefit nine targeted areas, including the Orange Blossom Trail Safe Neighborhood, as well as a countywide Crime Prevention Grant Program. The Board authorized the creation of the countywide Crime Prevention Grant Program in July 2004.

The Neighborhood Preservation and Revitalization Division administers the Crime Prevention Grant Program, which provides funds for citizen organizations to help increase safety and decrease crime in their neighborhoods. The grant is available countywide between $\$ 500$ and $\$ 10,000$. The Crime Prevention Grant Program accepts applications on a monthly basis. Currently, the Crime Prevention Grant Program has $\$ 76,607.32$ in remaining funds.

The Neighborhood Preservation and Revitalization Division staff performs a detailed technical review on each application received. The staff examines various aspects of the project, including the potential reduction in crime or increased safety, the project cost, impact on the community, and the ability of the organization to execute the project and maintain any physical improvements. The Sheriff's Office helped to develop the grant program criteria and assists applicants in developing projects that reduce or deter criminal activity. Organizations are required to provide a letter of support from the Sheriff's Office, which has been provided for these projects.

Several measures are in place to ensure proper monitoring and compliance with the program guidelines. All grant funds are distributed through the County's purchase order process, and there are no direct cash payments to the selected organizations. Applicants are required to complete projects, as documented on the invoices from vendors and their status reports.

BCC Consent Agenda Item - January 15, 2013
Countywide Crime Prevention Grants
Page 2
Every organization that completes a physical improvement project must also demonstrate the ability to independently maintain the improvement. Staff concludes the monitoring process for each grant awarded by conducting detailed site visits to ensure compliance with the requirements.

The Neighborhood Grants Advisory Board (NGAB) is recommending approval of the Wedgefield Community Emergency Response Team (CERT) Crime Prevention Grant. (see Attachment A). The grant request was reviewed by Orange County staff and presented to the NGAB for recommendation. The applications were reviewed based on project feasibility, organizational readiness, and benefit to the community. The grant request is displayed in greater detail in Attachment B.

The NGAB is recommending Board approval of Wedgefield Community Emergency Response Team (CERT) Crime Prevention Grant.

ACTION REQUESTED: Approval of the Wedgefield Community Emergency Response Team (CERT) for January 2013 Crime Prevention Grant as recommended by the Neighborhood Grants Advisory Board, in an amount not to exceed the estimated budget amount of $\$ 609$. (District 5)

Attachments
c: Eric Lasso, Chairperson, Neighborhood Grants Advisory Board Raul Gonzalez, Commander, Sheriff's Office, Crime Prevention Unit Antwan Nelson, Neighborhood Preservation and Revitalization Division

Orange County Board of County Commissioners
January 15, 2013 Consent Agenda
Countrywide Crime Prevention Grants - ATTACHMENT A

| District | Organization | Description of <br> the Project | Requested <br> Amount | NGAB <br> Recomentation | Local Municipality <br> Police Review | Sheriff Review |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 5 | Wedgefield <br> Community <br> Emergency <br> Response Team <br> (CERT) | Organization <br> Emergency <br> Supplies | $\$ 609$ | Approve | N/A | Yes |
|  |  | Total Requests | $\$ 609$ |  |  |  |

## Crime Prevention Grant Summary

| Organization Name:Wedgefield Community <br> Emergency Response Team (CERT) | Request Amount: \$609 |
| :--- | :--- |
| Commission District 5: Commissioner Ted B. Edwards | Matching Amount: N/A |
| Municipality Jurisdiction: N/A | Total Project Cost: $\$ 609$ |
| Property Ownership: Private | OCSO Support Letter: Yes |
|  | Municipal Police Letter: N/A |

Summary: Neighborhood group wishes to buy supplies that will be used by the trained volunteers in the event of a disaster.


January 8, 2013

TO: Mayor Teresa Jacobs -AND-
Board of County Commissioners
THRU: Lonnie C. Bell, Jr., Director
Family Services Department
FROM: Lavon B. Williams, Manager $\& 13$ Neighborhood Preservation and Revitalization Division

SUBJECT: Consent Agenda Item - January 15, 2013 January 2013 Neighborhood Pride Landscaping Grant Recipient

The Neighborhood Preservation and Revitalization Division administers the Neighborhood Pride Grant Program that provides funds for citizen organizations to enhance the quality of their neighborhoods. The Neighborhood Pride Grants are available countywide in amounts ranging between $\$ 1,500$ to $\$ 10,000$. Neighborhood Pride Grant applications are accepted year-round and are reviewed monthly by the Neighborhood Grants Advisory Board (NGAB).

The NGAB is recommending approval of Whisper Lakes Unit 5 HOA landscaping grant. (see Attachment A). The grant request is displayed in greater detail in Attachment B. The grant request was reviewed and scored by Orange County staff and presented to the NGAB for recommendation. The application was reviewed based on project feasibility, organizational readiness, and benefit to the community. In addition, the application was reviewed against the County's permitting requirements to ensure that the project would comply with appropriate County codes. Finally, the organization was required to document the appropriate cash match and demonstrate an ability to maintain the project.

## ACTION REQUESTED: Approval of the Whisper Lakes Unit 5 HOA for January 2013 Neighborhood Pride Landscaping Grant as recommended by the Neighborhood Grants Advisory Board, in an amount not to exceed the estimated budgeted amount of $\$ 934$. (District 4)

Attachment(s)
c: Antwan Nelson, Neighborhood Preservation and Revitalization Division Eric Lasso, Chairperson, Neighborhood Grants Advisory Board

LBW/ydl

|  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| District | Organization | Type of <br> Organization | Project | Property <br> Ownership | Estimated <br> Amount | Community <br> Match | Project Location |
| 4 | Whisper Lakes <br> Unit 5 HOA | HOA | Landscaping | Private | $\$ 934$ | $\$ 311$ | Whisper Lakes <br> Boulevard and <br> Thurston Way |
|  |  |  | Total <br> Requests |  |  | $\$ 934$ |  |

# Neighborhood Pride Grant Profile 

Organization Name: Whisper Lakes Unit 5 HOA Estimated Grant Amount: \$ 934<br>Commission District 4: Jennifer Thompson<br>Municipality Jurisdiction: N/A<br>Property Ownership: Private<br>Estimated Match Amount: \$311<br>Total Estimated Project Cost: \$ 1,245<br>Type of Grant: Landscaping

Summary: Organization wishes to upgrade their neighborhood landscaping.


FAMILY SERVICES DEfAKIMENT<br>RYAN WHITE PART A OFFICE<br>1718 East Michigan Street<br>Orlando, Florida 32806

December 18, 2012

TO: Mayor Teresa Jacobs
And
Board of County Commissioners
THROUGH: Lonnie C. Bell, Jr., Director main CAlll
Family Services Department
FROM: Warren Lakhan, Family Services Administrator (Acting) WHL
Family Services Department
CONTACT: Blain Mustain, Program Manager
Ryan White Program 407.836.8994
SUBJECT: Ryan White Part A Fiscal Year 2013-2014 Award Acceptance January 15, 2013 Consent Agenda (All Districts)

The Ryan White Part A Program is a federally-funded program of health and support services for persons with human immunodeficiency virus (HIV) spectrum disease. The program provides funding for core and support services to consumers affected by HIV. Core services consist of medical and dental care, nutritional supplements and therapy, insurance co-pay and premium payments, medical case management, pharmaceutical drug reimbursement, mental health counseling and substance abuse treatment. Food, transportation, psychosocial support and non-medical case management complement the program services as support components. Services are provided by community agencies under contract with the County.

In addition to direct services for consumers, the grant also provides funding for administration, quality management and support of the HIV Health Services Planning Council. County employees funded by the grant fill the roles for administration, quality management and Planning Council support. The Planning Council is an appointed group of providers, lay persons and consumers that offer guidance for administration of the program.

The upcoming Federal Ryan White Part A Fiscal Year is March 1, 2013 through February 28, 2014. Notification of the actual amount of the grant award for that time period is expected to be received from the Federal Health Resources and Services Administration (HRSA) in early March 2013. The award is expected to be approximately $\$ 9,199,770$ which is nearly $\$ 394,000$ more than the award for the 2012-2013 FY. In order to execute contracts beginning March 1, 2013, and continue services from the current year, Board approval to accept the award is needed prior to the time that the actual amount of the award is known.

January 15, 2013 - Consent Agenda
Page 2

Board approval is requested to accept the Ryan White Part A 2013 grant in the amount awarded by HRSA, and to authorize the County Mayor or her designee latitude to approve any increase or decrease from the anticipated amount.

The Health Services Planning Council must allocate awarded funds in accordance with HRSA guidelines to the approved services planned. In order to expedite the use of any additional funding, approval is requested to authorize the County Mayor or her designee to approve acceptance of any additional funding received under this grant during the period March 1, 2013 through February 28, 2014.

ACTION REQUESTED: Approval to accept the Federal Health Resources and Services Administration Grant Award for Ryan White Part A funding in the amount of $\$ 9,199,770$ for the period of March 1, 2013 through February 28, 2014; approval for the County Mayor or her designee to approve any increases or decreases in the award amount, and approval for the County Mayor or her designee to approve any increases in Federal Ryan White Part A funding during the period March 1, 2013, through February 28, 2014.
cc: Yolanda Brown, Fiscal Manager

## Interoffice Memo

December 11, 2012

TO: Mayor Teresa Jacobs And the Board of County Commissioners

FROM: Mark V. Massaro, P.E., Director, Public Works Department
$\begin{array}{ll}\text { CONTACT PERSON: } & \begin{array}{l}\text { Diana M. Almodovar, P.E., Manager } \\ \text { Development Engineering Division }\end{array} \\ \text { PHONE NUMBER. }\end{array}$ PHONE NUMBER: (407) 836-7974

SUBJ: $\quad$ Authorization to record the plat of Residences At Lakeside Village
The Public Works Department requests authorization to record the plat of Residences At Lakeside Village. This is a one lot plat located at the southwest corner of the Winter Garden Vineland Road and Reams Road intersection.

This plat complies with requirements of the Lake Reams Neighborhood Planned Development/Sharpe Property Preliminary Subdivision Plan/RAM Residences At Lakeside Village Development Plan as approved by the Orange County Development Review Committee on January 25, 2012.

This plat is being placed on the Consent Agenda in order to comply with the requirements of Chapter 34, Article III, Section 34-48(b) of the Orange County Code.

Action Requested: Authorization to record the plat of Residences At Lakeside Village. District 1.

MVM/DMA/gs I. CONSENT AGENDA PUBLIC WORKS
Interoffice Memorandur

December 18, 2012

TO: Mayor Teresa Jacobs and the Board of County Commissioners

FROM: Mark V. Massaro, P.E., Director, Public Works Department CONTACT PERSON: $\begin{array}{ll}\text { Julie R. Naditz, P.E., Manager fig } \\ & \text { Highway Construction Divisio }\end{array}$ PHONE NUMBER: (407) 836-7930

## SUBJ: Approval of Change Order No. 4 to Contract No. Y12-773 ApopkaVineland Road at Conroy-Windermere Road Intersection Improvements

Change Order No. 4 to Contract No. Y12-773 is required for the Apopka-Vineland Road at Conroy-Windermere Road Intersection Improvements project. This change order, in the amount of $\$ 63,803.30$, combined with previous change orders, increases the original contract amount from $\$ 1,031,266.22$ to $\$ 1,101,805.65$, an increase of $\$ 70,539.43$ ( $6.8 \%$ ).

This current change order provides for adjustments to milling depths and asphalt replacement thicknesses to ensure that the final asphalt is flush with the curb line. Asphalt overlays performed during roadway maintenance cycles over many years had resulted in the existing asphalt being several inches higher than the curb throughout much of the project. Funds for this change order will be available in accounting line 1023-072-5128-6311.

A summary of previous change orders is provided below.
Change Order No. 1 in the amount of $\$ 3,326.14$ was approved in July 2012 and provided for changes to the traffic separators and maintenance of traffic adjustments performed at night at the County's request for heightened safety.

Change Order No. 2 in the amount of $\$ 1,638$ was approved in October 2012 and provided for new signal cable instaliation approved by the Traffic Engineering Division.

Change Order No. 3 in the amount of $\$ 1,771.99$ was approved in October 2012 and provided for the maintenance of traffic changes adjustments again being performed at night at the County's request for safety.

Action Requested: Approval to issue Change Order No. 4 to Contract No. Y12773 Apopka-Vineland Road at Conroy-Windermere Road Intersection Improvements to Atlantic Civil Constructors Corporation in the amount of $\$ 63,803.30$. District 1 .

WPB/JRN/slk


After several asphalt overlays from routine maintenance cycles, the existing asphalt was several inches higher than the curb line throughout most of the project. Milling depths and new asphalt placement thicknesses required readjustment to provide a final asphalt level that was flush with the curb line.

NOTE: Prices include materials, equipment, labor and all incidentals necessary to complete the work.
CHANGE IN DELIVERY COMPLETION DATE: 1 day

| SUBSTANTIAL COMPLETE DATI | $1 / 31 / 2013$ |
| :--- | :--- |
| FINAL COMPLETION DATE: | $3 / 2 / 2013$ |

THIS SECTION FOR CONTRACTS ONLY
Previous Contract Total Dollars
Net Dollars for this Change
New Contract Total Dollar

$$
\begin{array}{r}
1,038,002.35 \\
\hline 63,803.30 \\
\hline 1,101,805.65
\end{array}
$$

This change order request includes not only all direct costs of Contractor such as labor, material, job overhead, and profit markup but also includes any costs for modifications or changes in sequence of work to be performed, delays, rescheduling, disruptions, extended direct overhead or general overhead, acceleration, material or other escalation which includes wages, and other impact costs.
The contractor understands that this is a "Change Order Request" only and that no contract changes have been implemented at this time. The contractor also understands that the above requested changes are subject to the approval of the Purchasing and Contracts Division Manager or designee and subsequent processing of a "Change Order".

Departmental Approval

Engineering Approval


MARTHA O. HAYNIE, CPA
County Comptroller
201 South Rosalind Avenue
Post Office Box 38
Orlando, Florida 32802
Telephone: 407-836-5690
Fax: 407-836-5599
Website www.occompt.com

## COUNTY COMMISSION AGENDA

Tuesday, January 15, 2013
COUNTY COMPTROLLER

## Informational only - No Board action required

Receipt of the following items to file for the record:
a. City of Winter Garden Notice of Annexation Ordinances and Legal Descriptions with Maps as follows:

- Ordinance 12-49, An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately $0.57 \pm$ acres located at 441 Lakeview Road on the east side of Lakeview Road, north of West Plant Street and south of Tildenview Road into the City of Winter Garden Florida; redefining the city boundaries to give the city jurisdiction over said property; providing for severability; providing for an effective date.
- Ordinance 12-56, An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately $0.44 \pm$ acres located at 1101 East Plant Street at the northeast corner of East Plant Street and Hennis Road into the City of Winter Garden Florida; redefining the city boundaries to give the city jurisdiction over said property; providing for severability; providing for an effective date.
b. City of Orlando Annexation Ordinance \#2012-47. Notice of Proposed Enactment. On December 3, 2012, the Orlando City Council will consider proposed Ordinance \#2012-47, entitled an Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City of Orlando, Florida, certain real property generally located north of E. Par St., south of Cornell Ave., east of Formosa Ave., and west of Pinewood Dr., comprised of . 48 acres, more or less; amending the city's adopted Growth Management Plan to designate the property as office low intensity on the city's official Future Land Use Map; and designating the property as low intensity office with the Wekiva Overlay District on the city's official Zoning Map; providing for severability, correction of scrivener's errors, and an effective date.
c. St. Johns River Water Management District 2013 Governing Board Meeting Schedule
d. Minutes of the July 30, 2012, East Park Community Development District meeting
e. Audit Report No. 425 - Audit of Orange County Corrections Department Probation Unit
f. Audit Report No. 426 - Follow-Up of the Audit of the Real Estate Management Division
g. Audit Report No. 427 - Limited Review of Orange County's Job Order Contract

Items filed for the record can be accessed at www.occompt.com. Then navigate to Clerk of the BCC.

January 9, 2013

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: Ajit M. Lalchandani, County Administrator


SUBJECT: Electronic Communications and Public Records Update
Board Worksession -- January 15, 2013

At the January 15 Board meeting, there will be a worksession on electronic communications and public records to follow up on the items discussed at the previous worksession of November 13.

Staff will present revised Administrative Regulations that reflect changes suggested by Commissioners and staff during the past two months. In addition, at the November meeting there was considerable discourse on potential policy initiatives relating to the use of electronic communication devices. As promised by the Mayor, these initiatives will also be discussed and considered at this worksession.

The discussion of the Administrative Regulations is an informational item and no action is requested at this time.

December 20, 2012
TO: Mayor Teresa Jacobs
and the Board of County Commissioners
FROM: Conney Kichardson, Manager, Purchasing and Contracts Division
CONTACT: Venetta Valdengo, Deputy Director, Facilities Management Division 407-836-7482

SUBJECT: Contractor Selection, Request for Proposals Y13-118-GJ Security Guard Services for the Orange County Courthouses and Miscellaneous Sites

## RECOMMENDATION:

Selection of one Contractor and two ranked alternates to provide Security Guard Services for the Orange County Courthouses and Miscellaneous Sites, Request for Proposals Y13-118-GJ, from the following firms listed alphabetically. Further request the Board authorize negotiation and award of a five year contract by the Purchasing and Contracts Division provided that it does not exceed the budget of $\$ 13,000,000$. Further request authority for the Purchasing and Contracts Division to renew the contract for two additional one-year periods. This is an estimated contract amount and the usage is uncertain. However, the Facilities Management Division anticipates the entire estimated contract amount will be ordered during the contract term.

Allegiance Security Group, LLC
AlliedBarton Security Services
G4S Secure Solutions, USA, Inc.
HSS, Inc.
The proposals were evaluated by the Procurement Committee on November 28, 2012. Commissioner Jennifer Thompson was assigned to this Procurement Committee.

## PURPOSE:

To provide security guard services at the County's various courthouses, the Administration Center, IOC I, Convention Center, Medical Clinic, Barnett Park Administration Building, Regional History Center, Shepherd's Hope Health Clinic and Health and Family Services. Services will be provided as ordered via the issuance of individual delivery orders.

## DISCUSSION:

Seven proposals were received in response to the RFP. The proposals were evaluated by the Procurement Committee in accordance with the criteria set forth in the RFP. The proposals of A \& Associates, Job1USA Security and US Alliance Management DBA: US Security did not meet mandatory requirements in the solicitation for the qualifications of firm and staff and were therefore determined to be nonresponsive. Consensus scores from the Procurement Committees evaluation are attached.

| RFP \#Y13-118-GJ SECURITY GUARD SERVICES - <br> COURTHOUSE/MISCELLANEOUS SITES | QUALIFICATION OF FIRM \& STAFF |  | APPROACH, TRAINING, SERVICE \& SUPPORT |  | M/WBE |  | COST | WELFARE RECIPIENTS |  | SERVICE DISABLED VETERANS | TOTAL |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| WEIGHT | 35 |  | 20 |  | 10 |  | 35 | 1 |  | 5-10 POINTS |  |
|  |  |  |  |  | $\begin{aligned} & \underset{\sim}{\sim} \\ & 0 \\ & \hline 0 \\ & 0 \\ & 3 \\ & \vdots \\ & \end{aligned}$ |  |  | $u$ <br>  <br> 0 <br> 0 <br> $u$ <br> 3 <br> $\vdots$ |  |  |  |
| VENDOR NAME |  |  |  |  |  |  |  |  |  |  |  |
| G4S Secure Solutions, USA, Inc. | 4.9 | 172 | 5.0 | 100 | 4 | 40 | 145 |  | 5 | 0 | 462 |
| Allegiance Security Group, LLC | 3.9 | 137 | 2.8 | 56 | 4 | 40 | 151 |  | 5 | 0 | 389 |
| AlliedBarton Security Services | 3.1 | 109 | 3.5 | 70 | 4 | 40 | 152 |  | 5 | 2 | 378 |
| HSS, Inc. | 2.9 | 102 | 3.0 | 60 | 4 | 40 | 128 |  | 5 | 0 | 335 |



## Interoffice Memorandum

GOVERNMENT
January 7, 2013
To: Gale Johnson, Senior Purchasing Agent Purchasing and Contracts Division
FROM: Kesi Warren, Senior Contract Administrator Business Development Division
SUBJ: RFP \#Y13-118-GJ, Security Guard Services for Orange County Courthouses and Miscellaneous Sites

Below are the respondents to the subject RFP with their firm's certified sub-consultants and M/WBE participation score on a $1-5$ rating:

| 1. | AlliedBarton Security Services |  | 4 Points |
| :--- | :--- | :---: | ---: |
| AFAM | Fidelity Security Agency, LLC | $24 \%$ |  |
|  |  |  |  |
|  | Total MWBE Participation: | $24 \%$ |  |
|  | EEO Staff | $46 \%$ |  |
| Bonus <br> Points |  |  |  |
|  | Service-Disabled Veterans | 1 |  |
|  | Welfare Recipients: | 5 |  |


| 2. | G4S Secure Solutions (USA) Inc. |  | 4 Points |
| :--- | :--- | :---: | ---: |
| AFAM | CISS, Inc. | $24 \%$ |  |
|  | Total MWBE Participation: |  |  |
|  | EEO Staff | $\mathbf{2 4 \%}$ |  |
|  |  | $82 \%$ |  |
| Bonus |  |  |  |
| Points |  |  |  |
|  | Service-Disabled Veterans | 0 |  |
|  | Welfare Recipients: | $\mathbf{5}$ |  |


| 3. | HSS, Inc. |  | 4 Points |
| :--- | :--- | :---: | :---: |
| AFAM | CISS, Inc. | $24 \%$ |  |
|  |  |  |  |
|  | Total MWBE Participation: | $24 \%$ |  |
|  | EEO Staff | $44 \%$ |  |
| Bonus <br> Points |  |  |  |
|  | Service-Disabled Veterans | 0 |  |
|  | Welfare Recipients: | 5 |  |

[^7]| 4. | Allegiance Security Group |  | 4 Points |
| :--- | :--- | :---: | :---: |
| AFAM | CISS, Inc. | $24 \%$ |  |
|  | Total MWBE Participation: | $24 \%$ |  |
|  | EEO Staff | $29 \%$ |  |
|  |  |  |  |
| Bonus <br> Points |  | 0 |  |
|  | Service-Disabled Veterans | $\mathbf{0}$ |  |
|  | Welfare Recipients: |  |  |


| 5. | A \& Associates |  | 3 Points |
| :--- | :--- | :---: | :---: |
|  | None | $0 \%$ |  |
|  | Total MWBE Participation: | $0 \%$ |  |
|  | EEO Staff | $90 \%$ |  |
| Bonus <br> Points |  |  |  |
|  | Service-Disabled Veterans | 0 |  |
|  | Welfare Recipients: | 10 |  |


| 6. | Job1USA Security |  | 1 Points |
| :--- | :--- | ---: | ---: |
|  | None | $0 \%$ |  |
|  |  |  |  |
|  | Total MWBE Participation: | $0 \%$ |  |
|  | EEO Staff | $7 \%$ |  |
| Bonus <br> Points |  |  |  |
|  | Service-Disabled Veterans | 0 |  |
|  | Welfare Recipients: | 5 |  |


| 7. | U.S. Alliance Mangement dba U.S. <br> Security |  | 0 Points |
| :--- | :--- | ---: | ---: |
|  | None | $0 \%$ |  |
|  |  |  |  |
|  | Total MWBE Participation: | $0 \%$ |  |
|  | EEO Staff | $0 \%$ |  |
| Bonus <br> Points |  |  |  |
|  | Service-Disabled Veterans | 0 |  |
|  | Welfare Recipients: | 0 |  |

Interoffice Memorandum
V. DISCUSSION AGENDA

December 20, 2012

## TO: Mayor Teresa Jacobs

 and the Board of County CommissionersFROM:


CONTACT: Kathy Brown, Assistant to the Director, Utilities Fiscal and Operational Support Division
407-254-9645

SUBJECT: Contractor Selection, Request for Proposals Y13-119-GJ
Security Guard Services for Orange County Utilities Department

## RECOMMENDATION:

Selection of one Contractor and two ranked alternates to provide Security Guard Services for Orange County Utilities Department, Request for Proposals Y13-119-GJ, from the following firms listed alphabetically. Further request the Board authorize execution of the five-year contract by the Purchasing and Contracts Division provided that the contract does not exceed the budget of $\$ 8,300,000$. Further request authority for the Purchasing and Contracts Division to renew the contract for two additional one-year periods. This is an estimated contract amounts, and the usage is uncertain. However, the Utilities Department anticipates the entire estimated contract amount will be ordered during the contract term.

```
ABM Security Services
Allegiance Security Group, LLC
G4S Secure Solutions, USA, Inc.
HSS, Inc.
```

The proposals were evaluated by the Procurement Committee on November 28, 2012. Commissioner Jennifer Thompson was assigned to this Procurement Committee.

## PURPOSE:

To provide security guard services throughout the Utilities Department based on specific requirements for each site. Services will be provided as ordered via individual delivery orders.

## DISCUSSION:

Ten proposals were received in response to the RFP. The proposals were evaluated by the Procurement Committee in accordance with the criteria set forth in the RFP. Blue Shield Security \& Protection, Enamorado Enterprises LLC, DBA Tactical Protection, Hands On Security, Inc. and US Alliance Management DBA: US Security did not meet mandatory requirements in the solicitation for the qualification of firm and staff and were therefore determined to be nonresponsive. Consensus scores from the Procurement Committees evaluation are attached.

| RFP \#Y13-119-GJ SECURITY GUARD SERVICES ~ UTILITIES DEPARTMENT | QUALIFICATION OF FIRM \& STAFF |  | APPROACH, training, SERVICE \& SUPPORT |  | M/WBE |  | cost | WELFARE RECIPIENTS |  | SERVICE DISABLED VETERANS | TOTAL |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| WEIGHT | 35 |  | 20 |  | 10 |  | 35 | 1 |  | 5-10 POINTS |  |
| coll | $\begin{aligned} & \hline \underset{\sim}{u} \\ & \hline 0 \\ & 0 \\ & 3 \\ & \vdots \end{aligned}$ |  |  |  |  |  |  |  |  | $\Perp$ $\underset{\sim}{O}$ 0 0 3 $\vdots$ $\vdots$ |  |
| VENDOR NAME | $\cdots$ |  |  |  |  |  | . |  |  |  |  |
| G4S Secure Solutions, USA, Inc. | 4.9 | 172 | 4.8 | 96 | 4 | 40 | 129 | 5 | 5 | 0 | 442 |
| Allegiance Security Group, LLC | 3.7 | 130 | 4.0 | 80 | 4 | 40 | 149 | 5 | 5 | 0 | 404 |
| ABM Security Services | 3.7 | 130 | 4.0 | 80 | 3 | 30 | 147 | 5 | 5 | 0 | 392 |
| HSS, Inc. | 4.1 | 144 | 3.3 | 66 | 4 | 40 | 129 | 5 | 5 | 0 | 384 |



Interoffice Memorandum

January 7, 2013

To: Gale Johnson, Senior Purchasing Agent Purchasing and Contracts Division
FROM: Kesi Warren, Senior Contract Administrato Business Development Division

SUBJ: RFP \#Y13-119-GJ, Security Guard Services for Orange County Utilities Department Sites

Below are the respondents to the subject RFP with their firm's certified sub-consultants and MMBE participation score on a $1-5$ rating:

| 1. AFAM |  <br> Investigations, Inc. |  | 5 Points |
| :--- | :--- | :---: | ---: |
| AFAM | C National Security, LLC dba Comp <br> Security | $34 \%$ |  |
|  | Total MWBE Participation: |  |  |
|  | EEO Staff | $34 \%$ |  |
|  |  | $100 \%$ |  |
| Bonus <br> Points | Service-Disabled Veterans | 0 |  |
|  | Welfare Recipients: | 6 |  |
|  |  |  |  |


| 2. | G4S Secure Solutions (USA) Inc. |  | 4 Points |
| :--- | :--- | ---: | ---: |
| AFAM | CISS, Inc. | $24 \%$ |  |
|  | Total MWBE Participation: | $24 \%$ |  |
|  | EEO Staff | $82 \%$ |  |
|  |  |  |  |
| Bonus <br> Points |  | 0 |  |
|  | Service-Disabled Veterans | 5 |  |
|  | Welfare Recipients: |  |  |


| 3. | HSS, Inc. |  | 4 Points |
| :--- | :--- | ---: | ---: |
| AFAM | CISS, Inc. | $24 \%$ |  |
|  | Total MWBE Participation: | $24 \%$ |  |
|  | EEO Staff | $44 \%$ |  |
|  |  |  |  |
| Bonus <br> Points |  | 0 |  |
|  | Service-Disabled Veterans | 5 |  |
|  | Welfare Recipients: |  |  |


| 4. | AlliedBarton Security Services |  | 4 Points |
| :--- | :--- | ---: | ---: |
| AFAM | Fidelity Security Agency, LLC | $24 \%$ |  |
|  |  |  |  |
|  | Total MWBE Participation: | $24 \%$ |  |
|  | EEO Staff | $46 \%$ |  |
| Bonus <br> Points |  |  |  |
|  |  | 1 |  |
|  | Service-Disabled Veterans | 5 |  |


| 5. | Allegiance Security Group |  | 4 Points |
| :--- | :--- | :---: | :---: |
| AFAM | CISS, Inc. | $24 \%$ |  |
|  |  |  |  |
|  | Total MWBE Participation: | $24 \%$ |  |
|  | EEO Staff | $29 \%$ |  |
| Bonus <br> Points |  |  |  |
|  |  |  |  |
|  | Service-Disabled Veterans | 0 |  |
|  | Welfare Recipients: | 6 |  |


| 6. | A \& Associates |  | 3 Points |
| :--- | :--- | ---: | ---: |
|  | None | $0 \%$ |  |
|  | Total MWBE Participation: | $0 \%$ |  |
|  | EEO Staff | $90 \%$ |  |
| Bonus <br> Points |  |  |  |
|  |  | 0 |  |
|  | Service-Disabled Veterans | 0 |  |
|  | Welfare Recipients: | 10 |  |


| 7. | Blue Shield Security \& Protection, <br> Inc. |  | 3 Points |
| :--- | :--- | ---: | ---: |
|  | None | $0 \%$ |  |
|  |  |  |  |
|  | Total MWBE Participation: | $0 \%$ |  |
|  | EEO Staff | $79 \%$ |  |
| Bonus <br> Points |  |  |  |
|  | Service-Disabled Veterans | 0 |  |
|  | Welfare Recipients: | 12 |  |


| 8. | ABM Security Services |  | 3 Points |
| :--- | :--- | ---: | ---: |
| AFAM | Fidelity Security Agency, LLC | $24 \%$ |  |
|  |  |  |  |
|  | Total MWBE Participation: | $24 \%$ |  |
|  | EEO Staff | $0 \%$ |  |
| Bonus <br> Points |  |  |  |
|  |  | 0 |  |
|  | Service-Disabled Veterans | 5 |  |
|  | Welfare Recipients: |  |  |


| 9. | Enamorado Enterprises, LLC dba <br> Tactical Protection | 3 Points |  |
| :--- | :--- | ---: | ---: |
|  | None | $0 \%$ |  |
|  |  |  |  |
|  | Total MWBE Participation: | $0 \%$ |  |
|  | EEO Staff | $67 \%$ |  |
| Bonus <br> Points |  |  |  |
|  | Service-Disabled Veterans | 0 |  |
|  | Welfare Recipients: | 0 |  |


| 10. | U.S. Alliance Mangement dba U.S. <br> Security |  | 0 Points |
| :--- | :--- | ---: | ---: |
|  | None | $0 \%$ |  |
|  |  |  |  |
|  | Total MWBE Participation: | $0 \%$ |  |
|  | EEO Staff | $0 \%$ |  |
| Bonus   <br> Points   <br>  Service-Disabled Veterans 0 |  |  |  |
|  | Welfare Recipients: | 0 |  |

ORANGG Interoffice Memol COUNTI GOVERNMENT LORI DA

December 18, 2012

## TO: Mayor Teresa Jacobs -AND- <br> Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Community, Environmental and Qevelopment Services Department

SUBJECT: January 15, 2013 - Discussion Item
Amendment Chapter 9 Orange County Code Unlicensed Contracting

Over the past several months, the Division of Building Safety has been working with Orange County Consumer Fraud Unit to address concerns raised by many of our construction industry partners with the unlicensed contracting activity in Orange County. As you know, unlicensed contractors do not obtain permits or approvals for their work; the work performed is typically shoddy, and they take business away from our licensed contractors. With the economic climate situation over the past several years, it has been difficult for many of our reputable contractors to stay in business with this type of activity taking place.

On January 15, 2013, the Divisions of Building Safety and Consumer Fraud will be presenting a proposed solution and Amendment to Orange County Code Chapter 9 for discussion to the Board of County Commissioners to address the rise in unlicensed contracting activity in Orange County. This solution will include a process for the issuance of citations, appeals, and collection of fees for unlicensed activity.

## ACTION REQUESTED: Board direction regarding the Amendment to Orange County Code Chapter 9 "Unlicensed Contracting." All Districts

JVW/ACP: rep

Attachment


Interoffice Mem

December 17, 2012
TO: Mayor Teresa Jacobs
--AND--
Board of County Commissioners
FROM: Jon V. Weiss, P.E., Director N
Community, Environmental and ${ }_{\text {Development Services }}$
Department
SUBJECT: January 15, 2013 - Discussion Item
Central Florida's "Open for Business" Update
Over the past year, Orange County has been participating with myregion.org, a coalition of Central Florida's business associations established to address the region's economic recovery on a project entitled "Open for Business." Focused on identifying economic and regulatory barriers, this broad-based coalition represents thousands of employers in the eight-county Central Florida service footprint. Included on the coalition's organizing committee are: Associated Builders \& Contractors, Central Florida Partnership, Florida Bankers Association, Home Builders Association of Metro Orlando, Metro Orlando Economic Development Commission, Orlando Regional Realtor Association, and Workforce Central Florida. The main focus of "Open for Business" is to take a Regional approach to streamlining the permitting process, concentrating on customer service, pre-application reviews, minimizing cost, ensure ombudsman role, time is of the essence, minimizing approval steps, quality control, and post project approvals.

On November 27, 2012, the Board approved a Resolution regarding Central Florida's "Open for Business" Initiative to Promote Business Climate, Great Service, Job Creation and Business Investment, affirming that Orange County is Open for Business and that we have a significant role in the economic growth of Central Florida, and minimal cost to implement customer service programs.

On Friday December 14, 2012, myregion.org held a celebration recognizing the seven counties and many cities that worked with the Central Florida business community to develop the first-ever Regional Approach to Permitting.

This is an informational item and there is no action being requested.

TO: Mayor Teresa Jacobs and Board of County Commissioners

FROM: Raymond E. Hanson, P. E., Director Utilities Department

## SUBJECT: BCC Agenda Item - Discussion Agenda January 15, 2013 BCC Meeting Solid Waste Study Final Presentation Contact: Teresa Remudo-Fries, P. E., Deputy Director Utilities Department <br> 407-254-9803

On January 15, 2013 Shaw Environmental, Inc. will provide the last update to the Board of County Commissioners on the Solid Waste Study.

Since our last presentation on October 16, 2012, the consultant has finalized the Solid Waste Study and will present a summary of options and recommendations to the Board for consideration.

Action Requested: Approval to implement Solid Waste Study recommendations.

All Districts.

ISS Copy



# TABER OF CONTERTE <br> Plannuine brid Zoning Conmmission <br> (December 20,2012 

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District\# 1 ..... 10

#  <br> Plannimg and Zoming Commission 

December 20, 2012

| Case $\#$ | Request | Commission | Recommendations | BCC Hearing |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Applicant | $\underline{\text { District }}$ | $\underline{S t a f f}$ | $\underline{R \& Z}$ | Required |

## 1. REZONING PUBLIC HEARING(S)

| RZ-12-12-036 Teena P. and Nimesh Patel | C-2 to $\mathrm{C}-2$ (to remove pole sign restrictions) | 4 | Approve with three (3) restrictions | Approved with three (3) restrictions | No |
| :---: | :---: | :---: | :---: | :---: | :---: |
| $\begin{aligned} & \text { LUP-12-09-194 } \\ & \text { Jim Hall, } \\ & \text { VHB MillerSellen } \end{aligned}$ | $\begin{gathered} \mathrm{A}-1 \& \mathrm{~A}-2 \\ \text { to } \mathrm{PD} \end{gathered}$ | 1 | Approve with twenty-eight (28) conditions | Approved with iwenty-eight (28) conditions | Yes |

## SITE and BUILDING REQUIREMENTS

Orange County Code Section 38-1501. Basic Requirements



| District | Min. lot area (sq. ft.) +ナ | Min. living area (sq. ft.) | Min. Iot width (ft.) | *Min. front yard (ft.) | *Min. rear yard (ft.) | Min. side yard (ft.) | Max. building height (ft.) | Lake setback (ft.) |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| C-2 | 8,000 | 500 | 100 on major <br> I streets (see Art. <br> - XV); 80 for all other streets \#\# | 25, except on major streets as provided in Art. XV | $15 \text {; or } 20$ <br> when abutting residential district | 5; or 25 when abutting residential district; 15 for any side street | 50; or 35 within 100 feet of all residential districts | * |
| C-3 | 12,000 | 500 | 125 on major streets (see Art. XV); 100 for all other streets \#\#\# | 25 , except on major streets as provided in Art. XV | $15 \text {; or } 20$ <br> when abutting residential district | 5 ; or 25 when abutting residential district; 15 for any side street | 75 ; or 35 <br> within 100 <br> feet of all <br> residential <br> districts | * |


| District | Min. front yard (feet) | Min. rear yard (fee¢) | Min. side yard (feer) | Max. building height (feet) |
| :---: | :---: | :---: | :---: | :---: |
| f-1A | 35 | 25 | 25 | 50 , or 35 within 100 ft . of all residential districts; 100 , when 500 ft . or more from residential districts |
| 1-1/1-5 | 35 | 25 | 25 | 50 , or 35 within 100 ft . of all residential districts; 100 , when 500 ft . or more from residential districts |
| $\mathrm{I}-2 / 1-3$ | 25 | 10 | 15 | 50 , or 35 within 100 ft . of all residential districts; 100, when 500 ft. or more from residential districts |
| 1-4 | 35 | 10 | 25 | 50 , or 35 within 100 ft . of all residential districts; 100 , when 500 ft . or more from residential districts |
| NOTE: | These requirements p wastewater. If septic | in to zoning regulatio s and/or wells are used | nly. The lot areas and greater lot areas may | widths noted are based on connection to central wa equired. Contact the Health Department at 407-836 | size and area requirements for use of septic tanks and/or wells.

## FOOTNOTES

| * | Setbacks shall be a minimum of 50 feet from the normal high water elevation contour on any adjacent natural surface water body and any natural or artificial extension of such water body, for any building or other principal structure. Subject to the lakeshore protection ordinance and the conservation ordinance, the minimum setbacks from the normal high water elevation contour on any adjacent natural surface water body, and any natural or artificial extension of such water body, for an accessory building, a swimming pool, swimming pool deck, a covered patio, a wood deck attached to the principal structure or accessory structure, a parking lot, or any other accessory use, shall be the same distance as the setbacks which are used per the respective zoning district requirements as measured from the normal high water elevation contour. |
| :---: | :---: |
| ** | Buildings in excess of 35 feet in height may be permitter as a special exception. |
| *** | Buildings in excess of 1 story in height within 100 feet of the property line of any single-family residential district may be permitted as a special exception. |
| **** | Side setback is 30 feet where adjacent to single-family district. |
| ***** | For lots platted between $4 / 27 / 93$ and $3 / 3 / 97$ that are less than 45 feet wide or contain less than $4,500 \mathrm{sq}$. ft. of lot area, or contain less than 1,000 square feet of living area shall be vested pursuant to Article III of this chapter and shall be considered to be conforming lots for width and/or size and/or living area. |
| ****** | For attached units (common fire wall and zero separation between units) the minimum duplex lot width is 80 feet and the duplex lot size is 8,000 square feet. For detached units the minimum duplex lot width is 90 feet and the duplex lot size is 9,000 square feet with a minimum separation between units of 10 feet. Fee simple interest in each half of a duplex lot may be sold, devised or transferred independently from the other half. For duplex lots that: <br> (i) are either platted or lots of record existing prior to $3 / 3 / 97$, and <br> (ii) are 75 feet in width or greater, but are less than 90 feet, and <br> (iii) have a lot size of 7,500 square feet or greater, but less than 9,000 square feet <br> are deemed to be vested and shall be considered as conforming lots for width and/or size. |
| \# | Corner lots shall be 100 [feet] on major streets (see Art. XV), 80 [feet] for all other streets. |
| \#\# | Corner lots shall be 125 [feet] on major streets (see Art. XV), 100 [feet] for all other streets. |
| \#\#\# | Corner lots shall be 150 [feet] on major streets (see Art. XV), 125 [feet] for all other streets. |
| $\ddagger$ | For lots platted on or after $3 / 3 / 97$, or un-platted parcels. For lots platted prior to $3 / 3 / 97$, the following setbacks shall apply: R-1AA, 30 feet, front, 35 feet rear, R-1A, 25 feet, front, 30 feet rear, R-1, 25 feet, front, 25 feet rear, 6 feet side; $R-2,25$ feet, front, 25 feet rear, 6 feet side for one (1) and two (2) dwelling units; R-3, 25 feet, front, 25 feet, rear, 6 feet side for two (2) dwelling units. Setbacks not listed in this footnote shall apply as listed in the main text of this section. |
| $\dagger$ | Attached units only. If units are detached, each unit shall be placed on the equivalent of a lot 45 feet in width and each unit must contain at least 1,000 square feet of living area. Each detached unit must have a separation from any other unit on site of at least 10 feet. |

# BUFFER YARD REQUIREMENTS 

## Orange County Code Section 24-5.

Buffer yards prescribed are intended to reduce, both visually and physically, any negative impacis associated with abutiting uses. Buffer yards shall be located on the outer perimeter of a lot or parcel, extending to the parcel boundary. Buffer yards shall not be located on any portion of an existing or dedicated public or private street or right-of-way.

## (a) Buffer classifications:

(1) Type A, opaque buffer: This buffer classification shall be used to separate heavy indusitrial (I-4 and M-I) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least eight (8) feet and shall be a minimum of fifty (50) feet wide. The type A buffer shall utilize a masonry wall.
(2) Type B, opaque buffer: This buffer classification shall be used to separate commercial (general and wholesale) ( $\mathrm{C}-2$ and $\mathrm{C}-3$ ) and industrial (general and light) ( $1-2 / \mathrm{I}-3$ and $1-1 / 1-5$ ) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of twenty-five (25) feet wide. The type B buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be four (4) feet high and seventy (70) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
(3) Type C, opaque buffer. This buffer classification shall be used to separate neighborhood retail commercial (C-1), industrial-restricted ( $1-1 \mathrm{~A}$ ) and multi-family uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of fifteen (15) feet wide. The type C buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be three (3) feet high and fifty (50) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
(4) Type D, opaque buffer: This buffer classification shall be used to separate professional office (P-O) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of ten (10) feet wide. The type D buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be three (3) feet high and fifty (50) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
(5) Type E, mobile home and RV park buffer: This buffer classification shall be used to separate mobile home and RV parks from all abutting uses. This buffer shall be twenty-five (25) feet wide. Where the park abuts an arterial highway, the buffer shall be fifty (50) feet wide. This buffer shall not be considered to be part of an abutting mobile home space, nor shall such buffer be used as part of the required recreation area or drainage system (ditch or canal). This buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof. This buffer must be at least five (5) feet in height and fifty (50) percent opaque within eighteen (18) months after installation.
(6) Type F, residential subdivision buffer: See subdivision regulations (Chapter 34, Orange County Code).

These requirements are intended for reference only; actual requirements should be verified in the Zoning Division prior to design or construction.

## GENERAL INFORMATION

APPLICANT
OWNER
PROJEGT NAME
HEARING TYPE
REQUEST
LOCATION
PARCEE ID NUMBER
PUBLIC NOTIFICATION

TRACT SIZE
PROPOSED USE

Teena Patel and Nimesh Patel
Teena Patel and Nimesh Patel
Universitiy of Doglando
Planning and Zoning Commission
C-2 (General Commercial) (2007) to
C-2 (General Commercial)
[To eliminate previously approved restriction prohibiting a pole sign]

12276 E. Colonial Drive; generally described as the south side of Colonial Drive, east of Alafaya Trail.

22-22-31-0000-00-089
The notification area for this public hearing was 1,000 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred and seventeen (117) notices were mailed to those property owners in the mailing area.

A community meeting was not held for this application.
$\sim 1.105$ acres
No change in use is proposed (dog boarding and training facility). Request is to eliminate a previously approved restriction prohibiting a pole sign (RZ-06-12-154).

## STAFE RECOMIMENDATION

## PLANNING

Mlake a finding of consistency with the Comprehensive Plan and approve the requested $\mathrm{C}-2$ zoning, with the removal of a pole sign restriction from previous rezoning ( $R Z$-06-12-154).

## Restrictions:

1. Billboards shall be prohibited.
2. The subject property shall be limited to $\mathrm{C}-1$ uses and dog training, boarding, and grooming with no outdoor runs or outdoor compounds.
3. A single pole sign with a maximum height of 21 feet and 60 square feet of copy area shall be permitted.

## IMPACT ANALYSIS

Land Use Compatibility
The proposed C-2 (General Commercial District) zoning, with restrictions, would allow land uses that are compatible with the existing development in the area.

## Comprehensive Plan (CP) Consistency

The CP Future Land Use Map (FLUM) designates this location as Commercial (C), which recognizes areas suitable for office, retail, wholesale, service and general business trade. The C-2 (General Commercial District) zoning is consistent with Commercial FLUM designation and the following CP objectives and policies:

OB』 FLU8.2 states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU8.1.1 states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning. Density shall be calculated by the total number of units divided by developable land. (Natural lakes and designated Conservation Areas are excluded from the gross land area.)

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.

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

Rezoning Recommendation Report Orange County Planning Division<br>PZC Hearing Date: December 20, 2012

## SITE DATA

Existing Use Dog boarding and training facility
Adjacent Zoning $\quad$ N: C-2 (General Commercial District) (2002)
E: C-1 (Retail Commercial District) (2000) and Colonial Self Storage PD (Planned Development) (1999)
W: C-1 (Retail Commercial District) (2005) and R-3 (Multiple-Family Dwelling District) (1987)
S: R-3 (Multiple-Family Dwelling District) (1984)
Adjacent Land Uses $N$ : Vacant
E: Professional office building and "United Stor-All Self Storage"
W: Holiday Inn Hotel (under construction) and "Cricket Club Apartment Homes"
S: "Polas East Apartment Homes"

## PERIIITTED USES - C-2 (General Commercial District)

## Wholesale Commercial District Summary *

Min. Lot Area:
Min. Lot Width:
Min. Lot Width (Corner Lots)
Max. Height:
Min. Floor Area:
Building Setbacks:
Front: $\quad 25 \mathrm{ft}$.

Rear:
Side:
Side Street:
$8,000 \mathrm{sq}$. ft.

500 sq . ft.
25 tt.

15 ft .

100 ft . (on major streets, see Article XV)
80 ft . (on all other streets)
125 fl. (on major streets, see Article XV)
100 ft . (on all other streets)
50 ft . ( 35 ft . within 100 ft . of all residential districts)

15 ft . (20 ft. if abutting residential districts)
5 ft . (15 ft. if abutting residential districts)

These regulations may not reflect the actual requirements for all situations; see the Orange County Zoning Code for actual regulations for site requirements for this zoning district.

The intent and purpose of the $\mathrm{C}-2$ zoning district is composed of certain lands and structures used to provide for the retailing of commodities and the furnishing of several major services, selected trade shops and automotive repairs. This district will be encouraged at locations along minor arterial and major arterial roads where general commercial uses would be compatible with the surrounding neighborhood. Characteristically, this district occupies an area larger than that of the retail commercial district, serves a considerably greater population, and offers a wider range of services. This district will be promoted within the urban service area or in rural settlements where uses of this intensity are already established. The general commercial district should not be locaied adjacent to single-family residential zoning districts.

Specific uses shall be identified by the letter " $P$ " in the use table set forth in Section 38-77 of the Orange County Code. The applicant has requested the $\mathrm{C}-2$ zoning district for the purpose of offering wholesale commercial uses.

## SPECIAL INFORMIATION

## Subject Property Analysis

In 2007 the subject property was rezoned from A-2 (Farmland Rural District) and R-3 (Multiple-Family Dwelling District) to C-2 (General Commercial District). The property was rezoned to allow for a dog training, boarding, and grooming business. A restriction was placed on the property that prohibited billboards and pole signs. The property owner subsequently constructed a ground sign 6 feet in height with 60 square feet of copy area.

Holiday Inn Hotel is under construction directly west of the subject property. A retaining wall 7 feet in height has been constructed along the shared property line with the subject property. The 7 foot retaining wall obstructs the view of the existing ground sign erected by the applicant. The applicant is proposing to construct a pole sign 21 feet in height with 60 square feet of copy area.

The subject property is located along a stretch of E. Colonial Drive that is characterized by commercial uses of various intensities. Nearly all of the commercial uses have pole signs. It is the opinion of staff that the requested rezoning with the proposed restrictions is consistent with the development pattern of the surrounding areas and with the applicable provisions of the Orange County Comprehensive Plan.

## Comprehensive Plan (CP) Amendment

A CP amendment is not required for this application, as the requested zoning is consistent with the underlying Future Land Use Map designation.

## Rural Settlement

The subject property is not located within a Rural Settlement.

## Joinṫ Planning Area

The subject property is not located within a JPA.

## Overlay District Ordinance

- The subject property is not located within an Overlay District.t.


## Airport Noise Zone

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

## Environmental

Environmental Protection Division has no objection to convert the ground sign to a pole sign.

## Transportation/Access

The Trasnportation Planning Division has no objection to convert the ground sign to a pole sign.

## Code Enforcement

There are no pending code enforcement violations on the property at this time.

## Water/Wastewater/Reclaim

Existina service or provider

Water: Orange County
Wastewater: Orange County
Reclaimed Water: Orange County

## Schools

Orange County Public Schools (OCPS) did not comment on this case, as it does not involve an increase in residential units or density.

## Parks \& Recreation

County Parks and Recreation did not comment on this case, as it does not involve an increase in residential units or density.

## Specific Project Expenditure Report and Relationship Disclosure Form

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

## ACTION REQUESTED

P2C Recommendation - (December 20, 2012)
Make a finding of consistency with the Comprehensive Plan and approve the requested $\mathrm{C}-2$ zoning, with the removal of a pole sign restriction from previous rezoning ( $R Z-06-12-154$ ), and subject to the following restrictions.

## Restrictions:

1. Billboards shali be prohibited.
2. The subject property shall be limited to $\mathrm{C}-1$ uses and dog training, boarding, and grooming with no outdoor runs or outdoor compounds.
3. A single pole sign with a maximum height of 21 feet and 60 square feet of copy area shall be permitted

## PLANNING AND ZONING COMIMISSION (PZC) PUBLIC HEARING SYNOPSIS

Teena Patel, applicant, concurred with the staff recommendation of approval, including the three (3) restrictions. Chairman Barreft opened the public hearing. In response to Commissioner Wean, staff noted that two (2) of proposed restrictions were carried over from the previous rezoning. No members of the public were present for comment. The public hearing was closed. Commissioner DiVecchio made a motion to find the request consistent with the CP and APPROVE the requested C-2 (General Commercial District) zoning, subject to the three (3) restrictions found in the staff report.

Motion/Second
Pat DiVecchio / Paul Wean
Voting in Favor Marvin Barrett, Virginia Whittington, Joe Roberts, Kevin Seraaj, Betsy VanderLey and Rick Baldocchi

Absent Jose Ayala



Rezoning Recommendation Report Orange County Planning Division PZC Hearing Date: December 20, 2012

## RZ-12-12-036




1 inch $=333$ teet

## GENERAL INFORMATION

| APPLICANT | Jim Hall, VHB MillerSellen |
| :---: | :---: |
| OWNER | DR Horton, Inc. |
| PROJECT NAMAE | Waterleigh Planned Development / Land Use Plan (PD/LUP) |
| HEARING TYPE | Planning and Zoning Commission |
| REQUEST | A-1 (Citrus Rural District) \& A-2 (Farmland Rural District) to PD (Planned Development) |
|  | The proposed Waterleigh PD/LUP provides a mixed-use development program that is consistent with the underlying Horizon West - Hickorynut Village (Village H) Specific Area Plan (SAP) Land Use Plan. The request also includes various waivers from Orange County Code addressing compatibility and development standards. |
| LOCATION | Generally south of Old YMCA Road, west of S.R. 429 \& Avalon Road, and east of the Orange / Lake County line |
| PARCEL ID NUMBERS | 31-23-27-0000-00-005; 05-24-27-0000-00-003; 07-24-27-0000-00-001; 07-24-27-0000-00-003; 08-24-27-0000-00-017 and 08-24-27-0000-00-021 |
| PUBLIC NOTIFICATION | The notification area for this public hearing was 1,500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Eighty (80) notices were mailed to those property owners in the mailing buffer area. |
|  | Due to the limited amount of development within the Hickorynut Village (Village $H$ ) and surrounding properties, a community meeting was held for this application. |

TRACT SI2E $\sim 1,485$ acres

## PROPOSED USES

| Land Use | Dwelling Units / Square Feet |
| :---: | :---: |
| Single Family Residential | 1,469 Units |
| Townhomes | 831 Units |
| Multi-Family Residential | 1,300 Units |
| Office | 79,453 Sq. Ft. |
| Commercial | 125,000 Sq. Ft. |
| Total: | 3,600 Units / 204,453 Sq. Ft. |

## STAFF RECOMMENDATION

## DRC RECOMAHENDATION (November 21, 2012)

Make a finding of consistency with the Comprehensive Plan and approve the Waterleigh PD/LUP zoning, subject to the following conditions:

1. Development shall conform to the Waterleigh PD Land Use Plan dated "Received November 28, 2012" 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, ordinance 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 of this zoning and the land use plan dated "Received November 28, 2012" 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 at the public hearing where this development was approved, 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. 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 or approved.
3. Prior to construction plan approval, a phased master stormwater management plan including a drainage study to establish the 100-year flood elevation shall be submitted to the Development Engineering Division for review and approval.
4. Concurrent with the approval of this PD, a Road Network Agreement shall be approved by the BCC.
5. Prior to the approval of the first PSP or DP for this PD, a driveway access spacing plan, consistent with the preliminary study included as part of the Road Network Agreement, for CR54.5, Old YMCA Road, and the internal loop road shall be submitted to and approved by the County Engineer.
6. The APF Agreement shall be approved by BCC concurrent with the PD Land Use Plan.
7. a) Developer shall comply with all provisions of the Capacity Enhancement Agreement entered into with the Orange County School Board as of 08-162006, and amended on 04-29-2008 and 06-24-2008.
b) Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits for any residential units in excess of the 199 residential units allowed under the zoning existing prior to the approval of the PD zoning. The County shall again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor(s) and/or assign(s) under the Capaciity Enhancement Agreement, shall indemnify and hold the Counity harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.
c) Developer, or its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's rights.
d) Orange County shall be held harmless by the developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreement. At the time of platting, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.
8. 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. Approval of this plan does not authorize any direct or indirect conservation area impacis.
9. The covenants, conditions, and restrictions (CC\&Rs) shall contain notification of the solid waste management facilities located within one-mile of development activity within this project area.
10. Compliance with Concurrency is required prior to obtaining a building permit.
11. A five acre APF for a water facility and a one acre APF for wastewater facility within Village H shall be identified prior to the approval of the first PSP within Village H and the 5-acre APF Parcel dedicated to the County prior to approval of the first construction plan set within Village H .
12. 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 build-out points of connection approved in the Village H MUP.
13. Payment of 500 ERUs (wastewater) are due at the time of PSP approval for the first PSP within Village $H$ and 500 ERCs (water) are due at time of construction plan approval for the first construction plan set within Village it unless previously satisfied by another Village H parcel.
14. A Master Utility Plan (MUP) consistent with Village H MUP shall be submitted to Orange County Uililities prior to approval of the first PSP/DP. The MUP must be approved prior to Construction Plan approval.
15. The Developer shall obtain water, wastewater, and reclaimed water service from Orange County Utilities.
16. 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 alternate financing in lieu of the private proportionate cost share agreement provided master utilities sized for Village requirements are constructed.
17. After the development review committee (DRC) has reviewed a development plan required design guidelines it shall be scheduled for a public hearing before the board of county commissioners.
18. Billboards and pole signs shall be prohibited. Signage within the Neighborhood Commercial and Village Center shall comply with Section 38-1389(d)(5). All other signage shall comply with Section 31.5.
19. Tree removal/Earihwork shall not occur unless and until construction plans for the first Preliminary Subdivision and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
20. Outdoor sales, storage, and display shall be prohibited within any district that allows commercial/office uses.
21. The following waivers are from Orange County Code Section 38-1258 (Multit Family Development Compatibility):
a. A waiver is granted from Section 38-1258(a) to allow multi-family buildings located within twenty-five (25) feet of single-family zoned property to be developed at a maximum height of five (5) stories and sixty-five (65) feett, in lieu of single-story maximum within one-hundred (100) feet of single-family zoned property.
b. A waiver is granted from Section $38-1258$ (b) to allow multi-family buildings between twenty-five (25) feet to one-hundred and fifty (150) feet of single family zoned property to be developed at a maximum height of five (5) stories and sixty-five (65) feet in height for one-hundred (100) percent of the buildings, in lieu of multi-family buildings located between one hundred plus $(100+)$ feet to one hundred and fifty (150) feet of single-family zoned property varying in height with a maximum of fifty percent (50\%) of the buildings being three (3) stories [not to exceed forty (40) feet] in height with the remaining buildings being one (1) story or two (2) stories in height.
c. A waiver is granted from Section 38-1258(e) to allow for ten (10) foot paving setbacks adjacent to single-family zoned property, in lieu of a twenty-five (25) foot minimum paving setback.
22. A waiver is granted from Orange County Code Section 38-1384.(f)(I) [General Residential Development Standards] to allow each block face with more ihan five (5) lots with or without alleys to contain one (1) distinct lot size (excluding end units), in lieu of at least two (2) distinct lot sizes (excluding end units).
23. The following waivers are from the development guidelines under Orange County Code Sections 38-1385.8 (Garden Home Mixed Use District) and 381386 (Village Home District):
a. A waiver is granted from Section $38-1385.8(b)(2)$ to decrease the minimum average lot size to three-thousand eight-hundred and forty $(3,840)$ square feet for single-family lot sizes less than forty (40) feet in width [and comer lots less than fifty $(50)$ feet in width], in lieu of six-thousand $(6,000)$ square feet.
b. A waiver is granted from Section 38-1385.8(b)(4) to allow for a minimum lot width of thirty-iwo (32) feet for single-family detached units, in lieu of forty (40) feet for single-family detached units.
c. A waiver is granted from Section 38-1385.8(b)(9)(a) to allow a seven (7) foot front porch setback for lots less than forty (40) feet in width \{and comer lots less than fifty (50) feet in wid'h], in lieu of a ten ([0) foot front porch setback.
d. A waiver is granted from Section $38-1385.8(b)(9)(b)$ to allow a minimum side yard setback of four (4) feet for lots less than forty (40) feet in width [and comer lots less than fifty (50) feet in width], in lieu of a five (5) foot side yard setback.
e. A waiver is granted from Section 38-1386(b)(2) to decrease the minimum average lot size to three-thousand eight-hundred and forty $(3,840)$ square feet for single-family lots sizes less than thiriy-five (35) feet in width [and comer lots less than forty-five (45) feet in width], in lieu of four-tihousand two-hundred $(4,200)$ square feet.
f. A waiver is granted from Section 38-1386(b)(4) to allow for a minimum lot width of thin'y-two (32) feet for single-family detached units, in lieu of thityfive (35) feet for single-family detached units.
g. A waiver is granted from Section $38-1386(b)(10)(a)$ to allow a seven (7) foot front porch setback for lots less than forty (40) feet in width [and comer lots less than fifty (50) feet in width], in lieu of a ten (I0) foot front porch setback.
h. A waiver is granted from Section $38-1386(b)(10)(b)$ to allow a minimum side yard setback of four (4) feet for lots less than thirty-five (35) feet in width [and comer lots less than forty-five (45) feet in width], in lieu of a five (5) foot side yard setback.
24. A waiver is granted from Orange County Code Sections $38-1387.2(\mathrm{a})(8)$ (c) [Apartment District] and 38-1387.3(b)(3)(h)(3) [Condominium District] to correct the referenced code section to reflect "garage setbacks per section 381384(g)", in lieu of "garage setbacks per section 38-1384(i)".
25. A waiver is granted from Orange County Code Section 38-1388(e)(i) [Neighborhood Center District] to eliminate the maximum fifty (50) foot lot width.
26. The Development Standards and Guidelines for tihis PD shall be consistent with Orange County Code Chapter 38 (New Village PD Code) unless expressly and explicitly waived by the Board of County Commissioners.
27. Multi-use traiis / bike paths shail be maintained by the HOA. Funding of this maintenance expense shall be the responsibility of the HOA unless the County approves a MSBU or other funding mechanism for this purpose.
28. Prior to the first PSP/DP an agreement addressing development and maintenance of the APF Park land shall be entered into with the developer and the county.

## INPACT ANALYSIS

## Land Use Compatibility

The proposed PD (Planned Development District) zoning would allow for land uses that are compatible with planned development in the area and the eventual Hickorynut Village development program.

## Comprehensive Plan (CP) Consistency

The subject property is designated Village (Horizon West) on the adopted Orange County Future Land Use Map (FLUM) and is located within the boundaries of the Hickorynut Village (aka "Village H") Specific Area Plan (SAP). More specifically, and consistent with the underlying SAP land use map, the subject property consists of the following land use districts and permitted densities/intensities:

| Land Use District.*. | Residential Density Range | Non. Res. Sq. Ft. |
| :---: | :---: | :---: |
| Estate | $1.0-1.25$ Units per Net Dev. Acre |  |
| Estate Home | $3.0-3.75$ Units per Net Dev. Acre |  |
| Garden Home | $4.0-5.0$ Units per Net Dev. Acre |  |
| Garden Home Mixed Use | $4.0-5.0$ Units per Net Dev. Acre |  |
| Village Home | $6.0-7.5$ Units per Net Dev. Acre |  |
| Townhome | $8.0-10.0$ Units per Net Dev. Acre |  |
| Condominium | $20.0-25.0$ Units per Net Dev. Acre |  |
| Apartment | $20.0-25.0$ Units per Net Dev. Acre |  |
| Neighborhood Center | $5.0-5.0$ Units per Net Dev. Acre | 20,000 |
| Village Center | $5.0-24.0$ Units per Net Dev. Acre | 184,453 |
| Total Dev. Program | $\mathbf{3 , 6 0 0}$ Dwelling Units | $204, \mathbf{4 5 3}$ |

*Excluding required school sites, other APF lands and right-of-way, upland greenbelt tracts, waterbodies and wetlands.

Pursuant to Policy FLU4.15.8, the subject property owner informed the County's Utility Director and the County's Planning Manager in writing of the specific type of land uses and the maximum number of residential units that will be developed, based on the allowable range of land uses and densities approved in the Specific Area Plan. This rezoning request and the proposed development program listed above (addressed in FLU4.15.8) is consistent with the previously provided maximum development program and the Comprehensive Plan. This includes, but is not limited to, the following policies:

FLU4.14.5: Density transferfreductions. In accordance with Policy FLU4.1.4, the average minimum density for Village $H$ shall be 4.0 du per net developable acre as approved in the Village H SAP. The maximum number of residential units allowed for each parcel will be determined with the PSP or Development Pian approval for each parcel using the surveyed upland acres within the parcel, including stormwater management areas and parks/upland open space multiplied by the density for each parcel designated within the Village H Specific Area Plan. The residential density for any district shall not fluctuate from the required density range specified in FLU4.14.9, unless modified in accordance with the Transfer of Development Rights (TDR) Ordinance adopted by Orange County, or through internal density transfers as described in this Policy, or as provided in Policy FLU4.15.8.

More specifically, the ability to transfer residential density from certain Townhome, Condominium, or Apartment Districts within Village $H$ to other districts within the Village shall not undermine the intent of providing a mixture of residential densities within any Village H Neighborhood, and shall promote the Horizon West planning principle of having higher density/intensity land uses within or in close proximity to the Village Center and Neighborhood Centers. Should internal density transfers be authorized as part of a PD Land Use Plan approval or amendment, the affected districts shall be developed consistent with the applicable development standards of the resulting land use district, and the range of applicable residential densities in accordance with the TDR Ordinance.

All wetlands and upland greenbelts within Village H are designated as Sending Areas for use of TDRs and all development parcels are designated as Receiving Areas. As a matter of right and without use of TDRs, the actual density for any district or parcel may decrease by $20 \%$ from the maximum density allocated to that district or parcel. Residential units from one development parcel that are not needed to maintain the required minimum density in that parcel may be transferred to a different parcel, regardless of whether the parcels are owned by different entities or are in different Planned Developments.

These mechanisms, in addition to the type of changes authorized by Policy FLU4.1.7 VI, allow flexibility to better meet changing market demand. An average minimum density of four dwelling units per net developable acre will be achieved within Village H .

FLU4.14.12: Design standards. 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.

FLU4.15.2: Prior to obtaining approval of a Preliminary Subdivision Plan and/or a Development Plan for any portion of its property within Village $H$, the property owner shall deliver evidence satisfactory to the County that the owner or its predecessor in titile has entered into an agreement with the County to convey APF lands or purchase APF credits available for sale and has also entered into an agreement with the County or with other property owners in the Village that is satisfactory to the County to:

- Pay the owner's proportionate share of the cosis of providing the Master Utility Systems for the Village;
- Pay the owner's proportionate share of costs associated with mitigating the projected impacts that development within Village $H$ will have on the off-site road sysiem, including C.R. 545;
- Pay the costs associated with providing any necessary school capacity that is not funded through the collection of school impact fees;
- Pay the principal and interest that may be due if another landowner in Village $H$ was required to pay a disproportionate share of the cost to install the Master Utility Systems or the costs associated with mitigating off-site road impacts, or the costs associated with providing necessary school capacity that were not paid earlier by the owner of the land on which the development is proposed or by the owner's predecessor in title; and
- Pay the costs associated with services provided by an escrow agent, if any, retained by property owners in Village $H$ to track various payment obligations, APF credit sales, TDR sales, and to issue receipts for payments made. Interest charged for advancing another property owner's proportionate share of utility costs, off-site road costs, or other costs specified herein shall not exceed the applicable prime rate as reported in the Wall Street Journal.

FLU4.15.8: Water, wastewater, and reclaimed water facilities shall be provided in accordance with Policy FLU4.1.10 and the conceptual utility plan outlined in the Specific Area Plan, which illustrates the conceptual phased provision of centralized water, wastewater and reclaimed water utility services (the Master Utility Systems).

Within 120 days following the effective date of the Specific Area Plan, each properiy owner, for itself, its successors and assigns, informed the County's Uitity Director and the County's Planning Manager in writing of the specific type of land uses and the maximum number of residential units that will be developed on that owner's property within the range of land uses and densities approved in the Specific Area Plan as applied to the property owner's actual acreage. The maximum density allocated to each parcel can only be exceeded through the purchase of TDRs or through internal density transfers as provided in Policy FLU4.14.5, or as provided in this Policy. The owners of land approved for nonresidential uses also have informed the County's Uitility Manager and the County's Planning Manager in writing of the maximum square footage for each type of nonresidential use that will be developed on that owner's land. The information provided by each property owner has been used to determine the appropriate sizing of the Village $H$ Master Utilitiy Systems and each property owner's proportionate share of the cost of providing the Master Utility Systems. Once the Master Utility Systems for Village H have been designed based on the information provided by the various propenty owners in the Village, the development plans subsequently proposed for each owner's property shall not exceed the maximum land use/density/intensity projections on which the design of Master Uílity Systems was based, unless development rights that were not used by an owner are assigned to the owner seeking to exceed its maximum land use/ density/intensity projections using the same process applicable to TDR transiers.

FlU4.15.9: With the exception of those property owners within the Rural Enclave, each property owner within Village $H$, its successors or assigns, shall pay a proportionate share of the cost of providing the Village H Master Utility Systems.

## Rezoning Recommendation Report Orange County Planning Division <br> P2C Hearing Date: December 20, 2012

Each property owner's proportionate share of the costs of providing the Village H Master Utility Systems shall be determined in the following manner:
A. The maximum land use/density information provided by each properiy owner, in accordance with FLU4.14.9, shall be used to determine the projected Trips that will be generated by each owner's property;
B. The trip generation projections for each owner's land shall be added to determine the cumulative projected total Trips for Village H (the Cumulative Trips);
C. The Property Owner's Trips shall be divided by the Cumulative Trips to determine that owner's proportionate share of the Cumulative Trips, expressed as a percentage figure (the Property Owner's Percentage); and
D. The total cost of the Village H Master Utility Systems shall be multiplied by the Property Owner's Percentage to determine that owner's proportionate share of the cost.

FLU4.15.10: No building permit shall be issued until the applicant has submitted to the County evidence satisfactory to the County that the property owner, a predecessor in title, or the applicant has paid that portion of the property owner's proportionate share contribution for the Village H Master Utility Systems that is applicable to the development program reflected in the Preliminary Subdivision Plan and/or Development Plan.

FLU4.15.11: Roads. All development within Village $H$ shall be subject to the provisions of the Concurrency Management System, Ord. 91-27, as amended, uniess a separate agreement is entered into with the County to establisin an alternative method for offsetting Village $H$ road impacts, such as a proportionate fair share agreement or other form of mitigation agreement.

With the exception of those property owners within the Rural Enclave, each property owner within Village $H$, its successors or assigns, shall pay a proportionate share of mitigating the Village H transportation impacts on CR 545 (the Road Mitigation Cosis).

Each property owner's proportionate share of the Road Mitigation Costs shall be determined in the following manner:
A. The maximum land use/density/intensity information provided by each property owner in accordance with FLU4.14.9, shall be used to determine the projected Trips that will be generated by each owner's property (the Property Owner's Trips);
B. The trip generation projections for each owner's land shall be added to determine the cumulative projected Trips for Village H (the Cumulative Trips);

## Rezoning Recommendation Report Orange County Planning Division <br> PZC Hearing Date: December 20, 2012

C. The Properiy Owner's Trips shall be divided by the Cumulative Trips to determine that owner's proportionate share of the Cumulative Trips, expressed as a percentage figure (the Property Owner's Percentage); and
D. The Road Mitigation Costs shall be multiplied by the Property Owner's Percentage to determine that owner's proportionate share of the Road Mitigation Costs.

FLU4.15.12: No building permit shall be issued until the applicant has submitted to the County evidence satisfactory to the County that the property owner, a predecessor in title or the applicant has paid that portion of the property owner's proportionate share contribution for the Road Mitigation Costs that is applicable to the development program reflected in the Preliminary Subdivision Plan and/or Development Plan.

## SITE DATA



## APPLICABLE LAND USE DISTRICT STANDARDS (PD) \& GUDELINES*

## Estate District

Maximum Building Height: 3 stories / 45 fi
Minimum living area: $\quad 1,500 \mathrm{sq}$. ft .
Minimum Average Lot Size: $10,000 \mathrm{sq}$. ft.
Minimum lot width: $\quad 85$ ft
Minimum lot depth: $\quad 110 \mathrm{ft}$. or 120 ft . with alley
Maximum garage height: 22 ft . or 30 ft. feet with living area over garage
Maximum lot coverage: $\quad 65 \%$ (The area of a front porch is notincluded in the calculation
of lot coverage.)

Minimum Building Setbacks
Front Setback:
Side Setback:
Side Street Settback:
Rear Setback:
Lakefront Setback:
Garage Setback:

## Estate Home District

Maximum Building Height:
Minimum living area:
Minimum Average Lot Size:
Minimum lot width:
Minimum lot depth: $\quad 110 \mathrm{ft}$. or 120 ft . with alley
Maximum garage height:
Maximum lot coverage:
calculation
Minimum Building Setbacks
Front Setback:
Side Setback:
Side Street Setback:
Rear Setback:
Lakefront Setback:
Garage Setback:

## Garden Home District

Maximum Building Height:
Minimum living area:
Minimum Average Lot Size:
Minimum lot width:
Minimum lot depth:
Maximum garage height:
Maximum lot coverage:
calculation
Minimum Building Setbacks
Front Setback:
Side Setback:
Side Street Set̂back:
Rear Set́back:
Lakefront Setback:
Garage Setback:

20 ft. or 10 ft. for ffront porch
5 ft.
10 ft .
25 ft .
50 ft .
Varies [Per Code Section 38-1384.(g)]

3 stories / 45 ft.
$1,200 \mathrm{sq}$. ft.
7,200 sq. ft.
50 ft.
22 ft . or 30 ft . with living area over garage
$65 \%$ (The area of a front porch is notincluded in the
of lot coverage.)
20 ft . or 10 ft . for front porch
5 ft.
10 ft .
25 ft .
50 ft .
Varies [Per Code Section 38-1384(g)]

3 stories / 45 ft .
$1,200 \mathrm{sq}$. ft.
6,000 sq. ft.
40 ft .
110 ft . or 120 ft . with alley
22 ft . or 30 ft . with living area over garage
$65 \%$ (The area of a front porch is notincluded in the
of lot coverage.)

15 ft . or 10 ft . for front porch
5 ft .
10 ft .
20 ft .
50 ft.
Varies [Per Code Section 38-1384(g)]

## Garden Home Mlixed-Use District (Single-Family Detached)

Maximum Building Height: 3 stories / 45 ft .
Minimum living area: $\quad 1,200 \mathrm{sq}$. fit.

| Minimum Average Lot Size: | 3,840 sq. ft. [Per Condition 23(a)] |
| :---: | :---: |
| Minimum lot width: | 32 ft. [Per Condition 23(b)] |
| Minimum lot depth: | 110 ft . or 120 ft . with alley |
| Maximum garage height: | 22 ft . or 30 ft . with living area over garage |
| Maximum lot coverage: | $65 \%$ (The area of a front porch is notincluded in the calculation of lot coverage.) |
| Minimum Building Setbacks |  |
| Front Setback: | 15 f. or 7 ft. for front porch [Per Condition 23(c)] |
| Side Seíback: | 5 ft. [Per Condition 23(d)] |
| Side Street Setback: | 10 ft . |
| Rear Settback: | 20 ft . |
| Lakefront Setback: | 50 ft . |
| Garage Seitback: | Varies [Per Code Section 38-1384(g)] |
| Garden Home Mixed-Use District (Townhouses) |  |
| Maximum Building Height: | 4 stories / 55 ft . |
| Mirimum living area: | 1,000 sq. ft. |
| Minimum lot width: | 16 ft . |
| Minimum lot depth: | 100 ft ., except for garage under units |
| Maximum garage height: | 22 ft . or 30 ft . with living area over garage. |
| Maximum lot coverage: | $75 \%$ for townhouse units (The area of a front porch is not included in the calculation of lot coverage) |
| Minimum Building Setbacks |  |
| Front Setback: | 15 fit. or 10 ft. for front porch |
| Side Setback: | 0 ft . or 7 ft . for end units |
| Side Street Setback: | 10 ft . |
| Rear Setback: | 14 ft . |
| Lakefront Setback: | 50 ft . |
| Garage Setback: | Varies [Per Code Section 38-1384(g)] |
| Viilage Home District (Single Family Detacheo) |  |
| Maximum Building Height: | 3 stories / 45 ft. |
| Minimum Living Area: | 1,000 sq. ft. |
| Minimum Average Lot Size: | 3,840. fi. [Per Condition \#23(e)] |
| Minimum Lot Width: | 32 ft . [Per Condition \#23(f)] |
| Minimum Lot Depth: | 110 ft. or 120 ft. with alley |
| Maximum Lot Coverage: | $65 \%$ (The area of a front porch is not included in the calculation of lot coverage) |
| Minimum Building Setbacks |  |
| Front Setback: | 15 ft. or 10 ft . for front porch [Per Condition \# $23(\mathrm{~g})$ ] |
| Side Setback: | 4 f. [Per Condition $\begin{aligned} \text { H23 }\end{aligned}$ (h)] |
| Side Streeti Set̂back: | 10 ft . |


| Rear Seíback: | 20 ft. |
| :--- | :--- |
| Lakefront Setback: | 50 ft. |
| Garage Setback: | Varies [Per Code Section 38-1384(g)] |

Village Home District (Townhouses)
Maximum Building Height: 4 stories / 55 ft .
Minimum lot width:
Minimum living area:
Minimum lot depth:
Maximum garage height:
Maximum lot coverage:

16 ft .
$1,000 \mathrm{sq}$. ft.
100 ft ., except for garage under unit́s
22 ft . or 30 ft . with living area over garage
$75 \%$ for townhouse units (The area of a front porch is not included in the calculation of lot coverage)

Minimum Building Setbacks

Front Setback:
Side Setback:
Side Street Setback:
Rear Setback:
Lakefront Setback:
Garage Setback:

15 ft. or 10 ft. for front porch
0 ft . or 7 ft . for end units
10 ft .
14 ft .
50 ft .
Varies [Per Code Section 38-1384(g)]

## Townhome Districi (Townhouses)

Maximum Building Height: 4 stories / 55 ft .
Minimum lot width:
16 ft .
Minimum living area: $\quad 1,000 \mathrm{sq}$. ft.
Aninimum lot deptit:
Maximum garage height:
Maximum lot coverage:
100 ft., except for garage under units
22 ft . or 30 ft . with living area over garage
$75 \%$ for townhouse units (The area of a front porch is not included in the calculation of lot coverage)

Minimum Building Setbacks

Front Setback:
Side Setback:
Side Street Settback:
Rear Setback:
Lakefront Setback:
Garage Set́back:

15 ft . or 10 ft . for front porch
0 ft . or 7 ft . for end units
10 ft .
14 ft .
50 f.
Varies [Per Code Section 38-1384:(g)]

Condominium District (Mutti Family - Condoniniums)
Maximum Building Height: 5 stories / 65 ft .
Minimum lot widith:
Minimum living area:
Maximum lot coverage:

85 ft.
500 sq . ft.
$80 \%$ of the condominium development (The area of a front porch is not included in the calculation of lot coverage)

## Minimum Building Setbacks

Front Setback:
Side Setback:
Side Street Setback:
Rear Setback:
Lakefront Setback:
Maximum Building Height:
Garage Setback:
Prohibited Uses:

10 ft .
15 ft . or 10 ft . for front porch or bay
15 ft . or 10 ft . for front porch
20 ft .
50 ft. from Normal High Water Elevation
5 stories / 65 ft .
Varies [Per Code Section 38-1384(i)]
Short term rentals and apartments

## Apartment District (Multi Family / Apartments)

Maximum Building Height: 5 stories / 65 ft .
Minimum lot width: $\quad 85 \mathrm{ft}$.
Minimum living area: $\quad 500$ sq. ft.
Maximum lot coverage: $\quad 80 \%$ of the apartment development (The area of a front
porch is not included in the calculation of lot coverage)

## Minimum Building Setbacks

Front Setback:
Side Setback:
Side Street Setback:
Rear Setback:
Lakefront Setback:
Garage Setback:

10 ft .
15 ft . or 10 ft . for front porch or bay
15 ft . or 10 ft . for front porch
20 ft .
50 ft. from Normal High Water Elevation
Varies [Per Code Section 38-1384(i)]

## Neighborhood Center District

Maximum Building Height: 3 stories / 4.5 ft .
Minimum lot width: $\quad 50 \mathrm{ft}$.
Minimum lot Depth: 120 ft .
Minimum living area: $\quad 500 \mathrm{sq}$. ft.
Maximum garage height: 22 ft . or 30 ft . with living area over garage

## Minimum Building Setbacks

Front Setback:
Side Setback:
Side Street Setback:
Rear Setback:
Exterior Side Settback:

10 ft . or 5 ft for awnings and other overhangs
0 it .
6 ft .
10 ft. for primary structure
5 ft. from centerline of alley easement .
15 ft .

# Rezoning Recommendation Report <br> Orange County Planning Division <br> PZC Hearing Date: December 20, 2012 

Village Center District
Building Heights by Use:
Townhouses: 4 stories $/ 55 \mathrm{ft}$.
Multi-Family: 5 stories / 75 ft.
Parking Structures: 5 stories / 60 ft .
Retail, Office \& Civic: 3 stories / 50 ft .Residential over Commercial: 5 stories / 75 ft .
Land Use Mix by Land Area:

Residential:25\% min. / 40\% max.
Commercial, Retail \& Services:Office:Overall Non-Residential:Public \& Civic:$10 \%$ min. / No max.Public Parks and Green Space: $7.5 \%$ min. / No max.Build To Line:10 ft .
Minimum area per residential dwelling unit:
Townhouse 500 sq. ft.Multi-Family500 sq . ft.
Minimum lot width and Depth
Townhouse $16 \mathrm{ft} / 120 \mathrm{ft}$.Multi-FamilyRetailOffice
Civic
150 ft / 120 ft .
$30 \mathrm{ft} . / 120 \mathrm{ft}$.$30 \mathrm{ft} . / 120 \mathrm{ft}$.

$$
\text { none } / 120 \mathrm{ft} \text {. }
$$

## Major Street Setbacks

CR 545 Avalon Rd: Internal Loop Road:

35 ft . [Waiver requested - see Condition \#23(h)]
Street classification has not been determined. Setbacks shall be determined at PSP/DP.

[^8] Land Use Plan for required information, requirements, and regulations.

# Rezoning Recommendation Report Orange County Planning Division <br> PZC Hearing Date: December 20, 2012 

## SPECIAL INFORMATION

## Subject Property Analysis

The applicant is seeking to rezone the subject property, comprised of six (6) parcels and $\sim 1,485$ gross acres, from A-1 (Ciirus Rural Distirict) and A-2 (Farmland Rural District) to PD (Planned Development District). The property is primarily vacant, but according to property appraiser data is developed with two (2) single family residential dwelling units or is used for agricultural purposes.

The Waterleigh PD is owned by DR Horton and represents the largest PD within the adopted Hickorynut Village (aka "Village H") Specific Area Plan (SAP) boundary of Horizon West.

The Orange County Development Review Committee (DRC) has reviewed this project and recommends approval of the rezoning petition, subject to twenty-eight (28) conditions.

## Comprehensive Plan (CP) Amendment

The Hickorynut Village (aka Village H) SAP and Recommended Land Use Plan were formally adopted by the Orange County Board of County Commissioners on June 13, 2006 as amendment \#2005-2-A-1-2. Some of the applicable Village H Future Land Use Element (FLUE) Goals, Objectives and Policies were also updated on November 13, 2012 through amendment \#2012-2-B-FLUE-3. No additional Comprehensive Plan amendments are necessary for this project.

## Rural Settlement

The subject property is not located within a Rural Settlement.

## Joint Planning Ârea

The subject property is not located within a JPA.

## Overlay District Ordinance

The subject property is not located within an Overlay District.

## Environmental

Conservation Area Determination Status - Orange County Conservation Area Determination (CAD) \# $\mathrm{\#}$ 06-041 was approved for this project on December 5, 2006 and is valid through December 5, 2016. At the time of any subsequent Preliminary Subdivision Plan (PSP) and/or Development Plan (DP), the applicant will be required to identify the approved conservation area boundary survey lines, identification numbers, wetland classifications, acreages, Normal High Water Elevation (NHVE) lake contours of lakes, and any applicable setback lines.

Pollution Abatement Swales - Consistent with Orange County Code 34-132(c)(2), pollution abatement swales shall be provided upland of streams and canals and the Normal High Water Elevation (NHWE) on all lakes (inclusive of wetlands connected to lakes). Areas that drain away from lakes do not require a swale. berms and swales used to protect wetlands will be considered on an individual basis as part of the PSP/DP review process, in consideration of the affects of

## Rezoning Recommendation Report Orange County Planning Division <br> PZC Hearing Date: December 20, 2012

activity adjacent to a wetland for adverse habitat impacts.
Boat Ramp/Docks - Approval of this plan does not constitute approval of a permit for the construction of a boat dock (including but not limied to boardwalks or observation piers) or a boat ramp. Any person desiring to construct a boat dock or boat ramp within Unincorporated Orange County is required to apply for a permit prior to installation. A boat dock shall require additional permitting under Chapter 15, Article IX, Dock Construction and a boat ramp shall require additional permitting under Chapter 15, Article XV, Boat Ramps.

Lake Wales Ridge Ecosystem - The southwest portion of the project area is located in the Lake Wales Ridge Ecosystem. It contains xeric upland habitat that was not previously affected by agriculture and development. Prior to a preliminary subdivision plan or development plan (PSP/DP) approval, the Environmental Protection Division (EPD) will require a habitat survey to identify any wildlife or plants listed as threatened; endangered, or species of special concern found on site or determined to use the site. The portions of the Lake Wales Ridge Ecosystem located within this project area shall be considered high priority for protected open space and identified on the PSP/DPs.

Solid Waste Management Facilities - Covenants, Conditions, and Restrictions (CC\&Rs) are used to notify future property owners of solid waste management facilities that are located within one-mile of the project. In this case, a previously closed construction and demolition debris disposal facility site is located on C.R. 545 approximately 0.3 miles from the northern boundary. In addition, the active West Orange Environmental construction and demolition debris disposal facility is located approximately 0.8 miles from the northern boundary. Although residential development with the Waterleigh PD may not be adversely impacted by such sites/facilities, CCQR's shall be used to appropriately notify future properity owners of such potential.

Phase I Environmental Site Assessment (ESA) - Properties within this project area have a prior land use that resulted in petroleum spills, agricultural related contamination (including cattle operations), and fertilizer, pesticide or herbicide spillage. Prior to any PSP/DP approval, the Orange County EPD will require a completed Phase I Environmental Site Assessment (ESA). If́ a site is determined to have soil or groundwater contamination, then the applicant must provide documentation to assure compliance with the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels. Depending upon the Phase I results, sampling of soils and/or groundwater may also be required prior to approvals.

## Transportation / Concurrency

Additional right-of-way is required from this project for the future widening of Avalon Road (CR 545) as identified by Transportation Planning. In addition, this project is bound by the terms and conditions of the Horizon West Global Term Sheet which was approved by the Road Agreement Committee on 03/21/12. This term sheet basically outlines a plan for constructing a road network designed to serve the western portion of the Horizon West Sector Planning Area in Orange County by establishing the terms and conditions
that will form the basis for individualized Road Network. Agreements for Village F, Village H and Town Center East.

Unless expressly agreed between the County and a Signatory Owner, each Road Network Agreement must be generally consistent with the provisions of this Term Sheet and approved by the Board. The individual Road Network Agreements are authorized by Section 163.3180(5)(h)3, Florida Statutes (2011) as a method for landowners to provide regionally beneficial road improvements in lieu of being subject to transportation concurrency.

## Water/Vastewater/Reclaim

Water*:
20 inch main at northeast corner of Summerlake Park Boulevard and Phil Ritson Way

Wastewater*: Future 20 inch force main at approximately the intersection of Avalon Road (C.R. 545) and Phil Ritson Way

Reclaim Water*: 36 inch main on the west side of Avalon Road at the intersection with Old YMCA Road.
*Note: The exact locations of the connection points will be based upon, and determined at the time of, project phasing.

## Schools

Two (2). Adequate Public Facility (APF) school sites have been reserved within the subject property, including one (1) elementary school and one (1) middle school. Neither facility is currently on the Orange County Public Schools (OCPS) ten-year capital plan. However, a Capacity Enhancement Agreement (CEA) was executed with the OCPS on August 16, 2006 and amended on April 29, 2008 and June 24, 2008.

## Parks \& Recreation

In addition to $\sim 10$ acres of Adequate Public Facility (APF) parks, a minimum of $7.5 \%$ of developable land area within the Waterleigh PD has been dedicated towards permanently allocated public open space tracts, neighborhood parks and squares. The project will also provide extensive multi-use recreational trails that connect various neighborhoods and adjacent Village H properties.

## Specific Project Expenditure Report and Relationship Disclosure Form

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

## ACTION REQUESTED

## PZC Recommendation - (December 20, 2012)

## Make a finding of consistency with the Comprehensive Plan and approve the Waterleigh PD/LUP zoning, subject to the following conditions:

1. Development shall conform to the Waterleigh PD Land Use Plan dated "Received November 28, 2012" 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, ordinance and regulations, except to the extent that any applicable county laws, crdinances 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 of this zoning and the land use plan dated "Received November 28, 2012" 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 at the pubiic hearing where this development was approved, where șuch 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. 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 or approved.
3. Prior to construction plan approval, a phased master stormwater management plan including a drainage study to establish the 100 -year flood elevation shall be submitted to the Development Engineering Division for review and approval.
4. Concurrent with the approval of this PD, a Road Network Agreement shall be approved by the BCC.
5. Prior to the approval of the first PSP or DP for this PD, a driveway access spacing plan, consistent with the preliminary study included as part of the Road Network Agreement, for CR545, Old YMCA Road, and the internal loop road shall be submitted to and approved by the County Engineer.
6. The APF Agreement shall be approved by BCC concurrent with the PD Land Use Plan.
7. a) Developer shall comply with all provisions of the Capacity Enhancement Agreement entered into with the Orange County School Board as of 08-162006, and amended on 04-29-2008 and 06-24-2008.
b) Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits for any residential units in excess of the 199 residential units allowed under the zoning existing prior to the approval of the PD zoning. The County shall again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.
c) Developer, or it's successor(s) and/or assign(s) under the Capacity Enhancement Agreement, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's rights.
d) Orange County shall be held harmless by the developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreement. At the time of platting, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.
8. 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. Approval of this plan does not authorize any direct or indirect conservation area impacts.
9. The covenants, conditions, and restrictions (CC\&Rs) shall contain notification of the solid waste management facilities located within one-mile of development activity within this project area.
10. Compliance with Concurrency is required prior to obtaining a building permit.
11. A five acre APF for a water facility and a one acre APF for wastewater facility within Village $H$ shall be identified prior to the approval of the first PSP within Village $H$ and the 5-acre APF Parcel dedicated to the County prior to approval of the first construction plan set within Village H .
12. 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 build-out points of connection approved in the Village H MUP.
13. Payment of 500 ERUs (wastewater) are due at the time of PSP approval for the first PSP within Village $H$ and 500 ERCs (water) are due at time of construction plan approval for the first construction plan set within Village H unless previously satisfied by another Village H parcel.
14. A Master Utility Plan (MUP) consistent with Village H MUP shall be submitted to Orange County Utilities prior to approval of the first PSP/DP. The MUP must be approved prior to Construction Plan approval.
15. The Developer shall obtain water, wastewater, and reclaimed water service from Orange County Utilities.
16. 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 alternate financing in lieu of the private proportionate cost share agreement provided master utilities sized for Village requirements are constructed.
17. After the development review committee (DRC) has reviewed a development plan required design guidelines it shall be scheduled for a public hearing before the board of county commissioners.
18. Billboards and pole signs shall be prohibited. Signage within the Neighborhood Commercial and Village Center shall comply with Section 38-1389(d)(5). All other signage shall comply with Section 31.5.
19. Tree removal/Earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
20. Outdoor sales, storage, and display shall be prohibited within any district that allows commercial/office uses.
21. The following waivers are from Orange County Code Section 38-1258 (Multi-Family Development Compatibility):
a. A waiver is granted from Section 38-1258(a) to allow multi-family buildings located within twenty-five (25) feet of single-family zoned property to be developed at a maximum height of five (5) stories and sixty-five (65) feet, in lieu of single-story maximum within one-hundred (100) feet of single-family zoned property.
b. A waiver is granted from Section $38-1258(\mathrm{~b})$ to allow multi-family buildings between twenty-five (25) feet to one-hundred and fifty (150) feet of single family zoned property to be developed at a maximum height of five (5) stories and sixtyfive (65) feet in height for one-hundred (100) percent of the buildings, in lieu of
multi-family buildings located between one hundred plus (100\%) feet to one hundred and fifty (150) feet of single-family zoned property varying in height with a maximum of fifty percent (50\%) of the buildings being three (3) stories [not to exceed forty (40) feet] in height with the remaining buildings being one (1) story or two (2) stories in height.
c. A waiver is granted from Section 38-1258(e) to allow for ten (10) foot paving setbacks adjacent to single-family zoned property, in lieu of a twenty-five (25) foot minimum paving setback.
22. A waiver is granted from Orange County Code Section 38-1384(f)(I) [General Residential Development Standards] to allow each block face with more than five (5) lots with or without alleys to contain one (1) distinct lot size (excluding end units), in lieu of at least two (2) distinct lot sizes (excluding end units).
23. The following waivers are from the development guidelines under Orange County Code Sections 38-1385.8 (Garden Home Mixed Use District) and 38-1386 (Village Home District):
a. A waiver is granted from Section 38-1385.8(b)(2) to decrease the minimum average lot size to three-thousand eight-hundred and forty $(3,840)$ square feet for single-family lot sizes less than forty (40) feet in width [and comer lots less than fifty (50) feet in width], in lieu of six-thousand $(6,000)$ square feet.
b. A waiver is granted from Section 38-1385.8(b)(4) to allow for a minimum lot width of thirty-two (32) feet for single-family detached units, in lieu of forty (40) feet for single-family detached units.
c. A waiver is granted from Section $38-1385.8(b)(9)(a)$ to allow a seven (7) foot front porch setback for lots less than forty (40) feet in width \{and comer lots less than fifty (50) feet in width], in lieu of a ten (I0) foot front porch setback.
d. A waiver is granted from Section $38-1385.8(\mathrm{~b})(9)(\mathrm{b})$ to allow a minimum side yard settback of four (4) feet for lots less than forty (40) feet in width [and comer lots less than fifty (50) feet in width], in lieu of a five (5) foot side yard setback.
e. A waiver is granted from Section $38-1386(b)(2)$ to decrease the minimum average lot size to three-thousand eight-hundred and forty $(3,840)$ square feet for single-family lots sizes less than thirty-five (35) feet in width [and comer lots less than forty-five (45) feet in width], in lieu of four-thousand two-hundred $(4,200)$ square feet.
f. A waiver is granted from Section 38-1386(b)(4) to allow for a minimum lot width of thirty-two (32) feet for single-family detached units, in lieu of thirty-five (35) feet for single-family detached units.
g. A waiver is granted from Section $38-1386(b)(10)(a)$ to allow a seven (7) foot front porch setback for lots less than forty (40) feet in width land comer lots less than fifty (50) feet in width], in lieu of a ten (10) foot front porch setback.
h. A waiver is granted from Section $38-1386(b)(10)(b)$ to allow a minimum side yard setback of four (4) feet for lots less than thinty-five (35) feet in width [and comer lots less than forty-five (45) feet in width], in lieu of a five (5) foot side yard set́back.
24. A waiver is granted from Orange County Code Sections 38-1387.2(a)(8)(c) [Apartment District] and 38-1387.3(b)(3)(h)(3) [Condominium District] to correct the referenced code section to reflect "garage setbacks per section 38-1384(g)", in lieu of "garage setbacks per section 38-1384(i)".
25. A waiver is granted from Orange County Code Section 38-1388(e)(i) [Neighborhood Center District] to eliminate the maximum fifty (50) foot lot width.
26. The Development Standards and Guidelines for this PD shall be consistent with Orange County Code Chapter 38 (New Village PD Code) unless expressly and explicitly waived by the Board of County Commissioners.
27. Multi-use trails / bike paths shall be maintained by the HOA. Funding of this maintenance expense shall be the responsibility of the HOA unless the County approves a MSBU or other funding mechanism for this purpose.
28. Prior to the first PSP/DP an agreement addressing development and maintenance of the APF Park land shall be entered into with the developer and the county.

## PLANNING AND ZONING COMIMISSION (PZC) PUBLIC HEARING SYNOPSIS

Miranda Fitzgerald appeared on behalf of the applicant and concurred with the staff recommendation of approval subject to the twenty-eight (28) conditions found in the staff report. In response to Commissioner Baldocchi, Andres Salcedo of Orange County Utilities explained that regional utility facilities are required for each Village within Horizon West. Mr. Salcedo stated that each applicant is required to install Village-sized utilities to support the ultimate planned build out of Village H . Ms. Fitzgerald noted that Village H has a recorded cooperation agreement, which states the terms in which each property owner will share in infrastructure costs. Chairman Barrett opened the public hearing. No members of the public were present for comment and Chairman Barrett closed the public hearing. Commissioner VanderLey made a motion to find the request consistent with the CP and APPROVE the requested Waterleigh PD (Planned Development) zoning, subject to the twenty-eight (28) conditions found in the staff report.

## Motion/Second

## Voting in Favor

Absent

Betsy VanderLey / Virginia Whittington
Marvin Barrett, Rick Baldocchi, Pat DiVecchio, Paul Wean Joe Roberts and Kevin Seraaj

Jose Ayala
Waterleigh PD / LUP: LUP-12-09-194

Subject Property

$\$$ Subject Property

| Zoning |  |
| :---: | :---: |
| FLUM: | A-1 (Citrus Rural District) and A-2 (Farmland Rural District) to PD (Planned Development) |
| APPLICANT: | Jim Hall - VHB MillerSellen |
| LOCATION: | South of OId YMCA Rd., west of S.R. 429 and Avalon Rd., and east of the Orange / Lake County Line |
| TRACT SIZE: | ~1,485 Acres |
| DISTRICT: | \#1 |
| SIT/R: | 05/24/27; 07/24/27; 08/24/27 $31 / 23 / 27$ |
|  | 1 inch $=3,700$ feet |



## Rezoning Recommendation Report Orange County Planning Division PZC Hearing Date: December 20, 2012

## Waterleigh PD/LUP: LUP=12-09-194



# Rezoning Recommendation Report <br> Orange County Planning Division 

PZC Hearing Date: December 20, 2012


## Rezoning Recommendation Report

## Waterleigh PD/LUP: LUP-12-09-194



January 03, 2013
TO: . Mayor Teresa Jacobs
-AND-
Board of Counity Commissioners
FROM:
Jon V. Weiss, P.E., Director $\int$ W.
Community, Environmental andf Development
Services Department
CONTACT PERSON: Joseph Kunkel, Vice Chaiman Development Review Committee
Public Works Department
(407) 836-7972

SUBJECT: January 15, 2013 - Public Hearing Jamie T. Poulos, Poulos \& Bennett for Florida Hospital East Planned Developmení Case 4 LUPA-12-08-178 - District 3

The Florida Hospital East PD is generally located on the north side of Lake Underhill Drive, east of S. Goldenrod Road, west of S. Chickasaw Trail, and south of State Road 408. The existing PD contains $\sim 45$ acres and was originally approved by the Board of County Commissioners (BCC) on June 15, 1982.

Through this request, the applicant is seeking to aggregate and rezone an adjacent 4.97acre parcel into the existing Florida Hospital East PD. It is the applicant's intent to initially develop the vacant parcel with additional surface parking (related to an expansion of the existing Emergency Room facilities), with the ability to use the site for future facility expansion. The request would not increase existing development entitlements.

The request also includes two (2) waivers from Section 31.5 to allow for the continued use of an existing on-site pole sign adjacent to State Road 408 . Due to recent $\operatorname{SR} 4.08$ improvements, the existing pole sign currently sits below the grade of the expressway. The following proposed waivers from Orange County Code would allow the sign to be raised in order for it to be visible from SR 408.

1. A waiver from Section 31.5-68(b) to allow the maximum height of the existing pole sign to be elevated to seventy-five. (75) feet in lieu of thirty (30) feet.
2. A waiver from Section $31.5-68(\mathrm{~g})$ to allow the existing pole sign to have a maximum copy area of seven hundred and seventy five (775) square feeí per sign face in lieu of three hundred (300) square feet per sign face.

On November 15, 2012, the Planning and Zoning Commission (PZC) made a finding of consistency with the Comprehensive Plan and recommended approval of the request, subject to the sixteen (16) conditions identified in the PZC Recommendation Staff Report.

The Specific Project Expenditure Report and Relationship Disclosure Form have been completed in accordance with the requirements of Ordinance 2008-14, and copies of these and the PD/LUP may be found in the Blue Folder for public hearings and in the Planning Division for further reference.

ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan (CP) and approve the amendment to the Florida Hospital East Planned Development / Land Use Plan (PD/LUP) dated "Received October 26, 2012," subject to the sixteen (16) conditions listed in the PRC Recommendation Staff Report. District 3

Attachments

Rezoning Staff Report
Orange County Planning Division
PZC Hearing Date: November 15, 2012
Board of County Commissioners / PZC Board-Called Public Hearing January 15, 2013
Commission District: \# 3

## GENERAL INFORMATION

| APPLICANT | Jamie T. Poulos, Poulos \& Bennett |
| :---: | :---: |
| OWNERS | Adventist Health System/Sunbelt, Inc. |
| PROJECT NAME | Florida Hospital East Planned Development |
| HEARING TYPE | Planning and Zoning Commission |
| REQUEST | R-1A (Single-Family Dwelling District) (1961) and PD (Planned Development District) (1982) to PD (Planned Development District), including two (2) waivers from Orange County Code Section 31.5 to allow for the continued use of an existing on-site pole sign adjacent to State Road 408. |
| LOCATION | Generally located on the north side of Lake Underhill Drive, east of South Goldenrod Road, west of South Chickasaw Trail, and south of State Road 408. |
| PARCEL ID NUMBERS | 26-22-30-0000-00-001; 26-22-30-0000-00-003; 26-22-30-0000-00-068; 26-22-30-0000-00-069; 26-22-30-0000-00-109; and 26-22-30-000-10-000 |
| PUBLIC NOTIFICATION | The notification area for this public hearing was 5,280 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One-thousand nine hundred and eighty-one $(1,981)$ notices were mailed to those property owners in the mailing area. |
|  | A community meeting was not held for this application. |
| TRACT SIZE | $\sim 49.99$ acres (total) / 4.97 acres (addition) |
| PROPOSED USE | Additional surface parking area, including existing development entitlements for 475 hospital beds; 120 nursing home beds; 123,000 square feet of medical office; and 10,000 square feet of outpatient surgery. Additional entitlements are not sought through this request. |

## STAFF RECOMMENDATION

DRC RECOMNENDATION (September 26, 2012 and October 10, 2012)
Make a finding of consistency with the Comprehensive Plan and Approve the PD zoning, subject to the following sixteen (16) conditions:

1. Development shall conform to the Florida Hospital East PD Land Use Plan dated "Received October 26, 2012," 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, ordinance 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 of this zoning and the land use plan dated "Received October 26, 2012," 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 at the public hearing where this development was approved, 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. 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 or approved.
3. 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. Approval of this plan does not authorize any direct or indirect conservation area impacts.
4. The Developer shall obtain water and wastewater service from Orange County Utilities.
5. New billboards and pole signs shall be prohibited. Ground and fascia signs shall comply with Ch. 31.5.
6. Outdoor sales, storage and display shall be prohibited.
7. The entire Florida Hospital East shall be platted. Prior to the issuance of any vertical building permits, the plat shall be approved on the BCC Consent Agenda.
8. Tree removal/earthwork shall not occur unless and until construction plans for the 1st Preliminary Subdivision and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
9. Mobility strategies will be required based on the use and size of the proposed development.
10. A waiver from Orange County Code Section 31.5-68(b) is granted to allow the maximum height of the existing pole sign to be elevated to seventy-five (75) feet in lieu of thirty (30) feet.
11. A waiver from Orange County Code Section $31.5-68(\mathrm{~g})$ is granted to allow the existing pole sign to have a maximum copy area of seven hundred and seventy five (775) square feet per sign face in lieu of three hundred (300) square feet per sign face.
12. All previous applicable BCC Conditions of Approval, dated October 26, 2004 shall apply:
a. Development shall conform to the Florida Hospital-East PD/Land Use Plan (LUP), dated "Received July 2, 2004"; and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC
b. The uses, densities, intensities, and all of the conditions of approval of the PD/LUP have been negotiated and agreed to by both the applicant and the County. The PD/LUP constitutes an agreement between the parties. The applicant and the applicant's successors in interest have the contract right to develop the PD with the uses, densities, and intensities approved by the County, subject to the restrictions and requirements in the conditions of approval, and neither the applicant nor the County shail have the right to rezone or downzone the property, or otherwise alter the uses, densities, and intensities, or to delete, waive, or amend any condition of approval except through an amendment to the PD/LUP that is negotiated and approved by both parties.
13. All previous applicable BCC Conditions of Approval, dated, January 30, 1996, shall apply:
a. Development shall conform to the Florida Hospital East Orlando Planned Development and Land Use Plan, dated "Received November 22, 1995," and to the following conditions of approval. Development based on this approval shall comply with all other applicable federal, state, and county
laws, ordinances and regulations, which are incorporated herein by reference, except to the extent [the applicable laws, ordinances, and regulations] are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners, or by action of the Board of County Commissioners. b. A five-foot ( $5^{\prime}$ ) sidewalk shall be provided along Lake Underhill Road.
14. All previous applicable BCC Conditions of Approval, dated September 24, 1991, shall apply:
a. A minimum of twenty (20)-foot landscape buffer shall be provided along Chickasaw Trail. A detailed landscape plan shall be submitted at the Development Plan submittal stage.
b. A detailed sign plan showing all existing and proposed signage of the overall PD shall be submitted at the Development Plan submittal stage.
15. All previous applicable BCC Conditions of Approval, dated June 24, 1985, shall apply:
a. Approval for the sign shall only be for identification of the hospital and shall comply with the sign regulations of the Zoning Resolution.
b. Developers shall move the main driveway to the easternmost construction entrance location and shut down the present driveway by January 1, 1987.
16. All previous applicable BCC Conditions of Approval, dated June 15, 1982, shall apply:
a. Dedication of access rights to Orange County from all property on Lake Underhill Drive and Chickasaw Trail except approved entrances. Dedicate to Orange County an additional right of way required for the future widening of Lake Underhill Drive and Chickasaw Trail.
b. Install a five foot sidewalk on the north side of Lake Underhill Drive. Determination of sidewalk requirement on the West side of Chickasaw Trail shall be made at time of Final Development Plan submission.
c. Fire protection shall be provided in accordance with Section 9.7.2 of the Subdivision Regulations.
d. Street Improvements:
1) Full intersection improvements are required at the intersection of all driveway entrances at Lake Underhill Drive and Chickasaw Trail.
2) Deceleration lanes and bypass lanes and left turn lanes will be required.
3) A complete overlay of the entire intersection improvement is required. A new pavement marking layout will be required in conformance with Manual on Uniform Traffic Control Devices.
4) All public road improvements shall be designed in accordance with the Manual on Uniform Standards for Design, Construction and Maintenance for Streets and Highways, State of Florida.
5) At the time of plan submittal, the engineer of record shall submit certification that the project complies with the minimum standards for street design.
6) Provide landscape buffer or buffer wall along Lake Underhill Drive and Chickasaw Trail.
e. If temporary sewer system is approved, it shall be required to connect to the Orange County System as soon as capacity is available.
f. Stormwater Management:
7) Stormwater Management Plan shall comply with Orange County Subdivision Regulations and shall be subject to the approval of the County Engineer and the Director of Pollution Control.
8) Retention/detention facilities shall be designed for storage of the entire runoff from a 50 year, 24 hour 9.6 inch storm, unless a positive ouffall can be obtained.
9) Pond shall be designed in accordance with County regulations.
10) A soils report will be required from a certified soils laboratory for the retention area. Permeability tests are required. Borings shall indicate AASHTO soils classification, determination of water table elevation, (24 Hour test) and anticipated wet/dry season fluctuation.
g. Prior to construction of sanitary facilities stormwater management systems, and water facilities, the applicable Federal, State and Water Management Permits shall be required and copies submitted to the County Engineering Department.
h. Added Stipulations:
11) Landscaped buffering is to extend the full length of Chickasaw and Lake Underhill Roads.
12) Consider placing main entrance to East serving both the hospital and the health complex, in lieu of two (2) main entrances (one for hospital and one for health care complex).
13) The Board stated this approval did not include approval for construction of helicopter facilities.

## IMPACT ANALYSIS

## Land Use Compatibility

The proposed PD (Planned Development District) zoning would allow land uses that are compatible with the existing development in the area.

## Comprehensive Plan (CP) Consistency

The CP Future Land Use Map currently designates the subject property as Institutional (INST) and Medium Density Residential (MDR).

OBJ FLU8.2 states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU1.4.3 states that the location of commercial development shall be concentrated at major intersections and within Activity Centers and Neighborhood Activity Nodes within the Urban Service Area.

FLU1.4.4 states that the disruption of residential areas by poorly located and designed commercial activities shall be avoided.

FLU1.4.6 establishes that the following guidelines illustrate different types of commercial and retail development consistent with the Orange County Comprehensive Plan. It is the goal of the 2030 CP to increase densities and intensities in the Urban Service Area in order to accommodate projected growth. The Commercial floor area ratio (FAR) shall be 3.0 unless otherwise restricted by County policy or code (See FLU1.1.4A, FLU2.2.4 - FLU2.2.7, and FLU3.2.1 FLU3.2.13). The basis for increasing densities and intensities is the finding that productive use of vacant land within the Urban Service Area is critical to the County's future urban form. Therefore, with respect to new development and redevelopment, the County is seeking more integrated forms of commercial and non-residential development, including vertical mixed use design and complementary land uses in close proximity to one another, in its desired development pattern for the County's Urban Service Area.

FLU8.1.1 states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning. Density shall be calculated by the total number of units divided by developable land. (Natural lakes and designated Conservation Areas are excluded from the gross land area.)

FLU8.1.2 states that Planned Developments (PDs) intended to incorporate a broad mix of uses under specific design standards shall be allowed, provided that the PD land uses are consistent with the cumulative densities or intensities identified on the Future Land Use Map.

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.

## SITE DATA

## Existing Use Hospital / Vacant land

Adjacent Zoning $\quad$ : State Road 408
E: PD (Planned Development District) (Expressway Center PD) (1987) and C-1 (Retail Commercial District) (1983)
W: C-1 (Retail Commercial District) (1979)
S: $\quad$ C-1 (Retail Commercial District) (1959) and PD (Planned Development District) (Palms at Lake Underhill PD) (2009) and P-O (Professional Office District) (1979)(1981) and R-3 (Multiple-Family Dwelling District) (1984)

Adjacent Land Uses N: State Road 408
E: Retail Center/Walmart
W: Orange County retention pond
S: Medical office / office / retail / vacant land

## ZONING DISTRICT STANDARDS (PD)

## Florida Hospital East PD Summary *

Lot Area: $\quad \sim 49.99$ acres
Max. Entitlements (existing): 475 hospital beds; 120 nursing home beds; 3,000 square feet of medical office; 10,000 uare feet of outpatient surgery

Max. Building Height: 165'
Max. Impervious Area: $\quad 70 \%$
Building Setbacks
Front (South): $\quad 40$ feet plus 1 foot per 4 feet of building height in cess of 60 feet (Lake Underhill Road)
Rear (North): 60 feet (SR 408)
Side (West): 25 feet
Side (East):
40 feet (Chickasaw Trail)
20 feet (SE corner parcel; 7-Eleven site)

[^9]
## Permitted Uses

475 hospital beds; 120 nursing home beds; 123,000 square feet of medical office; 10,000 square feet of outpatient surgery.

## SPECIAL INFORMATION

## Subject Property Analysis

Through this request, the applicant is seeking to aggregate and rezone an adjacent 4.97 -acre parcel with the existing Florida Hospital East PD. The subject 4.97 -acre parcel is currently vacant. It is the applicant's intent to initially develop the vacant parcel with additional surface parking (related to an expansion of the existing Emergency Room facilities), with the ability to use the site for future facility expansion. The request would not increase existing development entitlements.

The request also includes two (2) waivers from Section 31.5 to allow for the continued use of an existing on-site pole sign adjacent to State Road 408. Due to recent site development related to the SR 408, the sign currently sits below the grade of the roadway. The waivers would allow the sign to be raised in order for it to be visible from SR 408.

The Orange County Development Review Committee (DRC) has reviewed this project and recommends approval of the rezoning petition, subject to the sixteen (16) conditions listed previously.

## Rural Settlement

The subject property is not located within a Rural Settlement.

## Joint Planning Area

The subject property is not located within a JPA.

## Overlay District Ordinance

The subject property is not located within an Overlay District.

## Airport Noise Zone

The subject property is located within Airport Noise Zone E. Per Sec. 9-604, vacant lands zoned for non-residential use, and existing non-residential developments are exempt from aircraft noise/land use control zone regulations.

## Environmental

There are wetlands and surface waters on the added parcel (Area F). An Orange County Conservation Area Determination (CAD) must be completed before PSP/DP submittal, as outlined in Chapter 15, Article X Wetland Conservation Areas. Wetland boundary lines as shown are estimates that will need verification during the County CAD process and will need to be finalized with a certified survey in that process.

No construction, clearing, filling, alteration or grading is allowed within or immediately adjacent to a conservation area without first obtaining EPD approval. Reference Orange County Code Chapter 15, Article X, Section 15-376. Approval of this request does not authorize any direct or indirect impacts to conservation areas. Contact Mr. Neal Thomas of EPD 407-836-1451 to arrange a meeting prior to PSP/DP design.

This site is located within the boundary of the Orlando Range and Chemical Yard. The applicant should use caution in the event any unexploded ordinance or chemical residue is discovered during site studies, surveying or clearing. As a
general safety precaution, all site workers should be trained if any suspicious items are located. Should anyone encounter or suspect they have encountered munitions, it is vitally important that they follow the U.S. Army Corps of Engineers recommended "3Rs": Recognize the item may be dangerous, Retreat and do not touch it, and Report the location to the local Sheriff's office immediately.

## Transportation Concurrency / Access

The proposed project is located with the Orange County Alternative Mobility Area and will not be subject to transportation concurrency requirements. A Planning Concept Study shall be submitted and approved prior to Development Plan (DP) approval.

## Water/Wastewater/Reclaim

|  | Existing service or provider |
| :--- | :--- |
| Water: | Orange County Utilities |
| Wastewater: | Orange County Utilities |
| Reclaimed Water: | Orange County Utilities |

## Schools

The applicant is proposing to utilize the property for commercial purposes. Orange County Public Schools (OCPS) did not comment on this case, as it does not involve an increase in residential units or density.

## Parks \& Recreation

Not required for non-residential development.

## Specific Project Expenditure Report and Relationship Disclosure Form

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

## ACTION REQUESTED

Make a finding of consistency with the Comprehensive Plan and Approve the PD zoning, subject to the following sixteen (16) conditions:

1. Development shall conform to the Florida Hospital East PD Land Use Plan dated "Received October 26, 2012," 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, ordinance 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 of this zoning
and the land use plan dated "Received October 26, 2012," 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 at the public hearing where this development was approved, 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. 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 or approved.
3. 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. Approval of this plan does not authorize any direct or indirect conservation area impacts.
4. The Developer shall obtain water and wastewater service from Orange County Utilities.
5. New billboards and pole signs shall be prohibited. Ground and fascia signs shall comply with Ch. 31.5.
6. Outdoor sales, storage and display shall be prohibited.
7. The entire Florida Hospital East shall be platted. Prior to the issuance of any vertical building permits, the plat shall be approved on the BCC Consent Agenda.
8. Tree removal/earthwork shall not occur unless and until construction plans for the 1st Preliminary Subdivision and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
9. Mobility strategies will be required base on the use and size of the proposed development.
10. A waiver from Orange County Code Section $31.5-68(b)$ is granted to allow the maximum height of the existing pole sign to be elevated to seventy-five (75) feet in lieu of thirty (30) feet.
11. A waiver from Orange County Code Section $31.5-68(\mathrm{~g})$ is granted to allow the existing pole sign to have a maximum copy area of seven hundred and seventy five (775) square feet per sign face in lieu of three hundred (300) square feet per sign face.
12. All previous applicable BCC Conditions of Approval, dated October 26, 2004, shall apply:
a. Development shall conform to the Florida Hospital-East PD/Land Use Plan (LUP), dated "Received July 2, 2004"; and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC.
b. The uses, densities, intensities, and all of the conditions of approval of the PD/LUP have been negotiated and agreed to by both the applicant and the County. The PD/LUP constitutes an agreement between the parties. The applicant and the applicant's successors in interest have the contract right to develop the PD with the uses, densities, and intensities approved by the County, subject to the restrictions and requirements in the conditions of approval, and neither the applicant nor the County shall have the right to rezone or downzone the property, or otherwise alter the uses, densities, and intensities, or to delete, waive, or amend any condition of approval except through an amendment to the PD/LUP that is negotiated and approved by both parties.
13. All previous applicable BCC Conditions of Approval, dated, January 30, 1996, shall apply:
a. Development shall conform to the Florida Hospital East Orlando Planned Development and Land Use Plan, dated "Received November 22, 1995," and to the following conditions of approval. Development based on this approval shall comply with all other applicable federal, state, and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent [the applicable laws, ordinances, and regulations] are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners, or by action of the Board of County Commissioners. b. A five-foot ( $5^{\prime}$ ) sidewalk shall be provided along Lake Underhill Road.
14. All previous applicable BCC Conditions of Approval, dated September 24, 1991, shall apply:
a. A minimum of twenty (20)-foot landscape buffer shall be provided along Chickasaw Trail. A detailed landscape plan shall be submitted at the Development Plan submittal stage.
b. A detailed sign plan showing all existing and proposed signage of the overall PD shall be submitted at the Development Plan submittal stage.
15. All previous applicable BCC Conditions of Approval, dated June 24, 1985, shall apply:
a. Approval for the sign shall only be for identification of the hospital and shall comply with the sign regulations of the Zoning Resolution.
b. Developers shall move the main driveway to the easternmost construction
entrance location and shut down the present driveway by January 1, 1987.
16. All previous applicable BCC Conditions of Approval, dated June 15, 1982, shall apply:
a. Dedication of access rights to Orange County from all property on Lake Underhill Drive and Chickasaw Trail except approved entrances. Dedicate to Orange County an additional right of way required for the future widening of Lake Underhill Drive and Chickasaw Trail.
b. Install a five foot sidewalk on the north side of Lake Underhill Drive. Determination of sidewalk requirement on the West side of Chickasaw Trail shall be made at time of Final Development Plan submission.
c. Fire protection shall be provided in accordance with Section 9.7.2 of the Subdivision Regulations.
d. Street Improvements:
1) Full intersection improvements are required at the intersection of all driveway entrances at Lake Underhill Drive and Chickasaw Trail.
2) Deceleration lanes and bypass lanes and left turn lanes will be required.
3) A complete overlay of the entire intersection improvement is required. A new pavement marking layout will be required in conformance with Manual on Uniform Traffic Control Devices.
4) All public road improvements shall be designed in accordance with the Manual on Uniform Standards for Design, Construction and Maintenance for Streets and Highways, State of Florida.
5) At the time of plan submittal, the engineer of record shall submit certification that the project complies with the minimum standards for street design.
6) Provide landscape buffer or buffer wall along Lake Underhill Drive and Chickasaw Trail.
e. If temporary sewer system is approved, it shall be required to connect to the Orange County System as soon as capacity is available.
f. Stormwater Management:
7) Stormwater Management Plan shall comply with Orange County Subdivision Regulations and shall be subject to the approval of the County Engineer and the Director of Pollution Control.
8) Retention/detention facilities shall be designed for storage of the entire runoff from a 50 year, 24 hour 9.6 inch storm, unless a positive outfall can be obtained.
9) Pond shall be designed in accordance with County regulations.
10) A soils report will be required from a certified soils laboratory for the retention area. Permeability tests are required. Borings shall indicate AASHTO soils classification, determination of water table elevation, (24 Hour test) and anticipated wet/dry season fluctuation.
g. Prior to construction of sanitary facilities stormwater management systems, and water facilities, the applicable Federal, State and Water Management Permits shall be required and copies submitted to the County Engineering Department.
h. Added Stipulations:
11) Landscaped buffering is to extend the full length of Chickasaw and Lake Underhill Roads.
12) Consider placing main entrance to East serving both the hospital and the health complex, in lieu of two (2) main entrances (one for hospital and one for health care complex).
13) The Board stated this approval did not include approval for construction of helicopter facilities.

## PLANNING AND ZONING COMNISSION (PZC) PUBLIC HEARING SYNOPSIS

Jamie Poulos, Poulos and Bennett, Inc., appeared on behalf of the applicant and agreed with the staff recommendation of approval subject to the sixteen (16) conditions found in the staff report. In response to Commissioner Whittington, staff noted that the billboard will be treated as an on-site sign, and that the waivers are required due to improvements to SR 408 which have rendered the sign invisible from the right-of-way. The sign will only be used for Florida Hospital. In response to Commissioner Roberts, staff noted that the previous condition of approval which stated that the hospital shall explore relocation of the primary entrance to the east was a condition originally place on the PD in 1982. Staff noted that this condition will not require the applicant to relocate the entrance to the property.

Commissioner Roberts made a motion to find the request consistent with the CP and APPROVE the requested P-D (Planned Development District) zoning with the two (2) waivers and sixteen (16) conditions found in the staff report.

Motion/Second<br>Voting in Favor<br>Joe Roberts/ Kevin Seraaj<br>Marvin Barrett, Jose Ayala, Virginia Whittington, Pat DiVecchio, Betsy VanderLey and Paul Wean

Absent
Rick Baldocchi



Subject Property

|  | Zoning |
| :--- | :--- |
| REQUEST: | R-1A and PD to PD |
| APPLICANT: | Robert Reubusch |
| LOCATION: | 7727 Lake Underhill Road |
| TRACT SIZE: | -49.99 Acres |
| DISTRICT: | $\# 3$ |
| SIT/R: | $26 / 22 / 30$ |
|  | 1 inch $=625$ feet |



## LUPA-12-08-178



LUPA-12-08-178


Florida Hospital East PD/LUP


Interoffice Memorandum

January 4, 2013

TO: Mayor Teresa Jacobs -And-
County Commissioners
FROM: Christopher R. Testerman, AICP, Assistant County Administrator $W$
CONTACT: Glen Finnell, Director, Research and Development, Orange County Sheriff's Office (407) 254-7470

SUBJECT: January 15, 2013 - Public Hearing (Continued from October 13 and December 18, 2012)
Law Enforcement Impact Fee Study Update
On January 15, 2013, a public hearing is scheduled to discuss the update of the Law Enforcement Impact Fee Study ("Study"). As you are aware, impact fee studies are required to be periodically reviewed (at least every five years). The initial Study was completed in 2005 and adopted in 2006 (Ordinance \#2006-02).

In 2011, the consulting firm of TischlerBise was retained to update the Study. Their updated Study (dated April 12, 2012) and a draft ordinance (dated December 20, 2012) are attached. Listed below are the current impact fee ( 2005 fee plus indexing), the current fee with the temporary $25 \%$ reduction, and the fee pursuant to the updated Study.

| Land Use Category | Unit | Current Fee | Current Adopted Fee (Current Fee @ 75\%) | Updated Fee @ 100\% |
| :---: | :---: | :---: | :---: | :---: |
| Single-Family Det.at | Dwelling | \$208 | \$156 | \$271 |
| Mobile Home | Dwelling | \$66 | \$49 | \$263 |
| Multi-Family | Dwelling | \$66 | \$49 | \$319 |
| Hotel/Motel | Room | \$106 | \$79 | \$135 |
| Commercial Retail/Assembly | 1,000 sq. ft. | \$332 | \$249 | \$494 |
| Office/Institutional | $1,000 \mathrm{sq} . \mathrm{ft}$. | \$83 | \$62 | \$109 |
| Manufacturing | 1,000 sq. ft. | \$51 | \$38 | \$118 |
| Warehousing | 1,000 sq. ft. | \$51 | \$38 | \$57 |
| School (Private Only) | 1,000 sq. ft. | \$25 | \$19 | \$32 |

The ordinance and Study were reviewed by both the Development Advisory Board and the Local Planning Agenda (LPA). The LPA made a finding of consistency at a public hearing on December 20, 2012.

## ACTION REQUESTED: TO MAKE A FINDING OF CONSISTENCY WITH THE COMPREHENSIVE PLAN AND APROVE THE LAW ENFORCEMENT IMPACT FEE ORDINANCE AND STUDY. ALL DISTRICTS

ORDINANCE NO. 2013-

## AN ORDINANCE AMENDING THE ORANGE COUNTY LAW ENFORCEMENT IMPACT FEE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

## BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE

COUNTY, FLORIDA.
Section 1. Amendments to Article II, Chapter 23, Orange County Code. The Orange
County Law Enforcement Impact Fee Ordinance, codified at Article II, Chapter 23, of the Orange County Code, is amended as set forth in Sections 2 through 8 below, with additions being shown by underlines and deletions being shown by strike-throughs.

Section 2. Amendments to Section 23-27 ("Definitions"). Section 23-27 is amended to read as follows:

Sec. 23-27. Definitions.
The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Affordable shall mean as set forth in Orange County Administrative Regulation No. 4.02 .06 4.08, as it may be amended or replaced from time to time.

Calls for service shall mean requests for law enforcement services which are logged by the sheriff's communication center.

Capital cost shall mean any expenditure which, under generally accepted accounting principles for local governments, would be considered a capital expense.

Certificate of occupancy shall mean a certificate issued by the county building department upon completion of a building erected in accordance with approved plans, and after final inspection of a building,
stating the nature of the occupancy permitted, the number of persons for each floor when limited by law, and the allowable load per square foot for each floor in accordance with the Standard Building Code.

Commercial/retail shall include but not necessarily be limited to those land uses defined by Standard Industrial Classification codes 50-59, which include wholesale and retail trade, restaurants, service stations and the like.

Coutty growth magementicy Comprehensive plan shall mean the 2010-2030 Orange County Comprehensive Policy Plan for Orange Gounty, Florida, adopted by the board of county commissioners on fuly 1 , 1904 May 19. 2009, in accordance with Florida Statutes, as amended from time to time.

County facilities constructed for nonproprietary governmental purposes shall mean facilities constructed by or for the county to be used for governmental purposes, but shall exclude Orange County Utilities Department and Orange County Convention Center Facilities.

Development shall mean any improvement which requires a building permit.

Dwelling unit shall mean single-family and multifamily residential units, attached and detached dwellings, houses of conventional construction, mobile homes, manufactured housing, and all other structures used for permanent residence or for dwelling purposes, regardless of whether occupied by an owner or tenant. The term shall not include hotels, motels or tourist trailer camps.

Impact fee study shall mean the "Orange County Law Enforcement Impact Fee UpdateStudy," prepared by Dunean Asseciates-in Mareh 2005 TischlerBise, dated April 12, 2012.

Low income shall mean as set forth in Orange County Administrative Regulation No. 4.02 .06 4.08, as it may be amended or replaced from time to time.

Mobile home shall mean a structure transportable in one (1) or more sections, which structure is eight (8) body feet or more in width and over thirty-five (35) feet in length, and which structure is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, air conditioning
and electrical systems contained therein.
Multifamily shall mean two (2) or more attached dwelling units. For the purposes of this ordinance, time-share development shall be considered as multifamily.

Office/Institutional shall include but not necessarily be limited to those land uses defined by Standard Industrial Classification codes 40-49 and 60-99, which include transportation, utilities, government, health care, banking, insurance, real estate, personal and business services and the like.

Residential development shall mean any development designed or intended to be used as a dwelling unit.

Service standard index shall mean a standard for measuring the level of law enforcement services based on the number of calls for service received by the Orange County Sheriff's Office per sworn officer per year.

Single-family detached shall mean a single dwelling unit not attached to any other dwelling unit.

Very low income shall mean as set forth in Orange County Administrative Regulation No. 4.02 .06 4.08, as it may be amended or replaced from time to time.

> Horlforee housing shall mean multifamily housing, which may include the residential compenent only of a mixed use project, toeated within the unineorporate area-Of-Orange County, forty (40) percent of which is reserved for individuals er famities whese-antmat hourseheld income, as adjusted fer househeld size, does not exceed eighty ( 80 ) percent of the area median ineene. Workforee housing shall not include other typer of multifamily heusins streh as student housing, nursing hemes, senior living facilities, or assisted living factities,

Section 3. Amendments to Section 23-28 ("Findings and declarations"). Section 23-28 is amended to read as follows:

## Sec. 23-28. Findings and declarations.

(a) The board of county commissioners finds that new development in the unincorporated areas of the county requires additional governmental services and facilities, including specifically law
enforcement services provided by the county sheriff. It is the policy of the board, as set forth in the eounty growth management policy, comprehensive plan, that new development should be permitted to occur only where an adequate level of governmental services and facilities, such as law enforcement, can be provided.
(b) It is the policy of the board of county commissioners that new development should pay a portion of the overall capital costs related to the additional governmental services and facilities to accommodate that new development.
(c) The purpose of this article is to ensure the provision of an adequate level of law enforcement services throughout the unincorporated area of the county so that new development in the unincorporated area may occur in a manner consistent with the eounty growth management pelieycomprehensive plan.
(d) It is the purpose of this article to require new development to bear a portion of the overall capital costs related to the additional law enforcement services made necessary by such new development and to avoid paying those costs from the county's general fund.
(e) The board of county commissioners hereby finds that impact fees provide a reasonable method of regulating new development in the county to ensure that such new development pays a portion of the capital costs of governmental services and facilities necessary to accommodate the new development.
(f) The county sheriff's office provides law enforcement on a countywide basis, as a countywide service, throughout the unincorporated area without regard to the location of or use of specific parcels of property. Because of this public policy the capital facilities and equipment that are funded with impact fee revenue cannot be restricted to the zones or sectors which have been created by the sheriff for patrol purposes. The capital facilities funded by impact fees shall provide law enforcement services to the new users within the unincorporated areas of the county.
(g) The provision of law enforcement services is hereby deemed to be a governmental service to be provided on a uniform countywide basis. All new development creates an impact upon the cost of providing law enforcement services. The cost of providing such services has been allocated according to the type of development which occurs based on the survey of prior calls for service.
(h) The additional impact imposed by new development upon the capital costs of providing law enforcement services occurs at the time that development of the property takes place.
(i) The provisions of this article relating to adequate law enforcement services in the county, the additional law enforcement services needed for new development in the county, the capital costs relating to those additional law enforcement services needed for new development in the county, and the impact fee for those capital costs are based upon and supported by the findings and recommendations contained within the impact fee study. The board of county commissioners hereby approves and adopts those portions of the impact fee study relating to the capital costs of law enforcement services.
(j) The board of county commissioners hereby acknowledges as the existing standard for law enforcement services in the county a service standard index of $640.44 \underline{745.28}$ calls for service per sheriff's officer per year, as identified in the impact fee study.
(k) Continuing to provide, at a minimum, the existing level of law enforcement services within the county consistent with the acknowledged service standard index and recommendations of the impact fee study is essential to and in the best interests of the public health, safety, and general welfare of the citizens of the county.
(1) The board of county commissioners hereby declares that nothing in subsection ( j ) or subsection ( k ) shall be construed or interpreted as meaning, intimating, inferring or implying that the board does not retain the sole and absolute discretion to deliberate upon and establish the Orange County Sheriff's Office annual budget each fiscal year, or that its discretion to establish that budget each fiscal year will be controlled, subject to, or otherwise affected by the board's findings in subsections (j) and (k).
(m) It is the intent of the board of county commissioners that the impact fees imposed pursuant to this article be used to pay for those capital costs related to the additional law enforcement services required for new development in the county.
(n) Based on the impact fee study, the board of county commissioners hereby finds that there exists a fationat reasonable relationship, or rational nexus, between the capital costs of providing law enforcement at the existing service standard index
referenced above and the impact fees imposed on new development by this article.
(o) The board of county commissioners hereby finds that there exists a ratienal reasonable relationship, or rational nexus, between the impact fees to be collected pursuant to this article and the expenditure of those funds on capital costs relating to law enforcement services, as limited and restricted by this article.

Section 4. Amendments to Section 23-29 ("Imposition of fees; periodic updates; annual
indexing for inflation; time of payment"). Section 23-29 is amended to read as follows:
Sec. 23-29. Imposition of fees; periodic updates; annual indexing for inflation;-time of payment.
(a) Fees. The following impact fees are hereby imposed upon all new development in the unincorporated areas of the county:

Law Enforcement Impact Fee Schedule

| Development Type | Impact Fee Per Development Unit |
| :---: | :---: |
| Land Use |  |
| Single-family detached (per dwelling unit) | \$271.00 |
| Multifamily (per dwelling unit) | \$319.00 |
| Mobile home (per dwelling unit) | \$263.00 |
| Hotel/Motel (per dwelling unit) | \$135.00 |
| Manufacturing (per 1,000 gross sq. ft.) | \$118.00 |
| Warehousing (per 1.000 gross sq. ft.) | \$57.00 |
| $\begin{aligned} & \text { Commercial/Retail } \\ & \text { (per } 1,000 \text { gross sq. ft.) } \end{aligned}$ | \$494.00 |
| Office/institutional (per 1,000 gross sq. ft.) | \$109.00 |
| Private school <br> (per 1,000 gross sq. ft.) | \$32.00 |
| Public school | Exempt under state law |


| Development Type | Impat Fee Per Development Unit |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Landuse | Mareh 10, <br> 2006  <br> -  <br> Mareh 9 <br> 2007  | Mareh 10, <br> 2007  <br> -  <br> Mareh 9 <br> 2008  | Mareh 10, <br> $z 008$  <br> -  <br> Mareh 9 <br> 2009  | March 10 <br> 2009  <br> -  <br> Mareh 9 <br> 2010  | Aareh 10, <br> 2010  <br> -  <br> Mareh 9 <br> 2014  |
| Single-family detached |  |  |  |  |  |
| (perdwelling unit) | \$193.09 | \$197.83 | \$202.77 | \$207.84 | \$213.04 |
| Multifantily |  |  |  |  |  |
| (perdwelling unit) | 61.00 | 62.53 | 64.09 | 65.69 | 67.33 |
| Mobile heme |  |  |  |  |  |
| (perdwellins unit) | 61.00 | 62.53 | 64.09 | 65.69 | 67.33 |
| Hotetimotet |  |  |  |  |  |
| (per room) | 98.00 | 100.45 | 102.96 | 105.54 | 108.17 |
| Manufacturing |  |  |  |  |  |
| (per 1,000) gross sf. fi.) | 47.09 | 48.18 | 49.38 | 50.64 | 51.88 |
| Wareheusing |  |  |  |  |  |
| (per 1,000 gross 94. ${ }^{\text {\% }}$ ) | 47.00 | 48.18 | 49.38 | 50.64 | 51.88 |
| Gemmereialrretar |  |  |  |  |  |
| (per 1,000 gress st. fi) | 308.90 | 315.70 | 323.59 | 331.68 | 339.97 |
| $\theta$ Offre/institutional |  |  |  |  |  |
| (per 1,000 gross sq. ft.) | 77.09 | 78.93 | 80.90 | 82.92 | 84.99 |
| Pritatescheot |  |  |  |  |  |
| (per 1, (000) gress sq. fi.) | 23.09 | 23.58 | 24.16 | 24.77 | 25.39 |
| Publie sehool | Exempt thnder state law |  |  |  |  |

 (2.5) percent. The purpose of this-sthbsection is to ensure that the law enforeement impact fees rre adjusted anntually for inflation before the next periedie update. In the event the impret fee sehedule is not updated within five (5) years, the imple fees shatl contintte at the rates effective Mareh 10,2010 , until the impact fee schedule is updated.
(1) The foregoing notwithstanding, the atumatic two peinf five ( -.5 ) pereent inerease of the law enforcement impact fees shatl be-surpended for the period from Mareh 10, 2010 through March 31, 2012 , and the tat enforeement inpat fees shatl remain at the rate that beeame effective March 10, 2009, until streh time as law enforcement impaet fee sehedtle-is updated and approved by the BCC.
(d) Proxided, however, that law enforement impaet fees-statl be redtred by twenty fire (25) percent fer any building permits issued during the period from May 13, 2011, thetil the effeetive date of a rewised taw-enfercement inpact fee ordinanee imposing a new impact fee sehedule based on an updated impaet fee-study. The temperafy twenty five (25) pereent reduetion shall not apply to an allemative law enforcement impact fee approved purstant to section 23 30(e); shatt met apply to law enforeement impact fees deferred purstrant to the pilot progran for deferrat of impact fees for-workforce housing authorized in section 23.37, and shatt hot apply-to law enfercement impact fees etherwise-diseounted purstant to section $23-32$, of otherwise discounted by agreement.

## (ec) Time of payment.

(1) Except as permitted by subsection (dc)(2), law enforcement impact fees imposed on all new development shall be paid as a condition to the issuance of a building permit or for single family homes or duplexes the applicant may elect to pay the applicable impact fee no later than immediately prior to the issuance of the certificate of occupancy. In the case of a mobile home, the fee shall be paid at the issuance of a tie-down permit or at the election of the applicant no later than immediately prior to the issuance of the certificate of occupancy.
(2) For the following types of projects, the law enforcement impact fee may be paid prior to the authorization of pre-power or issuance of a certificate of occupancy (temporary or otherwise), but no pre-power or certificate of occupancy shall be authorized or issued until the impact fee has been paid as provided by
subsection (de)(3):
a. A certified multifamily affordable housing project, provided an agreement setting forth the terms and conditions of the discount and deferral of the impact fee has been executed; and
b. A new commercial project (a project without single-family homes or duplexes) with a building permit valuation of at least one million dollars ( $\$ 1,000,000.00$ ), provided an impact fee deferral form has been executed and the service charge required under subsection $(\mathrm{dc})(4)$ has been paid.
(3) For an eligible commercial project or eligible certified multifamily affordable housing project, the impact fee for the entire project shall be paid when pre-power is authorized for the first building or the first certificate of occupancy is issued.
(4) a. If the law enforcement impact fee is deferred at the time of issuance of the building permit as authorized by subsection (dc)(2) for an eligible commercial project, a service charge shall be assessed and a notice of nonpayment setting forth the legal description of the property and the amount of the impact fee liability shall be executed by the county. The county shall serve this notice upon the owner by certified mail and record it in the official records of the county. This notice shall thereupon operate as a lien against such property for the amount of the impact fee, and all interest, penalties, and the costs and fees for collection, coequal with the lien of all state, county, district and municipal taxes.
b. Upon payment of the impact fee, the county shall promptly serve a notice of payment upon the owner by certified mail and record the notice of payment in the official records of the county.
(5) In the event the law enforcement impact fee is not paid prior to the authorization of pre-power or issuance of the certificate of occupancy (temporary or otherwise) under subsection (dc)(2) above, the county shall make demand for payment of the fee. If the fee is not paid within fourteen (14) days after the county makes demand:
a. The county may collect the law enforcement impact fee, interest from the date payment was due at the rate fixed by state statute for judgments, a penalty of five (5) percent per month or any portion of a month (not to exceed twenty-five (25) percent), the costs of
such collection and a reasonable attorney's fee; and
b. For an eligible housing project, the builder and/or license holder who pulled the building permit may be prohibited from pulling any other building permits until the law enforcement impact fee has been paid.

Section 5. Amendments to Section 23-30 ("Presumptions, limitations, agreements and security for review requirements"). Subsection 23-30(d) is amended to read as follows:

Sec. 23-30. Presumptions, limitations, agreements and security for review requirements.
(d) Applicability. The right to exercise-use any of the options described in subsection (c) [relating to an impact agreement] shall be extended to any applicant who paid the law enforeement impact fee-sinfe November 28,1983 exercised prior to the issuance of the first building permit for the proposed development.

In all other respects, Section 23-30 shall remain unchanged.
Section 6. Amendments to Section 23-32 ("Exemptions and discounts"). Section 23-32 is amended to read as follows:

## Sec. 23-32. Exemptions and discounts.

(a) The following types of development are exempt from the payment of the impact fees imposed pursuant to this article:
(1) Any addition or expansion to a residential building which does not increase the number of dwelling units in the building.
(2) Any accessory building for a subordinate or incidental use to a dwelling unit on residential property, which building does not constitute a dwelling unit.
(3) The replacement of a building or structure with a new building or structure, provided the original building or structure was
located on the site in 1983 or thereafter. If the land use of the replacement building or structure is different from the original structure, the exemption shall be limited to the equivalent fee for the original structure. Documentation of the existence of the building or structure shall be submitted to the buitding efficiat Division of Fiscal and Operational Support. This section is not intended to preclude architectural enhancements or facade improvements to an existing structure as long as no additional net usable square footage is added.
a. The foregoing notwithstanding, for the period from November 13, 2009 through March 31, 2013, the change in use of an existing nonresidential building or structure which was located on the site in 1983 or thereafter, with a new use, regardless of the original use, shall be exempt from the payment of the impact fee imposed pursuant to this article; provided, however, that such site must be located within the urban service area boundary, such new use must be consistent with the existing zoning of such site and consistent with the county's current comprehensive plan, and provided further that such new use must not have more net usable square footage than the original structure.
(4) Expansions of or additions to existing structures, provided that such expansion or addition does not require the issuance of a certificate of occupancy.
(5) Structures owned by federal or state agencies and used for governmental purposes.
(6) County facilities constructed for nonproprietary governmental purposes.
(b) (1) Notwithstanding that it may have an impact on law enforcement services provided by the county sheriff, any affordable single-family residential unit, affordable multifamily unit, or affordable mobile home unit within a project which has received a certificate of affordability from the county's housing and community development and heusing assistanee-departmentdivision shall be eligible for a discount on the applicable law enforcement impact fee according to the procedures set forth in Orange County Administrative Regulations No. H. .02 .06 4.08, as it may be amended or replaced from time to time.
(2) The county shall not increase the amount of the law enforcement impact fee payable under section 23-29 to replace any revenue lost on account of the discounts granted under this subsection.
(3) The board of county commissioners may adopt administrative regulations and guidelines to implement subsection 23-32(b) and to ensure that a housing unit which is granted a discount remains affordable.

Section 7. Amendments to Section 23-33 ("Return of funds"). Section 23-33 is amended to read as follows:

## Sec. 23-33. Return of funds.

The fees collected pursuant to this article shall be returned to the then-present owner of the development if the fees have not been encumbered or spent by the end of the calendar quarter immediately following six (6) years from the date the fees were received, or if the development for which the fees were paid was never begun, in accordance with Orange County Administrative Regulation No. 4.04 .01 and the following procedure:
(a) The then-present owner must petition the board of county commissioners for the refund within one (1) year following the end of the calendar quarter immediately following five (5) years from the date on which the fee was received.
(b) The petition must be submitted to the county administrator and must contain:
(1) A notarized sworn statement that the petitioner is the current owner of the property;
(2) A copy of the dated receipt issued for payment of the fee;
(3) A certified copy of the latest recorded deed; and
(4) A copy of the most recent ad valorem tax bill.
(c) Within sixty (60) days from the date of receipt of petition for refund, the county administrator or his designee shall advise the petitioner and the board of county commissioners of the status of the fee requested for refund. For the purposes of determining whether fees have been spent or encumbered, the first money placed in a trust fund account
shall be deemed to be the first money taken out of that account when withdrawals have been made in accordance with section 23-30 above.
(d) When the money requested is still in the trust fund account and has not been spent or encumbered by the end of the calendar quarter immediately following five (5) years from the date of the fees were paid, the money shall be returned with interest at the rate earned by the county.

Section 8. Deletion of Section 23-37 ("Pilot program for deferral of impact fees for workforce housing"). Section 23-37, having expired on July 1, 2011, is hereby deleted.

Section 9. Effective date; notice of increase in impact fees.
(a) This ordinance shall become effective on April 22, 2013.
(b) Pursuant to Section 163.31801(3)(d), Florida Statutes, the Clerk of the Board of County Commissioners shall publish a legal notice in The Orlando Sentinel on or before January 20, 2013, stating that the Board has adopted this ordinance imposing increased impact fees, effective April 22, 2013.

ADOPTED THIS $15^{\text {th }}$ DAY OF JANUARY, 2013.

```
ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners
By:
Deputy Clerk
                                    ORANGE COUNTY, FLORIDA
                                    By: Board of County Commissioners
                                    By:
                                    Teresa Jacobs, County Mayor

\title{
LAW ENFORCEMENT IMPACT FEE STUDY
}

\section*{ORANGE COUNTY, FLORIDA}

\section*{APRIL 12, 2012}

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\section*{ExecutiveSummary}

\section*{OVERVIEW}

Orange County, Florida, has retained TischlerBise to update the County's law enforcement impact fee study. Impact fees are one-time payments used to construct system improvements needed to accommodate development. Law enforcement impact fees for Orange County are proportionate and reasonably related to the law enforcement capital facility service demands of new development. Impact fees are necessary to achieve an equitable allocation of capital costs, in comparison to past and future benefits.

After discussions with Sheriff's Department staff, TischlerBise determined demand indicators for each type of public facility and calculated residential and nonresidential proportionate share factors. These factors are used to allocate costs by type of development. The formulas used to calculate the law enforcement impact fees for Orange County is diagrammed in a flow chart and summary tables indicating the specific Level-Of-Service (LOS) or infrastructure standards used to derive the law enforcement impact fees.

\section*{IMPACT FEE METHODOLOGIES}

There are three basic methods used to calculate the impact fees. The incremental expansion method documents the current LOS for each type of public facility in both quantitative and qualitative measures. This method is best suited for public facilities that will be expanded incrementally in the future, with LOS standards based on current conditions in the community. The plan-based method is best suited for public facilities that have adopted plans or commonly accepted engineering standards to identify the need for capital projects. A cost recovery method may be used for facilities that have been oversized to accommodate future development, at least for the next six years. The rationale for the cost recovery approach is that new development is paying for its share of the useful life or remaining capacity of the existing facility.

Another general requirement that is common to impact fee methodologies is the evaluation of credits. Past and future revenue credits have been evaluated to avoid potential double payment situations arising from the payment of a one-time impact fee and then subsequent payments of other revenues that may also fund growth-related capital improvements. General Fund
* Fiscal Impart Anaysis - Impact Fees - Utily Rate Studies - Infrastructure Financing - User Fees - Cost Allocation Plans - Fiscal Softwate .
revenues, such as property taxes, used for retiring debt related to law enforcement facilities have been accounted for as credits for future principal payments.

\section*{SUMMARY OF CURRENT AND PROPOSED IMPACT FEES}

Figure 1 shows the fees from the 2005 Oranqe County Law Enforcement Impact Fee Study, existing fees, and proposed law fee by land use. The current fees include annual indexing at a \(2.5 \%\) rate as indicated in the Orange County Code, Part II, Chapter 24, Article II - Law Enforcement Impact Fee, Section 23-29. This includes temporary \(25 \%\) reduction for any building permit issued between May 13, 2011 and March 31, 2012. The changes in fees vary based on calls for service , law enforcement buildings and vehicle growth, and capital cost factors.

Figure 1. Current and Proposed Fees
\begin{tabular}{|c|c|c|c|c|c|c|}
\hline Land 1 yse & \# Unt\%\% & 200518 se & Curent & Proposed Fee & Change \({ }^{3}\) & \% change \\
\hline Single Family Detached & Dwelling & \$193 & \$156 & S221. & \$78 & 40\% \\
\hline Multifamily & Dwelling & \$61 & \$49 & 5319 & \$258 & 423\% \\
\hline Manufactured Homes & Dwelling & \$61 & \$49 & S233 & \$202 & 331\% \\
\hline Hotel/Motel & Room & \$98 & \$79 & 5135 & \$37 & 38\% \\
\hline Commercial/Retail & 1,000 Sq. Ft. & \$308 & \$249 & S724 & \$186 & 60\% \\
\hline Office/Institutional & 1,000 Sq. Ft. & \$77 & \$62 & S109 & \$32 & 42\% \\
\hline Manufacturing & 1,000 Sq. Ft. & \$47 & \$38 & 5113 & \$71 & 151\% \\
\hline Warehousing & 1,000 Sq. Ft. & \$47 & \$38 & 557 & \$10 & 21\% \\
\hline Schools (Private Only) & 1,000 Sq. Ft. & \$23 & \$19 & S32 & \$9 & 40\% \\
\hline
\end{tabular}
1. Fees calculated in the 2005 Orange County Law Enforcement Impact Fee Studv.
2. Current fees include annual indexing at a \(2.5 \%\) rate as indicated in the Orange County Code, Part II, Chapter 23, Article ll - Law Enforcement Impact Fee, Section 23-29. Included is a temporary \(25 \%\) reduction for any building permit issued between May 13,2011 and March 31, 2012.
3. This indicates change from the maximum supportable 2005 fee calculation.

\section*{SUMMARY OF FEE CHANGES}

The proposed fees in this report are higher than the fees as calculated in the 2005 Oranqe County Law Enforcement Impact Fee Study. Figure 2 shows the changes in building and vehicle inventory, capital costs, and calls. The net capital cost grew by \(113 \%\) while the total annual calls for service grew by \(49 \%\). As a result, the net capital cost per call grew by \(43 \%\).

Figure 2. Capital Costs and Calls Comparison
\begin{tabular}{|c|c|c|c|c|}
\hline  & 2005 Sudy & Proposed Study & S Change & \% change \\
\hline Building Cost & \$40,058,970 & \$71,988,542 & \$31,929,572 & 80\% \\
\hline Vehicle Cost & \$32,573,782 & \$70,046,069 & \$37,472,287 & 115\% \\
\hline Total Capital Cost & \$72,632,752 & \$142,034,611 & \$69,401,859 & 96\% \\
\hline Less Eligible Debt & -\$12,424,416 & -\$13,769,305 & \$1,344,889 & 11\% \\
\hline Net Capital Cost & \$60,208,336 & \$128,265,306 & \$68,056,970 & 113\% \\
\hline Annual Calls for Service & 345,584 & 513,693 & 168,109 & 49\% \\
\hline Net Capital Cost per Call & \$174 & \$250 & \$75 & 43\% \\
\hline
\end{tabular}

Figure 3 depicts the change in building inventory and costs. Building square footage increased \(44 \%\) since the 2005 study. The cost per square foot has increased by \(24.7 \%\) since 2005 based on the Engineering News Record Construction Cost Index. As a result of the increased square footage and cost per square feet, the total cost of buildings increases \(80 \%\).

Figure 3. Building Cost Comparison
\begin{tabular}{|c|c|c|c|c|}
\hline Hz & 2005 & Proposed Study & Increase & \% Chanse \\
\hline Building Sq. Feet & 235,641 & 339,569 & 103,928 & 44\% \\
\hline Cost per Sq. Foot & \$170 & \$212 & \$42 & 25\% \\
\hline Total Cost & \$40,058,970 & \$71,988,542 & \$31,929,572 & 80\% \\
\hline
\end{tabular}

Figure 4 depicts a comparison of total number of vehicles and vehicle cost. Total number of vehicles grew by \(75 \%\) since the 2005 study. The estimated replacement cost for most categories is higher in this study than the replacement costs used in the 2005 Orange County Law Enforcement Impact Fee Study. As a result of additional vehicles and higher replacement costs, the total vehicle cost grew by \(115 \%\).

Figure 4. Vehicle Cost Comparison
\begin{tabular}{|lcccr|}
\hline Total Vehicles & 1,234 & 1,975 & 741 & \(60 \%\) \\
Total Vehicle Cost & \(\$ 32,573,782\) & \(\$ 70,046,069\) & \(\$ 37,472,287\) & \(115 \%\) \\
\hline
\end{tabular}

Figure 5 shows the change in calls used for the time period of 2005 to 2010. Annual calls for service grew by \(49 \%\).

\section*{Figure 5. Change in Calls}
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline band bse tive & thitsot Develoghichi & zunccils forsenvice & 2010calletiot Serite & wothcharse incalis & 4005:
units & Curent Units & That Unit 6. \(2 \times 414\) & \[
\begin{aligned}
& \text { 2os cols } \\
& \text { ser Unit }
\end{aligned}
\] & \begin{tabular}{l}
Current \\
chls per UnAt
\end{tabular} \\
\hline Single Family Detached & Dwelling & 187,625 & 190,678 & 3,053 & 168,800 & 175,966 & 7,166 & 1.11 & 1.08 \\
\hline Multi-Family/Mobile-Home & Dwelling & 32,853 & 127,522 & 94,669 & 94,711 & 103,082 & 8,371 & 0.35 & 1.24 \\
\hline Hotel/Motel & Rooms & 25,286 & 37,807 & 12,521 & 44,871 & 69,747 & 24,876 & 0.56 & 0.54 \\
\hline Commercial/Retail & 1,000 sq. ft. & 66,895 & 105,515 & 38,620 & 37,795 & 53,317 & 15,522 & 1.77 & 1.98 \\
\hline Office/Institutional & 1,000 sq. ft. & 19,758 & 35,261 & 15,503 & 44,888 & 80,455 & 35,567 & 0.44 & 0.44 \\
\hline Manufacturing & 1,000 sq. ft. & 2,829 & 5,178 & 2,349 & 10,402 & 10,953 & 551 & 0.27 & 0.47 \\
\hline Warehousing & 1,000 sq. ft. & 9,812 & 10,329 & 517 & 36,123 & 45,306 & 9,183 & 0.27 & 0.23 \\
\hline Schools (Private Only) & 1,000 sq. ft. & 526 & 1,403 & 877 & 4,021 & 10,868 & 6,847 & 0.13 & 0.13 \\
\hline TOTAL & & 345,584 & 513,693 & 168,109 & 441,611 & 549,695 & 108,084 & & \\
\hline
\end{tabular}
1. The 2005 Orange County Law Enforcement Impoct Fee report consolidates Manufactured Homes and Multifamily, while this report separates the two categories. This chast shows remains consistent with the 2005 methodology in order to show call and development growth.

\section*{General Impact Fee Requifements}

Impact fees are one-time payments used to fund capital improvements necessitated by new growth. Impact fees have been utilized by local governments in various forms for at least fifty years. Impact fees do have limitations, and should not be regarded as the total solution for infrastructure financing needs. Rather, they should be considered one component of a comprehensive portfolio to ensure adequate provision of public facilities with the goal of maintaining current levels of service in a community. Any community considering impact fees should note the following limitations:
- Impact fees can only be used to finance capital infrastructure and cannot be used to finance ongoing operations and/or maintenance and rehabilitation costs;
- Impact fees cannot be deposited in the local government's General Fund. The funds must be accounted for separately in individual accounts and earmarked for the capital expenses for which they were collected; and
- Impact fees cannot be used to correct existing infrastructure deficiencies unless there is a funding plan in place to correct the deficiency for all current residents and businesses in the community.

\section*{LEGAL FRAMEWORK}

Like all land use regulations, development exactions-including impact fees-are subject to the Fifth Amendment prohibition on taking of private property for public use without just compensation. Both state and federal courts have recognized the imposition of impact fees on development as a legitimate form of land use regulation, provided the fees meet standards intended to protect against regulatory takings. To comply with the Fifth Amendment, development regulations must be shown to substantially advance a legitimate governmental interest. In the case of impact fees, that interest is in the protection of public health, safety, and welfare by ensuring that development is not detrimental to the quality of essential public services.

There is little federal case law specifically dealing with impact fees, although other rulings on other types of exactions (e.g., land dedication requirements) are relevant. In one of the most important exaction cases, the U.S. Supreme Court found that a government agency imposing exactions on development must demonstrate an "essential nexus" between the exaction and the interest being protected (see Nollan v. California Coastal Commission, 1987). In a more recent case (Dolan v. City of Tigard, OR, 1994), the Court ruled that an exaction also must be "roughly proportional" to the burden created by development. However, the Dolan decision appeared to set a higher standard of review for mandatory dedications of land than for monetary exactions such as development impact fees.

\section*{REQUIRED FINDINGS}

There are three reasonable relationship requirements for impact fees that are closely related to "rational nexus" or "reasonable relationship" requirements enunciated by a number of state courts. Although the term "dual rational nexus" is often used to characterize the standard by which courts evaluate the validity of impact fees under the U.S. Constitution, we prefer a more rigorous formulation that recognizes three elements: "impact or need," "benefit," and "proportionality." The dual rational nexus test explicitly addresses only the first two, although proportionality is reasonably implied, and was specifically mentioned by the U.S. Supreme Court in the Dolan case. The reasonable relationship language of the statute is considered less strict than the rational nexus standard used by many courts. Individual elements of the nexus standard are discussed further in the following paragraphs.

Demonstrating an Impact. All new development in a community creates additional demands on some, or all, public facilities provided by local government. If the supply of facilities is not increased to satisfy that additional demand, the quality or availability of public services for the entire community will deteriorate. Impact fees may be used to recover the cost of developmentrelated facilities, but only to the extent that the need for facilities is a consequence of development that is subject to the fees. The Nollan decision reinforced the principle that development exactions may be used only to mitigate conditions created by the developments upon which they are imposed. That principle clearly applies to impact fees. In this study, the impact of development on improvement needs is analyzed in terms of quantifiable relationships between various types of development and the demand for specific facilities, based on applicable level-of-service standards.

Demonstrating a Benefit. A sufficient benefit relationship requires that fee revenues be segregated from other funds and expended only on the facilities for which the fees were charged. Fees must be expended in a timely manner and the facilities funded by the fees must serve the development paying the fees. Procedures for the earmarking and expenditure of fee revenues are typically mandated by the State enabling act, as are procedures to ensure that the fees are expended expeditiously or refunded. All of these requirements are intended to ensure that developments benefit from the fees they are required to pay. Thus, an adequate showing of benefit must address procedural as well as substantive issues.

Demonstrating Proportionality. The requirement that exactions be proportional to the impacts of development was clearly stated by the U.S. Supreme Court in the Dolan case (although the relevance of that decision to impact fees has been debated) and is logically necessary to establish a proper nexus. Proportionality is established through the procedures used to identify development-related facility costs, and in the methods used to calculate impact fees for various types of facilities and categories of development. The demand for facilities is measured in terms of relevant and measurable attributes of development. For example, the need for school improvements is measured by the number of public school-age children generated by development.

\section*{Service Area and Demographic Analysis}

\section*{SERVICE AREA}

The law enforcement impact fee is applicable to law enforcement and patrol functions that provide services to unincorporated Orange County. Additionally, the law enforcement impact fee collects an unincorporated proportionate share of the cost of support and administrative facilities of the Sheriff's Office which serve the County as a whole (incorporated and unincorporated).

Law enforcement facilities and patrol functions in Orange County are housed in both centralized and regional buildings. Regardless of location, law enforcement facilities and assets provide services as needed throughout the unincorporated County. Therefore, new development can reasonably expect to benefit from additional facilities and assets regardless of location within Orange County. In addition to serving the unincorporated area, the Orange County Sheriff's office is contracted to provide service to the Disney municipalities of Bay Lake and Lake Buena Vista. These incorporated areas are included in the fee calculation and referred to as part of the unincorporated County throughout this report.

Figure 6 below depicts the law enforcement organizational chart for Orange County, Florida.

Figure 6. Law Enforcement Organizational Chart


\section*{METHODOLOGY}

Figure 7 shows the methodology used to calculate the Law Enforcement Impact Fee. This methodology remains consistent with process used in the 2005 Law Enforcement Impact Fee Ordinance Update. The Law Enforcement Impact Fee is determined by multiplying the net capital cost per call for service by the calls per unit for each land use type.

The net capital cost for calls is derived by dividing the total capital cost by total number of calls. Capital costs include law enforcement facilities, and replacement costs for vehicles and vehicle equipment.

Calls per unit is derived by dividing total the total number of calls by land use type by the existing number of units by type. The net cost per call is then multiplied by the calls per unit to derive a cost per development unit.

To avoid potential double payment for law enforcement improvements, a credit is necessary because new development that will pay the impact fee will also contribute to future principal payments on this remaining debt. Any outstanding debt is subtracted from the total capital cost.

Figure 7. Law Enforcement Impact Fee Methodology


\section*{GROWTH CONTEXT}

Law enforcement impact fees are used to construct system improvements needed to accommodate new development and is appropriate for Orange County's history of rapid growth. As previously mentioned, impact fees are one-time payments used to fund capital improvements necessitated by new growth. Figure 8 depicts population growth in the County from 2000 through 2010. The figure shows the growth in the 13 municipalities, which account for 44 percent of the county's total growth, and growth in the unincorporated area, which account for 56 percent of total growth.

Figure 8. Population Growth, 2000-2010
\begin{tabular}{|c|c|c|c|c|c|}
\hline duisdiction & \[
2000^{1}
\] & \[
2010^{2}
\] & Change & Annual Growh Rate & \% of County Growh \\
\hline Apopka & 26,642 & 41,542 & 14,900 & 5.6\% & 6.0\% \\
\hline Bay Lake & 29 & 47 & 18 & 6.2\% & 0.0\% \\
\hline Belle Isle & 5,531 & 5,988 & 457 & 0.8\% & 0.2\% \\
\hline Eatonville & 2,432 & 2,159 & -273 & -1.1\% & -0.1\% \\
\hline Edgewood & 1,901 & 2,503 & 602 & 3.2\% & 0.2\% \\
\hline Lake Buena Vista & 16 & 10 & -6 & -3.8\% & 0.0\% \\
\hline Maitland & 12,019 & 15,751 & 3,732 & 3.1\% & 1.5\% \\
\hline Oakland & 936 & 2,538 & 1,602 & 17.1\% & 0.6\% \\
\hline Ocoee & 24,391 & 35,579 & 11,188 & 4.6\% & 4.5\% \\
\hline Orlando & 185,951 & 238,300 & 52,349 & 2.8\% & 21.0\% \\
\hline Windermere & 1,897 & 2,462 & 565 & 3.0\% & 0.2\% \\
\hline Winter Garden & 14,351 & 34,568 & 20,217 & 14.1\% & 8.1\% \\
\hline Winter Park & 24,090 & 27,852 & 3,762 & 1.6\% & 1.5\% \\
\hline Municipalities & 300,186 & 409,299 & 109,113 & 3.6\% & 43.7\% \\
\hline Unicorporated Area & 596,158 & 736,657 & 140,499 & 2.4\% & 56.3\% \\
\hline Total & 896,344 & 1,145,956 & 249,612 & 2.8\% & 100\% \\
\hline
\end{tabular}
1. U.S. Cenus Bureau, 2000 Census.
2. U.S. Census Bureau, 2010 Census.

\section*{CURRENT HOUSING UNIT ESTIMATES}

To determine a January 1, 2011 housing unit estimate, TischlerBise used housing unit data provided by the County for the time period of April 1, 2000 through December 30, 2010, and 2000 U.S. Census data. Figure 9 depicts the January 1, 2011 housing unit estimate at 279,048 and housing unit growth from 2000.

Figure 9. Housing Unit Estimates
\begin{tabular}{|c|c|c|c|}
\hline Dwelling inits & \[
2000 \text { census }{ }^{14}
\] & \begin{tabular}{l}
Apri1 1, 2000. \\
December 30 ,
\[
20111
\]
\end{tabular} & Estmated ranuany 1,2011 Units \\
\hline Single Family Detached & 144,824 & 31,142 & 175,966 \\
\hline Multi-Family \({ }^{3}\) & 63,702 & 20,669 & 84,371 \\
\hline Manufactured Homes & 18,178 & 533 & 18,711 \\
\hline Total & 226,704 & 52,344 & 279,048 \\
\hline
\end{tabular}
1. U.S. Census Bureau, 2000 Census
2. Building permit data for the time period April 1, 2000-December 30, 2011 provided by the Orange County, Florida.
3. Includes single family attached units.

\section*{CURRENT NONRESIDENTIAL UNITS}

To determine a January 1, 2011 nonresidential unit estimate, TischlerBise used nonresidential unit data from the 2005 Law Enforcement Impact Fee Update for Orange County and building data provided by Orange County. Figure 10 shows nonresidential growth by type, total percent change, and the average annual growth percentage.

Figure 10. Nonresidential Growth, 2004- January 1, 2011
\begin{tabular}{|c|c|c|c|c|c|c|}
\hline Land Use & Uniliof Development & \[
2004 \text { Units }
\] & Jantary 1,2011 Estimate \({ }^{2}\) & Tota Growth & \% Change & Annual Growth \% \\
\hline Hotel/Motel & Room & 44,871 & 69,747 & 24,876 & 55\% & 9.2\% \\
\hline Commercial/Retail & \(1,000 \mathrm{sq} . \mathrm{ft}\). & 37,795 & 53,317 & 15,522 & 41\% & 6.8\% \\
\hline Office/Institutional & 1,000 sq. ft. & 44,888 & 80,455 & 35,567 & 79\% & 13.2\% \\
\hline Manufacturing & 1,000 sq. ft. & 10,402 & 10,953 & 551 & 5\% & 0.9\% \\
\hline Warehousing & \(1,000 \mathrm{sq} . \mathrm{ft}\). & 36,123 & 45,306 & 9,183 & 25\% & 4.2\% \\
\hline Schools (Private Only) & 1,000 sq. ft. & 4,021 & 10,868 & 6,847 & 170\% & 28.4\% \\
\hline
\end{tabular}
1. 2005 Orange County Law Enforcement Impact Fee Update.
2. New Nonresdiential Unitsfor Unincorporated Orange County and Incorporated Cities of Lake Buena Vista and Bay Lake. Building Permit Data Provided by Orange County, Florida.

\section*{CALLS FOR SERVICE BY LAND USE}

TischlerBise evaluated calls for service data provided by the Sheriff's Office and includes actual calls for service from residential and nonresidential land uses. Calls related to court appearances are captured as a call for service to a government building; although the service is
not directly related to that land use. Therefore, these calls were not included in the total calls for service or the fee calculations, as shown in Figure 11.

Figure 11. Calls Not Related to Patrol Functions
\begin{tabular}{|c|c|c|c|}
\hline DEVEPRMENT &  & Dercone & Catecanius \\
\hline Office Institutional & Federal & 8800 & 324 \\
\hline Office Institutional & Municipal (Other than Parks, Rec Areas, Colleges, Hospitals & 8900 & 11,492 \\
\hline Office Institutional & CountylOther than Public schools, colleges, hospitals) Ind non-municip & 8600 & 17,120 \\
\hline Office Institutional & State (other than Military, Forests, Pks, Rec Areas, Hosp, Colleges) & 8700 & 1,404 \\
\hline 10talk &  & , \% & Wuk \\
\hline
\end{tabular}

Calls for service by land use type are used to determine the Law Enforcement Impact Fee by land use type. TischlerBise obtained 2010 law enforcement calls for service by land use type from the County. Figure 12 shows land use, number of units by type, calls for service, and calls per unit.

Figure 12. Calls by Land Use Type
\begin{tabular}{|c|c|c|c|c|}
\hline land Use & Unitiot Development & calls for Semice? & ExistingUnits & Calls/unt \\
\hline Single Family Detached & Dwelling & 190,678 & 175,966 & 1.08 \\
\hline Muitifamily & Dwelling & 107,805 & 84,371 & 1.28 \\
\hline Manufactured Home & Dwelling & 19,717 & 18,711 & 1.05 \\
\hline Hotel/Motel & Room & 37,807 & 69,747 & 0.54 \\
\hline Commercial/Retail & 1,000 Sq. Ft. & 105,515 & 53,317 & 1.98 \\
\hline Office/Institutional & \(1,000 \mathrm{Sq}\). Ft. & 35,261 & 80,455 & 0.44 \\
\hline Manufacturing & 1,000 Sq. Ft. & 5,178 & 10,953 & 0.47 \\
\hline Warehousing & 1,000 Sq. Ft. & 10,329 & 45,306 & 0.23 \\
\hline Schools (Private Only) & 1,000 Sq. Ft. & 1,403 & 10,868 & 0.13 \\
\hline Total Calls & & 513,693 & & \\
\hline
\end{tabular}
1. Categories of land use by type are consistent with 2005 Law Enforcement Impact Fee Update except for separating Multifamily and Manufactured Homes into two categories, as discussed with Orange County.
2. 2010 Calls for service provided by the Orange County Sheriff's Office and coded by land use by type.

\section*{Impact Fee Calculation}

The Law Enforcement Impact Fee in Orange County is assessed only on new development in unincorporated areas. New development is required to pay for capital costs associated with law enforcement services provided to unincorporated areas. These services include criminal law enforcement and patrol functions. Additional services, such as court security and judicial processes, provide services to residents and employees in incorporated municipalities in addition to unincorporated areas in Orange County. A proportionate share of additional services is calculated to include capital costs associated solely with law enforcement and patrol services in unincorporated Orange County.

The Law Enforcement Impact Fee study includes capital costs of land and buildings owned by the County that are used to house patrol functions and the share of Sheriff's Office support functions. In addition, the study includes capital costs associated with patrol vehicles and equipment used by the Sheriff's Office.

\section*{LAW ENFORCEMENT BUILDINGS}

As shown in Figure 13, of the 381,386 of County owned Sheriff space, 339,569 square feet is attributed to patrol. Only space allocated patrol functions and patrol's share of administrative space in unincorporated Orange County is included in the fee calculation.

To determine the Sheriff's share of administrative space, TischlerBise determined the patrol share of non-administrative space and applied a consistent ratio to administrative space. The total space allocated to patrol of non-administrative space is \(89 \%\) ( 171,224 sq. ft. patrol functions / 192,310 sq. ft. of non-administrative space \(=89 \%\) factor in allocating patrol's share of administrative space). This is applied to administrative functions resulting in \(168,345 \mathrm{sq}\). ft . of administrative space allocated to patrol ( 189,076 sq. ft. administrative space X \(89 \%=168,345\) sq. ft. administrative space allocated to patrol functions).

Total square feet attributed to Patrol functions is 339,569 (171,224 non-administrative space allocated to patrol \(+168,345 \mathrm{sq}\). ft. administrative space allocated to patrol \(=339,569 \mathrm{sq} . \mathrm{ft}\).).

Figure 13. Total Sheriff Building Square Footage
\begin{tabular}{|c|c|}
\hline \multicolumn{2}{|l|}{} \\
\hline Total County Owned Sheriff's Space & 381,386 \\
\hline County-Wide Functions \({ }^{1}\) & 21,086 \\
\hline Patrol Functions & 171,224 \\
\hline Subtotal & 192,310 \\
\hline Administrative Functions Admin Attributed to Patrol \((89 \%)^{2}\) & \[
\begin{aligned}
& 189,076 \\
& 168,345
\end{aligned}
\] \\
\hline Total Sg, Bt Attributed to Patrol & 339,569 \\
\hline \begin{tabular}{l}
1. County-wide functions are not included in the total attributed to patrol but are considered non-adminis \\
\(2.89 \%\) factor is derived by dividing total patrol func administrative space which includes \(21,086 \mathrm{sq}\). ft . of functions ( 171,224 patrol functions \(/ 192,310\) sq. ft. administrative space \(=89 \%\) ). This factor is applied t functions to estimate patrol 's share of administrati unincorporated Orange County.
\end{tabular} & \begin{tabular}{l}
footage unctions. non--wide \\
istrative in
\end{tabular} \\
\hline
\end{tabular}

Figure 14 depicts total square footage attributed to patrol, assumed cost per square foot, and total Sheriff building cost. TischlerBise estimated the cost per square feet at \(\$ 212\) using the Engineering News Record Construction Cost Index and the 2005 Law Enforcement Impact Fee Update for Orange County estimate of \(\$ 170\) per square foot. This estimate is based on a change in index value between 2005 and October, 2011 at a \(24.7 \%\) increase. The total building cost estimated to patrol is \(\$ 71,988,542\).

Figure 14. Building Cost


\section*{VEHICLES AND EQUIPMENT}

In addition to capital costs for buildings, the Law Enforcement Impact Fee includes capital costs for patrol vehicles and associated equipment. Orange County provided an estimated replacement cost for sector patrol vehicles and equipment, as shown in Figure 16.

Replacement costs for sector patrol sedans and trucks were provided as an estimated replacement cost for the vehicle and associated emergency equipment, as shown in Figure 15. The replacement cost for POOL vehicles is assumed to be consistent with Patrol Sedans, according to the Orange County Sheriff's Office. The replacement cost for all aviation units was provided by Orange County. The average cost per unit for the remaining vehicles is determined by the purchase price for each vehicle, which was provided by the Orange County Sheriff's Office of Research and Development.

Figure 15. Vehicle Inventory and Costs
\begin{tabular}{|c|c|c|c|}
\hline Function/Equipmentivee ereme & Number & Aver cost/ Unit & Toxal cost \\
\hline Patrol-Sedan & 845 & \$28,553 & \$24,127,285 \\
\hline Patrol-Truck/Van & 501 & \$30,375 & \$15,217,875 \\
\hline POOLVehicles & 395 & \$28,553 & \$11,278,435 \\
\hline Motorcycles & 62 & \$16,000 & \$992,000 \\
\hline Marine Units & 29 & \$12,246 & \$355,121 \\
\hline Other Vehicles & 38 & \$7,738 & \$294,035 \\
\hline Trailers & 58 & \$7,847. & \$455,110 \\
\hline Specialty Vehicles & 24 & \$74,634 & \$1,791,208 \\
\hline Helicopters & 5 & \$2,400,000 & \$12,000,000 \\
\hline Airplanes & 1 & \$600,000 & \$600,000 \\
\hline Infrared FLIR Units & 5 & \$360,000 & \$1,800,000 \\
\hline WesCam Turrent Systems & 1 & \$600,000 & \$600,000 \\
\hline WesCam Skypod Microwave Downlink U & 5 & \$47,000 & \$235,000 \\
\hline Aerocomputer Mapping Systems & 6 & \$50,000 & \$300,000 \\
\hline Foral \% = & 1,975 & 54,262,945 & 570,046,069 \\
\hline
\end{tabular}

Source: Orange County Sheriff's Office, Research and Development

Figure 16 depicts estimate sector vehicle replacement cost, as well as associated emergency response equipment.

Figure 16. Sector Vehicle Replacement Cost
\begin{tabular}{|c|c|c|}
\hline  & Impela & Explorer \\
\hline Patrol Vehicle & \$19,773 & \$22,070 \\
\hline Lighting Package & \$2,281 & \$2,054 \\
\hline Corner Strobes & \$75 & \$15 \\
\hline Wig-wag Lights & \$31 & N/A \\
\hline Console & \$159 & \$180 \\
\hline Computer Mount & \$188 & \$148 \\
\hline Shotgun Rack & \$179 & \$179 \\
\hline Vertical M16 Rack & \$194 & N/A \\
\hline Cage (Explorer Front and Rear) & \$496 & \$501 \\
\hline Rear Window Bars & \$131 & \$134 \\
\hline Mobile Data Computer & \$1,338 & \$1,338 \\
\hline Invertor & \$39 & \$39 \\
\hline Radio: Mobile & \$3,005 & \$3,005 \\
\hline Antenna & \$19 & \$19 \\
\hline Vehicle Graphics & \$175 & \$175 \\
\hline E-Pass & \$25 & \$25 \\
\hline Stop Sticks & \$339 & \$339 \\
\hline Fire Extinguisher & \$23 & \$20 \\
\hline Mis. Installation Equipment & \$32 & \$85 \\
\hline Window Tint & \$50 & \$50 \\
\hline UnitSubtotal & S28,553 & S30,375 \\
\hline
\end{tabular}

\section*{REVENUE CREDIT}

To avoid potential double payment for Law enforcement improvements, a credit is necessary because new development that will pay the impact fee will also contribute to future principal payments on this remaining debt. Any outstanding debt is subtracted from the total capital cost.

Only square footage of the Sheriff's complex that is attributed to patrol functions is eligible for the revenue credit.

Orange County provided a breakdown of function by square foot of the Sheriff's Complex. Figure 17 shows the distribution of space attributed to patrol functions which includes \(93 \%\) of the total square footage. This was derived by adding the total square footage of patrol functions to the administrative share attributed to patrol functions and dividing by the total square footage (i.e.

79,562 sq. ft . of patrol \(+140,883\) administrative sq. ft. attributed to patrol \(=220,445 / 237,858\)
Sherriff's Complex sq. ft. \(=93 \%\) attributed to patrol).
Figure 17. Sheriffs Complex Attributed to Patrol
\begin{tabular}{|c|c|}
\hline Distifution by Use & Square rootrge \\
\hline Total Sheriff's Complex & 237,858 \\
\hline Law Enforcement / Patrol Functions & 79,562 \\
\hline Administrative Sq. Ft. & 158,296 \\
\hline Administrative Sq. Ft. Attributed to Patrol \({ }^{1}\) & 140,883 \\
\hline Total Sheriff's Complex Attributed to Patrol & 220,445 \\
\hline \% Attibuted to Patrol & \% 938 \\
\hline
\end{tabular}
1. \(89 \%\) factor is applied to determine patrol's share of administrative sq.
ft . as seen in Figure 13.

The Sheriff's Office outstanding debt is related to the 2002 Sales Tax Revenue Bonds, Series 2002B, which was issued for \(\$ 113,105,000\). The outstanding debt eligible for credit is \(\$ 13,965,501\) which includes debt paid and percentage of Sheriff's space attributed to patrol functions ( \(\$ 15,900,000\) Sheriff's Central Complex Share of bond - \(\$ 1,043,084\) already paid \(=\) \(\$ 14,856,916\) outstanding debt \(\times 93 \%\) Sheriff's space attributed to patrol \(=\$ 13,769,305\) outstanding debt eligible for credit).

Figure 18. Revenue Credit
\begin{tabular}{|lr|}
\hline Total Series 2002B Bond & \\
\hline Sheriff's Central Complex Share & \(\$ 113,105,000\) \\
\hline Less Debt Paid & \(\$ 15,900,000\) \\
\hline Outstanding Debt & \(-\$ 1,043,084\) \\
\hline \% Sheriff's Complex Attributed to Patrol & \(\$ 14,856,916\) \\
\hline Cutstanding Debxiligble for Crecdit & \(93 \%\) \\
\hline
\end{tabular}

\section*{NET CAPITAL COSTS PER CALL}

Figure 19 shows the net capital costs attributable to law enforcement and patrol functions. Included, is the total building cost, total vehicle and equipment costs, and consideration for outstanding debt. The net capital cost per calls for service is derived by dividing the net capital cost \((\$ 128,265,306)\) by the total annual call for service \((513,693)\) to derive a net capital cost of \(\$ 250\) per call for service.

Figure 19. Net Capital Costs
\begin{tabular}{|c|c|}
\hline & \\
\hline Building Cost & \$71,988,542 \\
\hline Vehicle and Equipment Cost & \$70,046,069 \\
\hline Total Capital Cost & \$142,034,611 \\
\hline Less Eligible Outstanding Debt & \$13,769,305 \\
\hline Net Capital Cost & \$128,265,306 \\
\hline Annual Calls-for Service & 513,693 \\
\hline Net Capital cost per callfor-Serice & S250 \\
\hline
\end{tabular}

\section*{PROPOSED FEE}

The Orange County Law Enforcement Impact Fee is derived by multiplying the net cost per call by the actual calls per unit. For example, the net cost per single family detached unit is \(\$ 271\) per new unit. As Figure 20 shows, the net cost per call is multiplied by actual calls per unit to derive a net cost per unit ( \(\$ 250\) per call \(X 1.08\) calls per single family unit \(=\$ 271\) net cost per single family detached unit). This process was completed for each land use type.

Figure 20. Net Cost per Unit of Development
\begin{tabular}{|c|c|c|c|c|}
\hline landuse & Unitof Development & Actual Calls Jinit & Net Costral & Net Costilnit \\
\hline Single Family Detached & Dwelling & 1.08 & \$250 & \$271 \\
\hline Multifamily & Dwelling & 1.28 & \$250 & \$319 \\
\hline Manufactured Home & Dwelling & 1.05 & \$250 & \$263 \\
\hline Hotel/Motel & Room & 0.54 & \$250 & \$135 \\
\hline Commercial/Retail & \(1,000 \mathrm{sq} . \mathrm{ft}\). & 1.98 & \$250 & \$494 \\
\hline Office/Institutional & 1,000 sq. ft. & 0.44 & \$250 & \$109 \\
\hline Manufacturing & 1,000 sq. ft. & 0.47 & \$250 & \$118 \\
\hline Warehousing & 1,000 sq. ft. & 0.23 & \$250 & \$57 \\
\hline Schools (Private Only) & 1,000 sq. ft. & 0.13 & \$250 & \$32 \\
\hline
\end{tabular} Interoffice Memorandum

FLOKIDA
December 21, 2012
TO: \(\quad\) Teresa Jacobs, Orange County Mayor -AND-
Board of County Commissioners
FROM: Marvin B. Barrett, Chairman ODH for MBB
Planning and Zoning Commission / Local Planning Agency (PZC/LPA)

\section*{SUBJECT: Law Enforcement Impact Fee Ordinance}

An amendment to the Orange County Fire Rescue Impact Fee Ordinance codified as Chapter 23, Article II, Orange County Code

The PZC/LPA held a public hearing on December 20, 2012 to consider a proposed ordinance amending part of Chapter 23, Article II, Orange County Code, regarding law enforcement impact fees.

The ordinance was presented to the PZC/LPA by Glenn Finnell, Director, Research and Development, Orange County Sheriff's Office. No one from the general public appeared at the hearing to speak in favor of or in opposition to the ordinance.

After a brief presentation, a motion was made by Commissioner Virginia Whittington and seconded by Commissioner Joe Roberts, finding the proposed ordinance to be consistent with the County's Comprehensive Plan and recommending approval of the proposed amendments to Chapter 23. The PZC/LPA unanimously (8-0) approved the motion, with Commissioner Jose Ayala absent.

\author{
c: Local Planning Agency \\ Joel D. Prinsell, Deputy County Attorney \\ Christopher R. Testerman, Assistant County Administrator \\ Jon V. Weiss, P.E., Director - Community, Environmental and Development Services \\ Alberto Vargas, Manager, Planning Division \\ Read File
}


January 3, 2013
TO: Mayor Teresa Jacobs -AND-
Board of County Commissigners
Jon V. Weiss, P.E., Director \(W\).
Community, Environmental and Development
Services Department

\section*{CONTACT PERSON: Alberto Vargas, MArch, Manager Planning Division \\ (407) 836-5354}

SUBJECT: January 15, 2013 - Public Hearing
(First of two required public hearings, second hearing scheduled for January 29, 2013)
Horizon West Town Center Planned Development Code Amendment to Chapter 38 of the Orange County Code of Ordinances - District 1

The Horizon West Town Center Planned Development Code is required pursuant to OBJ FLU4.8 and related policies of the Comprehensive Plan. It will be applicable within an area of approximately 3,760 gross acres of land located in west Orange County. Two public hearings are required for adoption of an ordinance governing the use of land, including one scheduled at 5:01 P.M.

Please find attached the draft Ordinance proposing to amend Chapter 38 of the Orange County Code of Ordinances to create a new Division 8.5 titled the Horizon West Town Center Planned Development Code. This draft was unanimously recommended by the Planning \& Zoning Commission/Local Planning Agency (PZC/LPA) following a public hearing held on November 15, 2012. The PZC/LPA determined that the draft Ordinance was consistent with the Comprehensive Plan and has recommended it to the BCC for adoption.

During the course of 2012, County staff collaborated extensively with Town Center property owners and representatives to prepare an ordinance that implements the policies of the Comprehensive Plan and the provisions of the adopted Specific Area Plan (SAP) and builds upon the framework of regulations already in place to guide
development within Horizon West. Members of the County Attorney's Office, Public Works and Community, Environmental and Development Services Departments have worked collaboratively in preparing the draft Ordinance.

ACTION REQUESTED: January 15, 2013
Review draft Ordinance, consider public input from public hearing and recommend amendments for consideration during the January 29, 2013, public hearing.

January 29, 2013
Approval of an Ordinance affecting the use of land in an unincorporated area of Orange County, Florida, to determine that the proposed Ordinance is consistent with the Comprehensive Plan (CP), will not have a substantial economic impact on the development of real property within Orange County, and adoption of Ordinance created under Sections 38-1380 through 381390 of Article VIII ("P-D Planned Development District"), Division 8.5 ("Town Center Planned Development Code") of Chapter 38 ("Zoning") of the Orange County Code.

\section*{District 1}

Attachments

ORDINANCE NO. 2012-

AN ORDINANCE AFFECTING THE USE OF LAND IN ORANGE COUNTY, FLORIDA, CREATING THE HORIZON WEST TOWN CENTER PLANNED DEVELOPMENT CODE; ESTABLISHING PERMITTED AND PROHIBITED USES AND USES PERMITTED BY LOCATION; ESTABLISHING CERTAIN DEVELOPMENT GUIDELINES AND STANDARDS; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Creation of Division 8.5 of Article VIII of Chapter 38. A new Division
8.5, to be titled "Horizon West Town Center Planned Development Code" is hereby created under Chapter 38, Article VIII of the Orange County Code, to read as follows:

\title{
HORIZON WEST TOWN CENTER \\ PLANNED DEVELOPMENT CODE DIVISION 8.5
}

\section*{Part 1}

Purpose and Intent, Applicability, Districts and Administration

Sec. 38-1390.1 Short title.
This Division, titled "Horizon West Town Center Planned Development Code" may also be known and cited as the "Town Center PD Code" or the "Town Center Code."

\section*{Sec. 38-1390.2 Purpose and intent.}

The purpose of the Town Center Planned Development Code is to implement the Horizon West Town Center Specific Area Plan (TCSAP), as more fully set forth in the Orange County Comprehensive Plan, and more specifically in Future Land Use Element Goal FLU4 and its associated objectives and policies. The
goals, objectives and policies of the Horizon West Town Center SAP and Comprehensive Plan are based upon the development principles listed below. These principles are included to illustrate the intent supporting the Town Center PD Code and shall be utilized, where necessary, to determine how the Town Center PD Code will be applied in cases of uncertainty.
(a) The purpose and intent of the Town Center PD Code is as follows:
(1) To implement the Goals, Objectives and Policies of the Horizon West Town Center Specific Area Plan (SAP) and the Orange County Comprehensive Plan.
(2) To support the Horizon West Villages by accommodating greater employment and commercial uses than planned for Village Centers.
(3) To concentrate commercial development in the Town Center rather than in radial, strip, isolated, or ribbon development patterns, providing commercial service and civic support uses within \(1 / 2\) mile walking distance of residential, office, and employment uses.
(4) To create a compact urban mixed use development, within the Traditional Town Center Core and Corporate Neighborhood Center, supported by a diverse mix of uses that provides necessary employment, commercial, housing and lifestyle opportunities for current and future residents of Horizon West.
(5) To plan employment (office) areas in conjunction with residential and retail areas, creating integrated, mixed-use neighborhood units.
(6) To develop an interconnected system of local streets, regional and local transit routes, bicycle trails and routes, and pedestrian walkways.
(7) To create a variety of higher density neighborhoods that incorporate a mix of housing types as well as limited neighborhood-scale commercial and office uses.
(8) To provide a system of linked civic, recreation public open space uses, and wetland and lake edges that create a significant network of functional open spaces.
(9) To accommodate higher density and intensity of development through the implementation of innovative stormwater techniques or stormwater master plans for each Neighborhood Planning Area.
(10). To combine compact urban form, an emphasis on land uses providing jobs and community-regional retail uses that will reduce the vehicle miles of travel typically generated by single-use developments and those lacking internal roadway connectivity.
(b) The purpose and intent statements will be achieved through the application of the following Horizon West Town Center Principles.

\section*{(1) Development Pattern}
a. Planning for Town Center should be considered in the context of the greater Horizon West, West Orange County, and East Lake County, making Town Center a critical element of the regional environmental, transportation and land use systems.
b. The long-term vision for Town Center should promote a framework that will evolve and redevelop into a compatible, but rich mix of land uses that combine to create active, lively neighborhoods and enhance the quality of life for residents of Horizon West.
c. Town Center shall have a well-defined core, developed with emphasis on traditional city planning and design principles.
d. The Town Center PD Code and design requirements for Town Center should address the objective of creating livable and sustainable places that improve with time.

\section*{(2) Employment Housing Balance}
a. Town Center shall provide office, retail and light-industrial land uses with regional market bases, to become a
major Orange County employment center with a full spectrum of employment opportunities.
b. Town Center shall serve the retail and commercial needs of the residents of Horizon West and surrounding areas; it shall not be designed as a tourist destination.
c. To ensure the sustainability of Horizon West, Town Center shall accommodate the demand for appropriate regional and community land uses, which may not otherwise be located within a Village.
d. Town Center 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.
e. The Traditional Town Center Core shall include residential development, especially higher-density residential uses, along with retail and office uses, to ensure employees have an opportunity to live close to where they work.

\section*{(3) Transportation}
a. Town Center development should recognize the importance of the automobile, but strive to minimize its adverse impacts and maximize pedestrian safety and walkability.
b. Town Center should promote a balanced transportation system that provides freedom to choose alternative and energy-efficient transportation modes.
c. Town Center developments shall have direct access to the interchanges of the SR 429 "Western Beltway" providing convenient connection to the Central Florida Region.
d. Town Center developments should encourage and accommodate linkage with the regional transit system.
e. Town Center should provide a connected, integrated system of collector streets, local streets, pedestrian walkways, bike paths and recreational trails.

\section*{(4) Environment and Open Space}
a. The development regulations for Town Center should address water management, including water quality,
water balance, innovative stormwater management and low impact development techniques.
b. Town Center should contain an ample supply of open space, parks, greens and squares whose frequent use is encouraged through proper placement, connectivity and design.
c. Civic, recreation public open space uses, and wetland and lake edges should be linked to create a significant network of functional open spaces winding throughout Town Center.
d. Town Center should provide for the protection of flood prone areas, lakes and wetlands.

\section*{Sec. 38-1390.3 Applicability.}

Except for those exemptions listed in subsection (a) below, the Town Center Code shall apply to all development within the adopted Horizon West Town Center Specific Area Plan. Development may also be subject to the provisions of Chapter 38, Article VIII, Division 8: Village Planned Development Code, but only to the extent that certain regulations, standards or procedures are not addressed herein. In the event of conflicts between the regulations, standards and procedures of Article VIII, Division 8 and this Town Center Code, the provisions herein shall prevail.
(a) The following real property is exempt from the requirements of this article:
(1) A single-family house or a single-family lot of record, existing as of the date the TCSAP was adopted (December 14, 2004);
(2) Any development that is consistent with the Future Land Use Map ("FLUM") and zoning regulations and approvals existing on the property as of the date the TCSAP was adopted (December 14, 2004), provided such development is consistent with those designations and approvals; and
(3) Any development with a consistency vested rights determination provided the vested rights have not expired and the development occurs in a manner that is consistent with the vested rights determination.
(b) Complementary Regulations:
(1) This Town Center Code (TCC) shall complement all applicable laws, ordinances, rules and regulations. However, to the extent this TCC may conflict with or may not be consistent with other applicable provisions of chapter 38 and chapter 34 , particularly the guidelines and standards for planned developments and subdivisions, this TCC development code shall govern and control.
(c) Compliance Review for Property Not Included in an Approved PD/UNP:
(1) Unless the property is located within an approved Planned Development/Unified Neighborhood Plan or Open Space District, any property within the Town Center shall maintain the existing future land use designation (e.g. Rural/Agricultural: 1 dwelling unit per 10 acres, Conservation, Rural Settlement). All applications for development approvals (i.e. lot splits, special exceptions, variances, etc.) on any property within the Town Center shall be reviewed on a case-by-case basis for the effect of such development approval on future or adopted PD/UNP's. All applications for development approval (i.e. lot splits, special exceptions, variances) under the existing zoning shall be evaluated for compatibility with the adopted TCSAP and Comprehensive Plan.

\section*{Sec. 38-1390.4 Map provisions.}
(a) The Town Center Land Use District boundaries shall be depicted on each approved Planned Development/Unified Neighborhood Plan "Districts" Map.
(b) The regulations applicable to the Horizon West Town Center Land Use Districts are written to be applied generally to all uses and development types throughout a specific District. Districts represent separate and distinct place types that were defined as part of the Specific Area Plan - Recommended Land Use Plan adopted by the Board of County Commissioners.
(c) The PD/UNP confirms the location and specific boundaries of any one or more of the six (6) District types. The purpose and intent of each of these Districts is more fully described in subsequent sections of this Town Center PD Code.
(d) Any addition or deletion of property, or changes to the Neighborhood Planning Area boundaries identified in the adopted SAP shall be processed as an amendment to the Comprehensive Plan.

\section*{Sec. 38-1390.5 Project review.}

Project Review subject to this Code shall be administered by the appropriate County agency based on applicable subject matter.

Sec. 38-1390.6 Land use determinations and interpretations.
In the event of uncertainty, or where no land use type listed in Section 3 corresponds with the requested use, then the listed land use type with the most similar characteristics, as determined by the Zoning Manager, shall apply.

Sec. 38-1390.7 Land use district boundary determinations and interpretations.

In cases of uncertainty as to the location of a Land Use District boundary, the following rules of interpretation shall apply:
(a) Where district boundaries appear to follow center lines of streets, alleys, easements or other types of public or private rights-of-way they shall be construed as following such center lines.
(b) Where district boundaries appear to follow lot, property or tract lines, they shall be construed as following such lines.
(c) Where district boundaries are indicated as approximately parallel to the center lines of streets or highways, such district boundaries shall be construed as being parallel thereto and at such distance there from as indicated on the Official Zoning Map or, on the adopted Future Land Use Map.
(d) Where district boundaries are indicated by specific dimensions, such specific dimensions shall control.
(e) Where district boundaries divide platted lots or cross un-subdivided property, and where no specific dimensions are indicated on the Official Zoning Map or Future Land Use Map, the scale of the applicable map shall control.
(f) When physical or cultural features existing on the ground are at variance with those shown on or by the Official Zoning or Future Land Use Map, the actual location shall govern.
(g) Where the rules above fail to clarify the status of land in a particular case, the Zoning Manager shall interpret in such a manner as to carry out the intent and purpose of these regulations.

Sec. 38-1390.8--38-1390.9 Reserved.

\section*{Sec. 38-1390.10 Lots, building and development sites.}

Throughout this Code the terms lots, building and development sites are used to describe a basic unit of development.
(a) The term "lot" refers to a parcel of land that has been created through the subdivision or lot split process. Land areas that have not been created through the subdivision or lot split process are referred to as "parcels". Lots are considered to be a basic unit of ownership upon which a unit of development can be placed. Lots can also be combined to form a building or development site.
(b) A "building site" refers to one or more lots or leaseholds (a parcel that has been created through a long-term lease) upon which a basic unit of development can be placed. A lot and a building site can refer to the same land area. However, two lots can be combined to form a building site intended for development of a single one-family residential dwelling, or a single mixed use building, or any of several other types of buildings or structures. Also, building sites may exist within a larger development site. This is most common in commercial centers with several "outparcels" that may be conveyed by fee simple title or by leasehold interest.
(c) "Development site" is used to describe lots and/or parcels that are intended for development of several buildings and/or structures which share some elements of infrastructure. This type of site is designed as a single, coordinated unit of development.

Sec. 38-1390.11 Reserved.

\section*{Sec. 38-1390.12 Land use districts.}

Each of the districts authorized by the Comprehensive Plan is described generally on the following pages to provide an overview of the purpose and scope of each district.
(a) Urban Residential District. The Urban Residential District reflects the character and quality of a traditional neighborhood, and includes a mix of attached and detached housing, civic uses, neighborhood parks and recreational facilities. A limited number of sites appropriate for neighborhood scale commercial and office use may be included within this district to provide close-to-home opportunities for neighborhood residents to purchase convenience goods and services. The typical street and
block pattern is fully interconnected to accommodate pedestrians, bicyclists and motor vehicles, and the pedestrian and bike traial systems are linked to the APF bike and recreational trail system of the Town Center.
(b) Corporate Campus Mixed-Use District. The Corporate Campus Mixed-Use District includes a mix of detached single family and attached housing, office, hotel, limited warehouse and associated light industrial uses, and civic, open space and recreation uses. Limited support retail uses may be allowed - which is consistent with the location, design, and compatibility standards described within the Town Center land development code - either as ancillary uses within buildings where the primary use is office or residential, or in freestanding buildings. Within Corporate Campus Mixed-Use Districts, office uses will dominate and the residential development will be of a higher density than Urban Residential Districts.
(c) Corporate Neighborhood Center District. The Corporate Neighborhood Center District is intended to provide retail and service support to and within walkable distance from the adjacent Urban Residential and Corporate Campus Mixed-Use districts. The Corporate Neighborhood Centers will provide neighborhood serving retail, service and civic activities and dwelling units may be allowed as part of mixed use buildings. This district is intended to be pedestrian-oriented.
(d) " Retail/Wholesale District. The Retail/Wholesale District is intended to accommodate regional retail business, personal services, office, warehouse and warehouse showroom uses for the Horizon West area. Transit stops and on-site parking for such stops will be incorporated in the planning for these district parcels. Attached residential uses may be allowed either as an ancillary use within buildings where the primary use is office, retail or hotel, or as a freestanding use on a site whose location was approved as part of the original approval of a PD/UNP or by substantial change request.
(e) Traditional Town Center Core District. The Traditional Town Center Core District will serve as the civic and retail heart of Horizon West and the surrounding area. It is intended to be a vital, mixed-use center that contains a variety of residential, retail, office, hotel, civic and entertainment uses. The district will be designed as the primary pedestrian-oriented activity center of the entire Town Center Specific Area Plan. The

Traditional Town Center Core District street and block system will be a grid or modified grid design, reminiscent of traditional community downtown centers, providing convenient pedestrian and vehicular access throughout the town Center. Alleys, Lanes and Standard Street types should be allowed to provide access to parking and service areas. Building fronts will have a primary orientation to streets and parks. Civic spaces and public buildings will be encouraged, designed and located as focal points throughout the Traditional Town Center Core.
(f) Open Space District. These districts are interspersed throughout the Town Center. As depicted on the TCSAP, several of the designated areas encompass Water Conserv II lands, the existing Orange County Golf Center and two former landfill sites. Other designated areas serve as a common thread that links adjacent Land Use Districts, neighborhoods, land uses and residents together, creating community character, image, and identity. In addition, Open Space Districts may include public elementary schools and other types of civic uses (such as libraries and churches) pursuant to locational, site and building design criteria included in the Town Center Code.

\section*{Sec. 38-1390.13 Planned development/unified neighborhood plan review (PD/UNP).}

PD/UNP review is intended to ensure that the Neighborhood Planning Areas of the Horizon West Town Center are developed in a cohesive, integrated, big-picture manner. Specifically, PD/UNP's shall demonstrate how development within the Neighborhoods can create a sense of community, ensure that wetland areas are not unnecessarily interrupted, that lake and wetland edges are protected, and street and pedestrian/bikeway connectivity will be achieved. PD/Unified Neighborhood Plans will, over time, encompass the entirety of each of the five (5) Neighborhood Planning Areas (NPA) identified through the Town Center Specific Area Plan (TCSAP). However, each NPA includes multiple property owners. Therefore, the administrative procedures for implementation of the Town Center Code must anticipate the need for an incremental PD/UNP review, approval and amendment process.

The Planned Development (PD) component of the PD/UNP establishes the boundaries of land use districts authorized by the Town Center Code and described through the Specific Area Plan Recommended Land Use Plan Map for Town Center. The PD also
establishes the development program of land uses authorized by the SAP and Comprehensive Plan.

The Unified Neighborhood Plan component of a PD/LNP includes, but is not limited to, several categories of information such as a Connectivity Analysis and a Stormwater Alternatives Analysis. Several of the required elements may be submitted with the initial PD/UNP submittal for all or a portion of a Neighborhood Planning Area, or deferred to submittal with each Preliminary Subdivision Plan (PSP) for all or a portion of the area included in the approved PD/UNP. The purpose of the Connectivity Analysis is to ensure that proposed vehicular and pedestrian facilities provide appropriate and sufficient connections with lands or vehicular/pedestrian facilities that adjoin, are located within the same land use district, or are located within the same Neighborhood Planning Area. The purpose of the Stormwater Alternatives Analysis is to identify one or more Low Impact Development techniques which may be utilized as part of the stormwater management plan, and to determine opportunities available to create joint use (master) stormwater retention and detention facilities within the area of the PD/UNP and/or with other property owners. The Stormwater Alternatives Analysis does not preclude a single development from implementing its own on-site stormwater management system.

\section*{Sec. 38-1390.14 When UNP/PD required.}
(a) \(\mathrm{PD} / \mathrm{UNP}\) Review is required for every Neighborhood Planning Area (NPA) and/or Land Use District identified on the Town Center Specific Area Plan - Recommended Land Use Plan. Approval of a PD/UNP is a required prerequisite to the acceptance for review of any application for Preliminary Subdivision Plan/Development Plan Review for sites within the area of an approved PD/UNP. Exceptions to this requirement are as follows:
(1) \(\mathrm{PD} / \mathrm{UNP}\) Review is not required for building or development sites contained within an Open Space District designated on the TCSAP Recommended Land Use Plan. Under this circumstance the applicant may proceed to Preliminary Subdivision Plan/Development Plan Review for the subject property.

Sec. 38-1390.15 General requirements.
(a) A Planned Development/Unified Neighborhood Plan (PD/UNP) may include all or a portion of one or more Town Center Neighborhood Planning Areas.
(b) A PD/UNP shall include all the elements described in Section 38.1390.16. The following elements may be deferred by the applicant to the Preliminary Subdivision Plan stage for any portion of the property included in the \(\mathrm{PD} / \mathrm{UNP}\).
(1) Master Street Plan and Connectivity Analysis (See 38.1390.16(A)(4) for additional information)
(2) Master Block Design Element
(3) Proposed Parks and Open Space, Civic Spaces and Sites, and Gateways Element - Part 2
(4) Stormwater Alternatives Analysis (See 38.1390.16(A)(4)(e) for additional information)
(c) The PD/UNP Application and Review Process shall be comprised of the following elements:
(1) Pre-Application Conference. Except where this requirement is specifically waived by the DRC Chairman, the applicant shall meet with the Development Review Committee prior to submitting the application to discuss basic procedures and requirements, and to consider the physical characteristics of the Neighborhood Planning Area (NPA), the proposed development, the policies of the Comprehensive Plan, the principles of the Town Center Specific Area Plan (TCSAP), and vehicular and pedestrian connections to adjoining areas within or external to the subject property, TCSAP or NPA.
(2) Submittal of the Application. The applicant shall submit to the Development Review Committee staff a Planned Development/Unified Neighborhood Plan application which conforms to the requirements specified herein. No application shall be deemed accepted unless it is complete.
(3) Development Review Committee (DRC). Upon acceptance of a complete application, copies shall be forwarded to all members of the DRC. The members shall meet to review the complete application.
(4) Request for Additional Information (if necessary). If the DRC staff finds that additional information is needed for the proper review of the application, the applicant shall be notified in writing within 10 working days following the DRC review meeting for the application, specifying the information needed. Submittal and review of such information shall be the same as for the original application.
(5) DRC Action. Following review by the DRC, the application shall be forwarded with a finding of consistency or inconsistency with the adopted Comprehensive Plan and a recommendation for approval or denial (with or without conditions), to the Planning and Zoning Commission (PZC). The applicant shall file the required number of copies of the revised application and supporting documents within ten working days of the DRC review meeting which concludes the application review. Failure to file the necessary documents shall render the application void.
(6) PZC Action. A public hearing shall be conducted by the Planning and Zoning Commission to review the \(\mathrm{PD} / \mathrm{UNP}\) application, including any conditions of approval recommended by the Development Review Committee. The PZC shall make a recommendation to the Board of County Commissioners whether to find the application consistent (or inconsistent) with the Comprehensive Plan and approve (or deny) the PD/UNP application.
(7) BCC Action. A public hearing shall be conducted by the Board of County Commissioners to review the PD/UNP application, including any conditions of approval recommended by the Development Review Committee and the Planning and Zoning Commission. The BCC shall determine whether the application is, or is not, consistent with the adopted Comprehensive Plan and Town Center Specific Area Plan and shall approve, approve with conditions, or deny the PD/UNP application.
(8) Conditions. When the DRC completes the review of any PD/UNP it may recommend appropriate conditions and safeguards in conformity with the intent and provisions of this Code, including any of those listed below. Conditions may be related to:
a. Transportation Connectivity specifying modifications to the \(\mathrm{PD} / \mathrm{UNP}\) that maintain or improve connectivity envisioned by the Town Center SAP;
b. Block Size/Orientation specifying modifications to the PD/UNP that address consistency Code provisions relative to blocks, pedestrian passageways and connectivity;
c. The phasing of the transportation, stormwater or civic space improvements required for development of Land Use Districts and/or Neighborhood Planning Areas;
d. Provision or extension of potable water, stormwater, sanitary sewer or other required utility service;
e. Provision of public safety facilities or services;
f. Land Use District Based Development Program elements specifying modifications that address consistency with the Comprehensive Plan policies for the Town Center;
g. Density or Intensity Bonus requests, density or intensity/open space/TDR transfer requests, proposed use conversions based on a conversion/equivalency matrix, specifying modifications that address consistency with: the Comprehensive Plan policies for Town Center; the Town Center Code; or other provisions of the Orange County Code of Ordinances;
h. The phasing of development program elements of Town Center Land Use Districts;
i. Any request for the establishment of sites and/or areas for uses permitted by location within the PD/UNP;
j. Conditions related to any Agreement required for submittal with the \(\mathrm{PD} / \mathrm{UNP}\) or boundaries.

\section*{Sec. 38-1390.16 Submittal requirements for PD/UNP.}
(a) The following information shall be provided in graphic or written form as necessary to satisfy the requirements.
(1) Number of Copies: As determined by the Development Review Committee.
(2) Cover Sheet including:
a. Name of the development;
b. A physical/legal description of the property that is the subject of the PD/UNP and gross acreage calculations for land and water areas;
c. A graphic depiction of the physical relationship of the property to the Town Center and the applicable Neighborhood Planning Area(s);
d. Scale ( \(1^{\prime \prime}: 100^{\prime}\) preferred);
e. North Arrow;
f. A description of the existing use, future land use plan designation and zoning of all abutting properties that are external to the proposed PD/UNP and/or TCSAP;
g. Date of preparation;
h. Name, Address and Phone Number of all the following applicable professionals: Property Owner(s), Developer(s), Planner, Landscape Architect, Engineer(s), Surveyor(s), and/or Agent(s) of the property owner or others involved in the proposal.
(3) Existing Conditions Sheet including:
a. Existing streets, both on and within 500 ft . of the proposed development including: street names;
location of each street; right-of-way width and centerline setbacks of each street; driveway approaches \& locations; medians and median cut locations.
b. Existing crosswalks, sidewalks, bike paths, transit stops, or other form of transportation related improvement.
c. Existing utilities serving the property, and their location and size.
d. Existing buildings and structures on the property.
e. Existing topography at one-foot contours based on the county datum (or as approved by the county engineer) and other natural features including lakes, water-courses, and conservation area.
f. Soils Conservation Map, for comparison with proposed development activities, showing soils classifications as identified by the U.S.D.A. Soil Conservation Service or other competent expert evaluation.
g. The 100 -year flood elevation and limits of the 100 -year floodplain for all developments extending into Zone "A."
h. Location and extent of all classified wetlands as determined by an approved Orange County Conservation Area Determination. If an applicant elects to postpone submission of the Master Street Plan and Connectivity Analysis until the Preliminary Subdivision Plan (PSP) stage of project review (as provided for in subsection 38.1390.15 (B). CAD information may also be deferred to the same PSP stage of review.
vegetation.
i. Other generalized existing
j. Existing habitat areas for endangered, threatened or protected species. An applicant may elect to defer submission of this information and submit concurrently with the CAD information referenced in (h) above.
k. The approximate normal high water elevations or boundaries of existing surface water bodies, wetlands, streams and canals, both on and within 50 ft . of the proposed development.
(4) PD/UNP Sheet(s) including:
a. Master Street Plan and Connectivity Analysis - This sheet shall graphically depict: the location, type and extent (extent includes the beginning and ending point of each street type - such as an intersection, property boundary, water body or other physical feature) of all proposed Functionally Classified/Urban Collector and Framework Streets; all proposed transit routes and planned transit stops; bicycle paths and trails, mid-block pedestrian passageways; other types of pedestrian bridges, guideways or safety enhancements; and, the first phase of development of the planned system of connected streets, transit bicycle and/or pedestrian facilities. The street type shall be clearly identified according to the street types identified in the Town Center Code. If alternative street types or cross-sections are proposed, each shall be graphically depicted with the same information as provided for street types included in the Code. A justification for the alternative(s) proposed will also be included with the submittal. In addition, the applicant shall complete a Connectivity Analysis to identify vehicular and/or pedestrian connections to adjoining properties and existing or planned streets and/or pedestrian/bicycle paths and passageways. The analysis shall result in the depiction of vehicular and pedestrian connections from the development site to: other portions of the Land Use District in which the subject property is located; and, any Functionally Classified/Urban Collector adjoining or within the subject Land Use District. The Connectivity Analysis will be evaluated based on the following criteria:
i. Link-to-Node Ratio. The number of links (Framework Street segments between intersections, cul-de-sacs, or approved through-block pedestrian passageways) is divided by the number of nodes (intersections or cul-de-sacs). The node count
represents the total number of intersections, including deadend cul-de-sacs. As a result, a higher number of dead-end streets reduces the link-tonode ratio of the street network. Accordingly, higher link-to-node values indicate a more connected street network. Generally, a ratio of 1.35 , or higher, indicates an acceptable level of vehicular and pedestrian connectivity. When a ratio less than 1.35 is indicated, the applicant will submit a justification that addresses specific site conditions, project phasing or other elements that should be taken into consideration when evaluating a link-to-node ratio that is less than 1.35 . The applicant may also propose alternative or supplemental vehicular or pedestrian improvements or planning techniques intended to address a substandard ratio.
ii. The proposed street type is appropriate to its connectivity function (Framework Streets connecting two or more Functionally Classified/ Urban Collectors shall be a Parkway, Avenue or Main Street);
iii. Links from existing or planned (included in an approved PD/UNP or PSP) Framework Streets and/or
block defining pedestrian and/or bicycle only "streets" within adjoining properties have been continued to nodes within the proposed PSP; and,
iv. Where more than (4) blocks are proposed to be combined to create a single development site, the analysis or proposed commitments/ conditions demonstrate that connectivity requirements and criteria have been satisfied.
b. Master Block Design Element - This sheet shall, in graphic and/or tabular form: depict and dimension the primary block face for all proposed blocks; and, label all proposed blocks that have a primary block face of less than 250 feet and indicate the proposed use.
c. Proposed Park and Open Space. Civic Spaces and Sites, Gateways Element - This sheet shall be comprised of two parts. The first part shall locate, delineate (by type), and dimension all sites proposed or designated for a civic use or purpose including neighborhood and/or district parks, gateways, public safety facility, and public school sites. Second part of this sheet shall include a TCSAP open space calculation for each Land Use District included in the PD/UNP shall be provided and where appropriate the proposed location and type of open space depicted and described.
d. Stormwater and Utility Design Element - This sheet shall depict, in graphic and/or tabular form, the: approximate boundaries of all drainage basins; approximate location of existing or proposed storm water outfalls; storm water design criteria based on the type of basin; and, the location, type and physical extent of regional/town center utility services and facilities addressed through a Master Utility, Roadway and/or Adequate Public Facilities Agreement.
f. Districts Element - This sheet shall provide, in tabular and/or graphic form, a delineation of the boundaries and area calculations for all Land Use Districts to be included in the PD/UNP. District boundaries shall generally be consistent with those depicted on the Town Center SAP Recommended Land Use Plan as specified in section 38.1390.16 of this Code. Where district boundaries do not follow a street, a general text description for the location of the boundary shall be provided.
g. Development Program Element This sheet shall identify in tabular and/or graphic form, the land use development program for each Land Use District consistent with the district based development programs provided in the adopted Comprehensive Plan. When a district encompasses properties not controlled/owned by the applicant, nor included as part of the PD/UNP, a proportionate share of the entitlements assigned to the district will be allocated to the respective property owners. This share shall be determined based on the number of dwelling units and/or non-residential square feet of use that comprise the development program, multiplied by the percentage ownership of the developable land area of the district relative to each land owner. This element shall also include the land use conversion matrix to be utilized to convert one type of land use to another type of land use. Any proposed use conversions, transfers of development rights from designated greenbelts or wetlands, transfers of entitlements between districts, or proposed transfers between Neighborhood Planning Areas shall be included and described in tabular and graphic form.

Example: Five acres of developable property within Neighborhood Parcel CNC-1 shall be entitled to 31,800 square feet of non-residential development ( \(50 \%\) of 10 developable acres and \(50 \%\) of the 63,600 square foot nonresidential development program.)
h. Development Program Bonuses. Incentives. Transfer of Development Rights - This information may be combined with the Development Program Element. Requests for development program bonuses, such as the dwelling unit bonus associated with UNP's, shall be described and an assignment proposed to the applicable District development program. Transfers of Development Rights-shall also be described and assigned to a District development program. TDR Agreements
shall be listed as part of this information and a copy of the Agreement provided with the submittal. Also, any proposed transfers of development entitlements between Neighborhood Planning Areas, or Land Use Districts included in the PD/UNP, can be included as a request for approval by the BCC.
i. Land Use Permissions and Waivers Element - The applicant shall list and describe the location and extent of any use requested as permitted by location and all waivers to a provision of the Town Center Code.
e. Additional Development Standards This sheet may depict, in graphic, text and/or tabular form as may be appropriate, standards by the applicant that would supplement development standards included in the Town Center Code. Such standards may address such topics as architectural elements of buildings or special landscaping standards relative to urban parks in the Traditional Town Center Core District. When approved by the BCC, such standards shall apply uniformly to all development within the District for which the standards have been approved.
(5) Developers Agreements - The applicant shall address how the PD/UNP addresses, incorporates or is consistent with the following, if applicable.
a. The applicable conditions of any outstanding Developers Agreement that is applicable to the subject property;
b. The applicable capacity reservation and conditions of any submitted or approved OCPS Capacity Enhancement Agreement;
c. The required Adequate Public Facilities Agreement;
d. Any road agreement, as approved by the Roadway Agreement Committee, required to conform with the Horizon West Global Term Sheet;
e. The applicable conditions of any other type of agreement to which the property owner and County are participants.

\section*{Sec. 38-1390.17 Town Center Plan Review.}

Town Center Plan Review (TCPR) encompasses multiple types of plan submittals that follow approval of a PD/UNP. This Part of the Town Center Code identifies submittal requirements and review procedures for: the creation of development and building sites (Preliminary Subdivision Plan and Plat); plans for development or building sites (Development Plan); plans for public and private infrastructure necessary to support development and building sites (Construction Plans); the construction of buildings and structures (Building Plans); and, plans that address other elements of the development process regulated through this Code (Roadway and/or Adequate Public Facility Agreements). TCPR may be requested for all or a portion of the property included in an approved PD/UNP, or for property within an Open Space District that is exempt from UNP/PD review.

\section*{Sec. 38-1390.18 Preliminary Subdivision Plan Review.}

Preliminary Subdivision Plan (PSP) review shall be required for all lands within Town Center. Procedural requirements and specifications for PSP's shall be as set forth in Chapter 34, Articles III and IV and modified through the provisions and additional requirements identified below. The Development Review Committee (DRC) shall review all PSP's for consistency with the approved PD/UNP, Town Center PD Code and other applicable County Code requirements not otherwise contained herein.

Modifications to provisions of Chapter 34, Articles III and IV, applicable to lands within Town Center:
(a) Section 34-131 - Preliminary subdivision plan and supporting data. The following modifications and additions to the provisions of Section 34-131 are applicable.
(1) 34-131(b)(9) - The existing Land Use District or districts, the proposed minimum lot size and width, the proposed land use type or types consistent with the land use categories identified in the approved PD/UNP, the development program (in dwelling units, square feet of gross floor area or hotel rooms) applicable for the tract, and proposed residential density and non-residential floor area ratio based on net developable acreage.
(2) 34-131(b)(12) - Adjacent Land Use and/or Zoning Districts on opposite side of right-of-way.
(3) \(34-131(b)(13)-\) All requests for variances or waivers shall be noted on plan with appropriate County Code reference and justification.
(4) \(34-131(b)(17)\) - Where more than one (1) setback applies to a lot, the building placement standard or other setback referenced in the Town Center Code shall apply.
(5) \(34-131(b)(17) \mathrm{b}\). - Indicate by the use of notes the applicable building placement standard or other setbacks for the Land Use District.
(6) \(34-131(b)(21)-\) Location of all sites for permitted by location uses approved with the PD/UNP, or proposed with the PSP. List all approved or proposed compatibility conditions/standards relative to uses permitted by location.
(7) 34-131(b)(22) - List and describe all: requests for district-to-district, neighborhood planning area to neighborhood planning area requests to transfer elements of a development program; requests for conversion of one development program use type to another utilizing the approved conversion matrix; and, requests for transfers of development rights. Copies of the proposed/executed TDR Agreement shall be provided. When the applicant for the PSP was not the applicant for the PD/UNP, an assignment of development program entitlements authorized by the PD/UNP applicant or successor shall be provided. The assignment of entitlements shall equal the proposed development program associated with the PSP.
(8) 34-131(b)(23) - In tabular and/or graphic form list any requested development program bonus for the provision of workforce housing or additional open space and provide a justification for each request. Also indicate the Land Use District to which the bonus entitlements will be assigned.
(9) \(34-131(\mathrm{~g})(1)\) - Master Street Plan and Connectivity Analysis. The graphic and tabular information described in 38.02 .07 (4)(a) shall be provided with the PSP if not previously included and reviewed with the PD/UNP.
(10) 34-131(g)(2) - Provide a copy of the
applicable Road Agreement and an assignment of trip capacity from a signatory to the Agreement if the applicant for this PSP is not a signatory to that Agreement. Also, provide a calculation of PM Peak Hour Trips for the development program associated with the PSP.

Analysis. The graphic and tabular information described in \(38.02 .07(4)(\mathrm{d})\) shall be provided with the PSP if not previously included and reviewed with the PD/UNP.
(12) 34-131(i)(1) - Covenants, Conditions, Restrictions, Agreements and Grants (CC\&R). Provide copies of all CC\&R's which will govern the use, maintenance and continued protection of buildings, structures, drainage systems, landscaping, street rights-of-way, sidewalks, bicycle and pedestrian facilities, on-street parking, and any other physical element of the PSP.

Sec. 38-1390.19 Construction plans and plats.
Construction Plan (CP) and plat review shall be required for all lands within Town Center. Procedural requirements and specifications for CPs and plats shall be as set forth in Chapter 34, Articles III through VIII.

\section*{Sec. 38-1390.20 Development plans.}

Development Plan (DP) review shall be required for lands within Town Center. Procedural requirements and all specifications for DP's shall be as set forth in Chapter 38, Sections 1203 and 1206, and modified through the provisions and additional requirements identified below. The Development Review Committee (DRC) shall review all DP's for consistency with the approved PD/UNP, applicable Preliminary Subdivision Plan, Town Center PD Code and other applicable County Code requirements not otherwise contained herein. The purpose of Development Plan (DP) review is intended to ensure that development will occur according to limitations of use, design, density, coverage and phasing stipulated with the PD/UNP or otherwise required by the provisions of the County Code.

Modifications to provisions of Chapter 38 applicable to lands within Town Center:
(a) Development Plan review and approval is required for every building or development site within an approved PD/UNP or exempt Open Space District. Approval of a DP is a required prerequisite to: submittal of an Application for Building Permit/Site Development Plan for an individual development or building site; final approval of construction plans for public infrastructure; and, issuance of any permits, including grading and construction permits, within the area of any approved PD/UNP or exempt Open Space District.
(b) A DP must be submitted to the County for review by the Development Review Committee (DRC). Development Plans shall be reviewed by the DRC for consistency with the approved PD/UNP, the provisions of this Code and other applicable County Code requirements not otherwise contained in this ordinance but incorporated by reference.
(c) The purpose of DP review and approval is to establish the specific development and design standards that will apply to development within the DP area to ensure that such development will comply with the principles, objectives and policies of the Town Center Specific Area Plan and this Town Center Planned Development Code. The review will evaluate potential impacts on both the site and surrounding areas, and resolve planning, development and design issues so that development may proceed.

\section*{Sec. 38-1390.21 Application and review process.}
(a) Pre-Application Conference. An applicant may choose to meet with the DRC prior to submitting an application, to discuss basic procedures and requirements, and to consider the elements of the site in question and the proposed development.
(b) Submittal of the Application. The applicant shall submit to the DRC the required number of copies of a Development Plan application which conforms to the requirements of this Code. The application may cover all or a portion of the area of the PSP with which the subject site is associated. No application shall be deemed accepted unless it is complete. Upon acceptance of the application, copies shall be forwarded to all members of the DRC. If additional information is needed for the proper review of the application, the DRC Office staff shall notify the applicant, specifying the information needed to complete the application.

Submittal and review of such information shall be the same as for the original application.
(c) Development Review Committee (DRC). Upon acceptance of the application, copies shall be forwarded to all members of the DRC. The members shall review the application and forward all comments to the DRC Office. All DRC member comments shall be combined to form a staff report that will be made available to the applicant prior to the scheduled DRC meeting at which the application will be formally reviewed.
(d) Type of Review. A Development Plan is intended to be reviewed by the DRC for compliance with the Comprehensive Plan, applicable PD/UNP and PSP, this Code, and agreements/development orders in effect for the project that is subject of the proposed Development Plan. The DRC shall review the Development Plan to determine whether:
(1) It is consistent with the approved \(\mathrm{PD} / \mathrm{UNP}\), applicable PSP, and all applicable laws, ordinances, rules and regulations;
(2) All Uses Permitted by Location and shown on the Plan have been previously approved by the Board of County Commissioners and all requirements for such uses have been satisfied;
(3) The development, and any phase thereof, can exist as a stable independent unit;
(4) Sufficient development program has been committed to support the type and quantity of uses included in the Plan;
(5) Existing or proposed utility services and transportation systems are adequate for the uses proposed and required agreements with Orange County for road improvements and/or right-of-way dedications have been executed; and
(6) Adequate Public Facilities requirements for Town Center have been satisfied relative to the property included in the Development Plan.
(e) Final Action. Following the completion of DRC review, the application will be approved, approved with conditions, or denied based upon specific findings, or approved subject to revised plan. If a revised plan is not submitted within six months of DRC approval subject to revised plan, the applicant must return to DRC for further review. Final action by DRC is approval, approval with conditions, or denial of the DP application.

\section*{Sec. 38-1390.22 Submittal requirements for development plans.}
(a) The following information shall be provided in graphic or written form as necessary to satisfy the requirements.
(1) Number and Type of Copies: As determined by the DRC staff.
(2) Cover Sheet including:
a. The sheet size shall be \(24^{\prime \prime} \times 36^{\prime \prime}\). (Larger sheets may be submitted if necessitated by the size and nature of the project.) Plans including more than one sheet shall provide a key map relating sheets to the entire planned area. The information required on the face of this sheet should be positioned in one of three places: in the title block, on the location sketch or on the plotting design scheme. The information requirements are detailed below.
i. Title, Legend and Location Block - The title of the proposed plan, the name and address of the owner and the name and address of the engineer and surveyor engaged to prepare and design the plan shall be included. The date, revision dates, graphic scale of plans, north arrow, current zoning, total number of lots/building sites/development sites, and total site area in acres or portions thereof shall also be
included along with the section, township and range in which the subject property is located and the Property Identification Number. This information is to be located on the lower right-hand corner of the sheet.
ii. Location Sketch - A sketch showing the general location of the development in relation to the surrounding area shall be placed on the sheet, in the upper left-hand corner. The location sketch shall be oriented the same direction as the plotting design. It also shall be drawn to a scale large enough to show the relationship of the tract to existing and proposed community features such as Functionally Classified and Framework Streets, schools and recreation areas. An appropriate scale is \(1^{\prime \prime}\). = 2,000'.
iii. The design scheme shall be drawn to a scale no smaller than \(1^{\prime \prime}=100\) '. All other plan sheets shall be drawn to sufficient scale to show all details, with north oriented to the top or right hand edge of the sheet.
b. Name of the development as well as the associated PD/UNP and PSP;
c. A boundary survey of the property that is the subject of the Development Plan that has been signed and sealed by a land surveyor registered in the State of Florida;
d. A graphic depiction of the physical relationship of the property to the approved PD/UNP and PSP, and the boundaries of all applicable Land Use Districts included within the area of the Development Plan;
e. Acreage of the property included within the Development Plan boundaries with and without lands included in any water body, classified wetland or designated Greenbelt, or within any dedicated right-of-way;
f. A description of the use and zoning of all abutting properties that are external to the PD/UNP and/or TCSAP;
g. Date of preparation.
h. Name, Address and Phone Number of all the following applicable professionals: Property Owner(s), Developer(s), Planner, Landscape Architect, Engineer(s), Surveyor(s), and/or Agent(s) of the property owner or others involved in the proposal.
i. Notarized Owner's Affidavit and, if necessary, Agents Authorization Letter.
j. Application(s) for Concurrency Evaluation, if required.
(3) Notes should be used whenever possible to explain, verify or identify additional information that is important to the understanding of the site and the plan of development.
(b) Existing Conditions Sheet including:
(1) The following information regarding existing conditions on and off the site shall be shown: boundary lines, location, distance, and bearings for boundary lines, and the width and purpose of all easement lines. The boundary lines of the tract shall be clearly delineated by a heavy solid line.
(2) Certified topography drawn at one-foot contours using county datum and showing natural features.
(3) Existing streets, street intersections or rights-of-way, both on and within 500 ft . of the proposed development including: street names; location of each street; right-of-way width and centerline setbacks of each street; surface improvements; driveway approaches \& locations; medians and median cut locations.
(4) Existing crosswalks, sidewalks, bike paths, transit stops or other form of transportation related improvement.
(5) All setbacks from functionally classified streets shall be illustrated.
(6) The development line of natural water bodies shall be illustrated.
(7) Existing utilities serving the property, and their location and size.
(8) Existing buildings and structures on the property.
(9) The 100-year flood elevation and limits of the 100-year floodplain for all developments extending into Zone "A".
(10) Location of wetlands, conservation areas and associated upland buffers shall be shown on the boundary survey.
(11) Other generalized existing vegetation.
(12) Existing habitat areas for endangered, threatened or protected species.
(13) The approximate normal high water elevations or boundaries of existing surface water bodies, wetlands, streams and canals, both on and within 50 ft . of the proposed development.
(c) Development Plan Sheets, drawn at an appropriate scale (one (1) inch equals one hundred (100) feet) with all dimensions provided, to address the following elements. Sheets may be combined depending on the scope and type of project submittal.
(1) Street and Block Plan and Standards - This group of plan sheets should depict the proposed rights-of-way, easements, and location, type, elements (such as on-street parking, bulb-outs, street lights and standards, extended frontage zones, etc.) and geometry/dimensions of all functionally classified/urban collectors and framework streets, pedestrian passageways, blocks, development sites/tracts and building sites/lots and the details and specifications necessary for construction of streets, bicycle paths/trails and/or pedestrian passageways. The construction/development plans shall also address maintenance of traffic, and streetscape elements such as the location and placement of street related trees, ground cover, tree wells, street furniture, transit stops and lighting based on the approved PD/UNP and the provisions of this Code. The applicable plan sheet shall clearly depict the portion of the street right-of-way for which adjoining property owners will be responsible for ongoing maintenance. This set of plans should also identify all required joint access, access, cross-access, pedestrian passage or cross-parking easements required. The applicant must designate the proposed location of all lots, building or development sites as part of this Plan.
(2) Phasing - Where the project is to be built in phases, illustrate the geographic extent of proposed phases. Phasing divisions shall be established according to natural or manmade boundaries, including but not limited to wetlands, creeks, lakes, parks, schools, collector or arterials.
(3) Building Plan - These plan sheets should provide dimensioned and other forms of quantitative information relative to proposed buildings, parking spaces and location, pavement marking and street signage, service structures and facilities, site access and circulation, signage or other elements of the site development program necessary to determine compliance with PD/UNP and County Code requirements and standards.
(4) Uses, Development Program and Placemaking Standards - This plan sheet(s) should be based on the Street and Block Plan and depict or describe the following: building placement standards/dimensions for all lots/sites; proposed uses and development program; total dwelling units by type, gross and net developable density, minimum net lot area, minimum square footage of living area, non-residential square feet of use and net developable floor area ratio. Also, maximum building coverage or impervious surface ratio ( s ) for building and
development sites. Where applicable, sites intended for uses permitted by location and included as part of the Development Plan shall be depicted and appropriate/required compatibility standards and treatments described for each site shown on the Plan. Proposed development program transfers, conversions or TDR's shall also be addressed.
(5) Site Clearing, Grading, Erosion Prevention and Stormwater Plans - This group of plan sheets should depict proposed finished site grades for all lots and sites, finished minimum floor elevations, provide drainage calculations for the entire area, indicate proposed outfalls, locate and describe any easements necessary to transit stormwater to the assigned master stormwater attenuation/retention system, indicate the location, type and extent of low impact development related facilities or required stormwater retention areas.
(6) Utility Plans - This group of plan sheets should identify or depict the connection points for water, wastewater and irrigation/reclaimed water service, and show any utility main extensions necessary to reach the point of connection. The plans must depict the utility main configuration within the development. Pump stations, grease interceptors and oil/water separators must also be shown. Plans should show how each lot or parcel will receive service. The applicant should not include main sizes or water, wastewater and irrigation demands. These will be presented separately in a Master Utility Plan or in the construction submittal. The applicant shall identify how the installation of all proposed utilities will be accomplished in order to avoid cutting, trenching or boring pavement or streetscape areas.
(7) Green Infrastructure Plan (Open Space, APF Park(s), Landscape, Hardscape, Tree Protection, Land Management, and Irrigation Plans) - A proposed Green Infrastructure Plan with supporting construction plans/documents, including the location of all plantings for parking lot landscaping, land use transitions, street trees, open spaces, recreation areas and other landscaped areas. The landscape/hardscape/furnishings plan shall include: furnishings for individual buildings and street frontage zones; plant species grouped by water use zones (high, medium, low); turf areas; specification of mulch and lake edge landscaping (where applicable) shall be coordinated with a utility plan indicating the location of existing and proposed above and below grade utilities. Utility locations must be coordinated with the
locations of existing trees and proposed landscaping so they do not conflict above or below grade. A proposed irrigation plan showing the automatic irrigation system shall be required for a landscape plan which utilizes high water use zones. A proposed irrigation plan indicating the location of the readily available water supply source (such as a hose bib) shall be provided for all other landscape plans. All required open space shall be depicted on the plan, including additional open space proposed as part of a request for an open space bonus.
(8) Recreation area plan. (for Development Plans that include residential dwelling units)
(9) Photometric plan for exterior building and street lighting.
(10) Design elevations or renderings of structures.
(11) Sign plan, including scaled plans of proposed signs.
(12) Preliminary engineering plans for the provisions of road, potable and reclaimed water, sanitary sewer and stormwater management for the proposed phase and its relationship to the master stormwater plan for the associated PD/UNP or PSP.
(13) Adequate Public Facilities Plan and APF requirement calculations, if applicable.
(14) A letter, certificate or other form of notarized document demonstrating that sufficient entitlements authorized by the applicable PD/UNP have been allocated for the proposed development.
(15) Proposed Waiver(s) from the subdivision regulations (Chapter 34), provisions of the Town Center Code, or other applicable provisions of the Orange County Code shall be indicated on the Development Plan.
(16) All conditions of approval for the applicable PD/UNP and PSP shall be included as part of the information included with the Development Plan.
(17) Proposed covenants, conditions, restrictions, agreements and grants, if different than approved with the associated PSP, which govern the use, maintenance and continued protection of such elements as building structures, streets, drainage systems, and landscaping.
(18) Areas to be conveyed or dedicated and improved for roadways, parks, parkways, playgrounds, school sites, utilities, public buildings and other similar public and public service uses.
(19) Construction Lay Down and Site Access Plans - A Parking Logistics Plan indicating locations where construction vehicles and employee vehicles will be parked on-site or off-site during the construction period, and certifying in writing that such vehicles will not be parked within the undisturbed areas shown in the tree protection plan. Also, a Plan identifying Construction Lay-down Areas to be used during the construction period. This information will only be required for Development Plan review when construction related parking and lay-down areas will either wholly or partially be located off-site.
(20) Additional information as required by the

DRC.
(21) Proposed Development and Design Standards - If proposed by the Applicant, identify any standards or requirements that are intended to supplement - but not replace or modify - standards included in the Town Center Code or other applicable County regulation, such as:
a. Streets and alleys (cross sections by type)
b. Buildings (height, widths; massing principles for main body, extensions; finished floor elevations)
c. Architectural Guidelines (equipment location, pools, porches, roof pitches, ventilation treatments, windows, garages and garage doors, site screening, walkways, driveways, parking spaces, fencing material variation)
d. Landscaping (public and semi-public domain, rights-of-way)
e. Individual development sites or lots

Uses permitted by location is a type of land use permission whereby uses may be permitted within a district based on a specific location, to allow for the integration of limited scale and specific types of support uses within residential, corporate campus or retail/wholesale districts. This section addresses the process and requirements associated with a request for approval of a Use Permitted by Location.
(a) Process - A use Permitted by Location may be requested as part of the original submittal for a PD/UNP, or by a subsequent substantial amendment (to the PD/UNP) request submitted in conjunction with a Development Plan or Preliminary Subdivision Plan. The applicant shall provide: information sufficient to determine the area, site, or sites, that are the subject of the request; justification for the use at the proposed location, demonstrating that the use will be compatible with surrounding uses and otherwise consistent with the Horizon West Town Center goals, objectives and related policies; development program units are available within the district to support the proposed use; and, site development standards or proposed site and/or building improvements that address compatibility of each proposed Permitted by Location site with uses and sites that will abut or may be impacted. Proposed Permitted by Location sites shall be depicted on the PD/UNP submittal describing Land Use Districts and any standards or improvements proposed for one or more sites shall also be included.
(b) Review Criteria -- In reviewing any request for a use Permitted by Location, the following criteria shall be met:
(1) The use shall be consistent with Town Center intent, principles, goals, objectives and policies included in the TCSAP, the adopted Comprehensive Plan, and this code;
(2) The use shall not adversely affect land use relationships of the TCSAP Land Use Plan;
(3) The use shall be compatible with the surrounding area and shall be consistent with the pattern of surrounding development;
(4) The use shall primarily support the residents, employees and/or tenants of the designated district in which the proposed use is to be located;
(5) The use shall not constitute or contribute to the proliferation of strip commercial or aggregation of commercial uses in the UR or CCMU districts;
(6.) The use shall not substantially displace or replace the uses permitted in RW or CCMU districts ;
(7). The use shall not adversely affect the connectivity of the Town Center;
(8) The use shall not act as a detrimental intrusion into a surrounding area; and
(9) The use shall meet the general performance standards applicable to all uses Permitted by Location, as well as specific site related standards approved as part of the PD/UNP request to establish a use Permitted by Location.
(c) Conditions. When the Board of County Commissioners approves any request to approve a Use Permitted by Location, it may prescribe appropriate conditions and safeguards in conformity with the intent and provisions of the Town Center SAP, the PD/UNP, the applicable Preliminary Subdivision Plan, the Town Center PD Code or any other applicable provision of the County Code.
(d) Approvals - Use Permitted by Location approvals shall be in accordance the information provided as part of the request and graphically depicted on the PD/UNP Land Use Districts sheet. In addition, an approval shall be consistent with all other applicable statutes, ordinances, laws, regulations, and rules. Any proposed deviation, change or modification to the information or question of interpretation about the tabular or graphic information is subject, at the outset, to the Zoning Manager's review. After reviewing such proposed deviation, change or modification, the Zoning Manager shall do one of the following: (a) give his/her written approval regarding any non-substantial or insignificant proposed deviation or make a determination concerning any minor question of interpretation, or (b) refer the proposed deviation or question of interpretation to the Planning and Zoning Commission for a discussion between the Zoning Manager and the PZC as to PZC's original intent or position; or (c)
require the applicant to apply for a Permitted by Location request and schedule and advertise a public hearing before the PZC in the same manner as for the original approval of the request. Requests to approve a use Permitted by Location shall always be reviewed by the Development Review Committee, which shall make a recommendation to the PZC.
(e) Identification of Permitted by Location Areas or Sites - The following information shall guide the determination as to whether an "area" or "site" identification is required for consideration of a request.
(1) The identification of an "area" comprised of multiple blocks will constitute sufficient information for identification of a Permitted by Location site when the request involves a use sub-category other than small or neighborhood scale. The area shall be sufficient to accommodate the proposed Permitted by Location use. Approval of the area as part of the PD/UNP will authorize the applicant to proceed to the Development Plan or Preliminary Subdivision Plan stage where a final geographic determination of the area shall be made in conjunction with a DP or PSP plan approval. An increase or decrease to the area originally approved as part of the PD/UNP shall require a substantial amendment request and approval. The PD/UNP Land Use Districts information shall be amended to reflect the approved boundaries for the Permitted by Location use.
(2) The identification of one or more "sites" that represent specific building or development sites defined by existing or planned streets and blocks will constitute sufficient information for identification of a Permitted by Location site when the request involves a small or neighborhood scale use subcategory. Although these sites may be identified during the PD/UNP review and approval process, the most appropriate time is to include the request as part of the submittal of a DP or PSP. Approval of one or more sites as part of the PD/UNP will authorize the applicant to proceed to the Development Plan or Preliminary Subdivision Plan stage where a final geographic determination of the area shall be made in conjunction with a DP or PSP plan approval. An increase or decrease to the area originally approved as part of the PD/UNP shall require a substantial amendment request and approval. The PD/UNP Land Use Districts information must be amended to reflect the approved boundaries for the Permitted by Location use.
(f) Required Development Program - A prerequisite to approval of any Permitted by Location use request is the documentation of sufficient development program units/entitlements to support the request. This can be accomplished through a transfer of entitlements from another district within the PD/UNP, use conversion utilizing an approved conversion matrix, application for use of TDRs, or demonstration that sufficient units are included in the proposed or approved PD/UNP development program.
(g) Alteration or Waiver of Development Standards The development standards of the Town Center Planned Development Code or any standards subsequently approved as part of a PD/UNP, DP or PSP and applicable to Permitted by Location areas or sites, shall not be altered or waived in conjunction with the approval of a use Permitted by Location.
(h) Effect of Approval - Approval/designation of an area or site for a use Permitted by Location shall not expire. However, if an area or site is developed for uses other than the approved use Permitted by Location, the designation shall be voided.

\section*{Sec. 38-1390.24 Reserved.}

Sec. 38-1390.25 Amendments to the PD/UNP, PSP or DP.
(a) Amendments (changes) to the approved PD/UNP, PSP or DP shall be classified as either substantial or nonsubstantial. Substantial amendments shall be reviewed and approved in the same manner as for the original application. The following criteria shall be used to identify a substantial amendment:
(1) A waiver of any provision of the Orange County Code;
(2) A change which would include a land use not previously permitted under the approved PD/UNP.
(3) A change which would alter a land use type adjacent to a property boundary, except when it is (i) a reduction in the density or (ii) a reduction of intensity of approved residential or non-residential development, unless the reduction locates the residential use adjacent to an incompatible land use.
(4) A change which would require an amendment to the Board of County Commissioner's conditions of approval.
(5) An amendment to the phasing which would propose a land use in advance of the development it was designed to support.
(6) A change to the approved type, standards, or a reduction to the extent by more than two links of an Avenue, Parkway or Main Street (Framework Streets). A change in type would include, for example, a change in type from an Avenue to a Standard Street. A change of extent would address, for example, a reduction in the number of links (links are portions of a street between intersections) of one of the listed street types. A change to the geographic alignment/placement of one of the listed street types would not necessarily constitute a substantial change unless the proposed change would affect the placement/alignment of a street within an adjoining property.
(7) A change to the approved type, standards, or a reduction to the extent by more than two links of a Multi-use Path or Trail. A change in type would include, for example, a change in type from a Multi-use Path to a sidewalk. A change of extent would address, for example, a reduction in the number or length of links (a link is a portion of a Path or Trail between intersections, or a six hundred (600) foot length where intersections are not present). A change to the geographic alignment/placement of one of the types would not necessarily constitute a substantial change unless the proposed change would affect the placement/alignment of a type within an adjoining property.
(8) A change reducing the length of a primary block face adjoining a functionally classified street from the length depicted on the approved PD/LNP. However, if the proposed reduction does not create an additional vehicular access to the functionally classified street the amendment can be classified as non-substantial.
(9) A change to the boundary of an area delineated for a use permitted by location.
(10) Any change to the boundary of a Land Use District from that shown on the approved PD/UNP.
(11) A proposed transfer of land use entitlements
(13) Changes to a PD/UNP affecting a neighboring property not included in the \(\mathrm{PD} / \mathrm{UNP}\) and to which the affected property owner(s) has not provided written consent.
(b) The Development Review Committee may determine that other types of proposed changes warrant classification as a substantial change requiring BCC review and approval.
(c) The determination of a substantial or nonsubstantial amendment not specifically addressed herein may be made jointly by the Planning and Zoning Division Managers. Either or both managers may opt to direct that the determination be made by the Development Review Committee (DRC). A determination by the Planning and Zoning Division Managers may be requested by an applicant upon forms supplied by the DRC staff.
(d) Where the developer proposes to reduce the number of units or floor area in one (1) phase of the project, a corresponding increase in the number of units of floor area in another phase may be considered, if other conditions of approval are not adversely affected, the change would occur within the same district, and the change is not associated with any other proposed change which would be considered a substantial change as described above.
(e) Alterations to the PD/UNP determined to be substantial must submit plans and support data (following requirements for the original review and approval of a PD/UNP) for review by the DRC and then a public hearing for final action by the board of county commissioners.
(f) When an amendment is requested, it shall be evaluated in conjunction with the overall project, to determine the
amendment's compatibility with the remainder of the PD/UNP. If the DRC considers any amendment to be incompatible or in conflict with the UNP/PD or its conditions of approval, the applicant will be required to amend the UNP/PD or may be subject to an administrative rezoning public hearing.

\section*{Sec. 38-1390.26 Control of development following approval.}
(a) Upon approval of the PD/UNP, or any phase thereof, the use of land and the construction or modification of any buildings or structures within the PD/UNP shall be in accordance with the approved development plan. However, all other county codes, ordinances, policies and resolutions shall apply to the project.
(b) The applicable department director and/or division manager shall be responsible for certifying that all aspects of the \(\mathrm{PD} / \mathrm{UNP}\), including conditions of approval (applicable to the subject portion of the project) have been satisfactorily completed prior to the issuance of a certificate of completion for the project or phase.
(c) After certification no changes may be made in the approved development plan except under the procedures provided below:
(1) Any structural extension, alteration or modification of existing building structures which are consistent with the approved development plan may be authorized by the zoning manager.
(2) A building or structure that is seventy-five (75) percent or more destroyed may be reconstructed only in compliance with the approved PD/UNP and DP unless an amendment to the DP is approved under the provisions of this article.

Sec. 38-1390.27 Other requirements.
(a) Off-site improvements may be required in conjunction with the PD/UNP approval in order to offset the impacts created by the proposed development. All projects shall be required to provide an adequate level of facilities and services to accommodate the project as proposed and approved.
(b) At the time of development, the PD/UNP or any phase proposed for development shall comply with all regulations and ordinances in force at the time of engineering plan approval.

Sec. 38-1390.28 Bonus for unified neighborhood plan.
Within each Neighborhood Planning Area, the maximum number of residential dwelling units permitted by the Town Center SAP and Comprehensive Plan may not be exceeded, except as may be permitted through PD/UNP review and the provision of density and intensity bonuses as specified herein. Density and intensity bonuses may be acquired in accordance to the conditions prescribed below. A density bonus program is hereby established, which will allow district development programs to exceed thresholds established through the Comprehensive Plan. A "bonus bank" was established with the adoption of the Town Center SAP, which includes a total of 1,540 dwelling units. This bonus may be earned by completing the PD/UNP review and approval process.
(a) Bonus for PD/UNP Review and Approval -An applicant may request an increase to the \(\mathrm{PD} / \mathrm{UNP}\) development program by a pro rata share of the number of dwelling units reserved in the bonus bank. The share shall be determined by the ratio of the percentage of net developable land area included in the applicable PD/UNP, to the net developable area included in the Town Center SAP. This ratio is applied to the total number of units reserved in the "bank" to determine the number of bonus units that may be awarded. The approval of the PD/UNP with the bonus units shall confirm the bonus. In addition, the bonus units may be assigned to any district included in the PD/UNP, and may be converted to non-residential floor area based on the approved land use conversion/equivalency table. However, non-residential floor area created through a conversion of bonus units shall not be assigned to any Urban Residential district in which non-residential uses are not permitted.
(b) Density - Intensity Equivalency Rates. Earned bonuses may be used to increase development entitlements based on land use equivalency rates determined from the \(8^{\text {th }}\) Edition Institute of Transportation Engineers (ITE) Manual:

Sec. 38-1390.28 Transfer criteria.
(a) As part of the approval of an \(\mathrm{PD} / \mathrm{UNP}\), subsequent substantial amendment to the PD/UNP, or PSP approval, development units and the required seven percent open space may be
transferred from any district within the UNP to another land use district within the same \(\mathrm{PD} / \mathrm{UNP}\) under the following conditions:
(1) The use is allowable in the receiving district;
(2) The transfer is consistent with the Principles and Goals, Objectives and Policies of the Town Center and Comprehensive Plan;
(3) The transfer will contribute to fulfilling the desired characteristics of the applicable NPA; and
(4) The transfer does not exceed the adopted PD/UNP Development Program Element.
(b) Transfer of development units or the open space requirements from one approved \(\mathrm{PD} / \mathrm{UNP}\) to another \(\mathrm{PD} / \mathrm{UNP}\) is allowed under the following conditions:
(1) The transfer occurs as part of a simultaneous approval (or amendment) of both affected PD/UNP's; and
(2) The transfer represents a simultaneous decrease and increase in the development programs of the respective \(\mathrm{PD} / \mathrm{UNP}\) 's, such that the \(\mathrm{PD} / \mathrm{UNP}\) 's pro-rata share of the overall development program for the Town Center SAP is not increased or decreased.
(c) Simultaneous increases and decreases may allow for the exchange of residential uses for an equivalency of office and/or retail use based upon the equivalency rates set forth herein.
(d) To facilitate the creation of an interconnected open space network throughout the Town Center comprised of linear parks, trails, wildlife corridors, etc., open space transfers shall be permitted as a non-substantial change. Non-substantial changes are limited to: no more than twenty (20) percent of the seven (7) percent open space set aside in each district; and, the transfer must be to another district within the same PD/UNP. Proposed open space transfers that exceed twenty (20) percent of the standard set aside or that would effect a transfer to a site external to the PD/UNP are classified as a substantial change request requiring approval of the Board of County Commissioners. Such transfers are not justification for an increase in the number of dwelling units or non-residential uses on sending parcels. Receiving parcels are not required to be located adjacent to sending parcels.
(e) Transfer credits for upland greenbelts and wetlands
- One (1) acre of upland greenbelt:
\[
\text { - } \quad \text { Residential }-5.8 \text { dwelling units }
\]
- Non-residential - 8,700 square feet
- One (1) acre of wetland:
- Residential -0.3 dwelling units
- Non-residential - Not applicable

\section*{Sec. 38-1390.30 APF ratio and conveyance requirement.}

Consistent with the Adequate Public Facilities (APF) requirements of Chapter 30, Article XIV, Division 2, Orange County Code, to ensure that APF land is available to support development in the Town Center, all Town Center landowners shall participate in the dedication of APF land, or in the alternative, pay a fee in lieu of dedicating land, at the following ratio:
- Net Developable Acreage: Required Public Facilities

Equals 5.1 (acres of net developable acreage): 1.0 (acre of APF acreage or equivalent fee)

\section*{Sec. 38-1390.31 General interpretation.}

For the purpose of this Code, certain words, terms and symbols are to be interpreted as follows, unless the context clearly indicates otherwise:
(a) Tense: Number -Words used in the present tense can include the future; words in the masculine gender can include the feminine and neuter, and vice versa; words in the singular number can include the plural; and words in the plural can include the singular, unless the obvious construction of the wording indicates otherwise.
(b) Shall; Should; May; Includes -The word "shall" is mandatory; the word "should" is directive but not necessarily
mandatory; the word "may" is permissive. The word "includes" shall not limit a term to the specific examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.
(c) Measurement of Distances -Unless otherwise specified, all distances shall be measured horizontally and at right angles to the line in relation to which the distance is specified.
(d) Text, Figures and Illustrations - Any chart or graphic presentation which is specifically designated as a "Figure" shall be deemed to be a part of the text and controlling on all development. Wherever illustrations are not specifically so designated, they are provided only as aids to the user of these regulations and shall not be deemed a part of its text.
(e) Conflicts -The particular shall control the general. In case of any difference of meaning or implication between the text of these zoning regulations and any caption, figure, illustration, summary table, or illustrative table, the text shall control.
(f) Interpretation of Undefined Terms - Terms not otherwise defined herein shall be interpreted first by reference to section 38-1; second to the adopted Comprehensive Plan, if specifically defined therein; third, by reference to generally accepted engineering, planning, or other development usage; and otherwise according to common usage, unless the context clearly indicates otherwise.

\section*{Sec. 38-1390.28 Definitions.}

For the purposes of the Code the following terms, phrases, words and their derivations shall have the meaning contained herein, except where the context clearly requires otherwise.

Abutting - Touching and sharing a common point or line. This term shall not be deemed to include parcels which are across the street from each other.

Accessory Structure or Use - A subordinate building or structure situated on the same lot or parcel as the principal building or structure, or a subordinate use of land, and which building, structure or use is customarily incidental to and typically found in association with such principal building or use. Factors to be
considered in determining whether a building, structure or use is "subordinate" and "customarily incidental" include the size of the lot or parcel, the uses of adjacent lots or parcels, and the size, shape, height, and roof type (if any) of the building or structure.

Adjacent or Adjoining - Near to but not necessarily touching; sharing a common boundary which may include a street or public right-of-way.

Alley - See Street, Neighborhood Street, Alley
Ancillary Use - A use which is subordinate in purpose, area and extent to the principal use served; contributes primarily to the comfort and convenience of the owners, occupants, employees, customers, or visitors of the principal use and is located within the building housing the principal use served.

Bicycle Lane - A portion of a roadway which has been designated for the preferential or exclusive use of bicycles by striping, signing and pavement markings for the preferential or exclusive use of bicycles.

Bicycle Path - A bikeway physically separated from motorized vehicular traffic by an open space or barrier and located either within the highway right of way or within an independent right of way.

Block - A surface land area that is separated, and distinguished from other surface land areas by streets, pedestrian or bicycle paths, or other natural or man-made features.

Block, Development - A group of lots existing within welldefined and fixed boundaries, usually being an area surrounded by street or pedestrian passage rights-of-way or other physical barriers and having an assigned number, letter, or other name through which it is identified. For non-residential development, the block may be bounded by appropriately designed drive aisles that create the effect of a street boundary.

Block Length - The longest horizontal distance between the well-defined and fixed boundaries of a development block right-of-way to right-of-way.

Block Depth - The shortest horizontal distance between the well-defined and fixed boundaries of a development block right-ofway to right-of-way.

Buildable Area - The area of a lot determined by building placement standards and/or setback requirements and not included within an open space that is required by regulation or action of the approving authority.

Building Frontage - The percentage of the total width of a lot which is required to be building wall, measured where the front yard ends and the front of the building begins.

Building Placement or Setback Line - A line drawn parallel to a lot line at a distance equal to the minimum depth of a required yard/frontage zone. The term also includes front yard setback, side yard setback, rear yard setback and privacy building.

Building Site - Any group of one or more \(\operatorname{lot}(\mathrm{s})\) or parcel(s) occupied or intended for development as a unit, whether or not as part of a larger Development Site.

Build-to-Line - A line extending through a lot which is generally parallel to the front property line and marks the maximum setback, from which the principle vertical plane of the front building elevation, exclusive of permitted arcades, building recesses or similar appurtenances, must be erected.

Building Plane - An exterior flat or level surface of a building, such as a building wall

Civic Space - An outdoor area dedicated for public use, including active and passive recreation. Civic spaces include parks, greens, squares, plazas, and playgrounds.

Common Area - Any part of a development designed and intended to be used in common by the owners, residents, or tenants of the development and by the general public if the area is so designated. These areas may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the owners, residents, tenants, and/or the general public.

Common Improvements - All streets, driveways, parking spaces, and other vehicular use areas, and all uses, facilities, structures, buildings, and other improvements, or portions thereof, which are designed and provided for the common use, benefit, and enjoyment of all residents or occupants of all or a designated portion of a development or neighborhood, or for the protection of adjacent properties.

Common Ownership - Ownership of common open space or common improvements which grants at least some undivided and common rights in such lands or improvements to the residents or occupants of a development or a neighborhood either directly, or indirectly through shares or other interests in the property of a separate legal entity.

Connection (Vehicular) - A driveway, street, turnout, or other means of providing for property access to or from controlled access facilities. For the purpose of access, two one-way connections to a property may constitute a single connection.

Construction Easement - A temporary easement designed to accommodate grading, sloping and other construction related activities outside a permanently dedicated right-of-way or easement.

Contiguous - See Abutting.
Court - An open space which may or may not have direct street access, and around which is arranged a single building or a group of related buildings.

Corner Lot - A lot fronting on two streets at their point of intersection.

Curb - The stone or concrete boundary at the edge of the pavement of a street, which also usually includes gutters.

Dedication - The transfer of property from the owner to another party.

Density, Net Residential - The number of residential dwelling units permitted per acre of land, determined by dividing the number of dwelling units by the net developable area of the Building Site or Development Site.

Developer - Any person, firm, corporation, partnership, or association, including the holder of an option or contract to purchase, who lay's out, for the purpose of sale or development, any subdivision, or part thereof, as defined herein, either for himself or others.

Development - Except where the context otherwise requires, "development" shall mean the performance of any manmade change to improved or unimproved real estate including, but not limited to, building or mining, dredging, filling, grading, paving, excavating, or drilling operations; the permanent storage of
materials and equipment; the making of any material change in the use or appearance of any structure or land; the division of land into two (2) or more parcels; and any construction of improvements to facilitate a residential, commercial, business, industrial, or public use.

Development Site - The property under consideration for a development, which may contain one (1) or more Building Sites.

Elevation - An exterior wall of a building. The front elevation is also known as the façade.

Encroachment - Any structure or object occupying, projecting into or obstructing any portion of a designated public right-of-way, yard, floodplain, buffer, landscaped area or other designated area in which the structure or object is not permitted by these regulations, including but not limited to: building or other materials, all or portions of permanent or temporary buildings or other structures, fences and ornamental structures, and where appropriate to the context, vehicles; but excluding federallyapproved mailboxes, where permitted, and approved driveways.

Encroachment, Vehicular - The projection of a motor vehicle into a landscaped area and where appropriate to the context right-of-way.

End Lot - A lot in which one (1) side lot line is adjacent to the street.

Façade - Any separate face of a Building, including Parapet walls and omitted wall lines, or any part of a Building, which encloses or covers usable space. Where separate faces are oriented in the same direction, or in the directions within forty-five degrees of one another, they are to be considered as part of a single Facade.

Façade, Primary - An exterior wall of a structure that faces or that can largely been seen from a public right-of-way.

Façade, Secondary - An exterior wall of a structure that does not face a public right-of-way.

Farmers Market - Utilization of common outdoor and/or indoor space for individual vendors to conduct the selling of produce, meat products, fruits, small home craft products, food and beverages and similar goods from individual stands or booths.

Fence - Any barrier constructed of wood, metal, masonry or similar material erected for the purpose of assuring privacy or protection, but excluding shrubbery or plantings.

Floor Area, Gross - The sum of the horizontal areas of the stories of a building or buildings, measured from the exterior faces of exterior walls or from the centerlines of walls which separate buildings. Included within such sum shall be the areas of all stories and attic spaces providing a minimum of seven (7) feet of head room; interior balconies or mezzanines; and any other space reasonably usable for any purpose except parking, no matter where located within a building. This term does not include the area of any parking garage structure, but does include all other interior spaces including those which are not heated or air conditioned.

Floor Area Ratio - The ratio of gross floor area of a building or buildings on a lot or building site, divided by the net developable area of the lot or building site.

Frontage Zone - The area between a right-of-way and the build-to-line or a building placement/setback line.

Front Door - The entrance into the principal building on the building site facing the street.

Front Porch - The ground floor platform attached to the front or street side of the main building.

Front Property Line - The shorter building lot line which coincides with the right-of-way of the street or other defining element such as a sidewalk or common open space. In the case of a residential corner lot, the part of the building lot having the narrowest frontage on any street shall be considered the frontage line. In the case of a non-residential corner lot, the front property line is the width of the lot abutting the street with heaviest traffic usage.

Green - An open space, available for unstructured recreation. The green is surrounded by roadways or the fronts of buildings and, consist of grassy areas and trees.

Height (of a Building or Structure) - The vertical distance from the ground level to the highest point of a building or structure. When applied to a building, height shall be measured to the highest point of the coping of a flat roof or the ridge for gable, hip or gambrel roofs. Where no ground level has been established
the height may be measured from the mean elevation of the finished lot grade at the front of the building or structure.

Impervious Surface Area - An area of ground that releases as runoff all or a majority of the precipitation that falls on it. "Impervious surface" includes buildings, rooftops, streets, vehicular use areas, or any other structure, improvement, facility or material which prevents or severely restricts natural percolation of moisture unless specifically designed, constructed and maintained to be pervious. Gravel surfaces shall be considered impervious when used for a vehicular use area, and porous otherwise. Unpaved vehicular use areas shall also be considered impervious, except those designated and approved for occasional vehicular use only. Wooden patios shall be considered pervious.

Impervious Surface Ratio (ISR) - The Impervious Surface Area divided by the Building or Development Site Area.

Improvements (or Site Improvements) - Any grading, filling, or excavation of unimproved property; additions or alterations to existing buildings or other structures requiring alterations to the ground; the construction of new buildings or other structures, including parking lots; and street pavements, curbs and gutters, sidewalks, alley pavements, walkway pavements, water mains, sanitary sewers, storm sewers or drains, street names, signs, landscaping, permanent reference monument, permanent control points, or any other improvement required by these regulations.

Intersection (Node) - The junction of the centerlines of any two streets and/or through block pedestrian passageways.

Landscaping - Landscaping shall consist of, but not be limited to, grass, ground covers, shrubs, vines, hedges, trees, berms, and architectural landscape features and material.

Land Use - A description of how land is occupied or utilized. The terms "land use" and "use of land" shall be deemed also to include building use.

Loading Berth (Off-Street) - An off-street storage space, either outside or within a building, used for the parking of commercial vehicles during loading or unloading.

Lot, Front - Except for lots served by an alley or lane, the lot front determination shall be where the principal vehicular access to the
lot abuts the approved public or private right-of-way. If the principal vehicular access is provided by an alley or lane and the lot is intended to front on a mew, greencourt, passage or pedestrian corridor, the Zoning Manager shall determine the location of the lot front. Lot width shall be measured at the mid-point of the side lot lines.

Lot Line (or Property Line) - Any legal boundary of a lot. Where applicable, the lot line may coincide with the right-of-way line. This term includes the front, side or rear property line.

Marquee - A permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.

Massing - The width, volume and proportions of a building and its parts.

Median, Restrictive - That portion of a divided roadway or divided driveway separating vehicular traffic traveling in opposite directions. Restrictive medians include physical barriers that prohibit movement of traffic across the median such as a concrete barrier, a raised concrete curb and/or island that is not designed to be mountable by a motor vehicle, and a grassed or swale median.

Median Opening, Directional - An opening in a restrictive median which provides for only U-turns and/or left-turn movements.

Median Opening, Full - An opening in a restrictive median designed to allow all turning movements to take place from both the roadway and the adjacent connection.

Multimodal - Pertaining to transportation involving more than one mode of travel (e.g., pedestrian, bike, auto, transit).

Outdoor Lighting - The night-time illumination of an outside area or object by any man-made device located outdoors that produces light by any means. This includes any luminaire used to illuminate advertising signs, landscaping, architectural features, walkways, driveways and parking areas.

Parapet - A low, protective wall constructed as the continuation of the exterior wall of a building and placed along the entire perimeter of the roof of a building.

Parking Aisle - An area within a parking facility intended to provide ingress and egress to parking spaces.

Parking Module (or Bay) - A standard arrangement of parking spaces containing two tiers of spaces served by a single parking aisle.

Parking Lot, Surface - An off-street, ground level area for the parking of motor vehicles.

Parking, Shared -Joint use of a parking area or space for more than one establishment.

Parking Space - An enclosed or unenclosed surfaced area permanently reserved for the temporary storage of one automobile/ motor vehicle, and connected with a street or alley by a surfaced driveway which affords ingress and egress for automobiles/ motor vehicles. Such spaces are considered "on-street" if they are located on a dedicated street right-of-way and are considered "off-street" if they are not.

Pavement, Street - The portion of a street intended for vehicular movement and parking, having an improved surface of asphalt, concrete, brick or other paving materials.

Pavement Width, Street - The width of the pavement of a street, as measured from edge to edge but excluding the curbs, if any.

Permitted Use - A use which is specifically authorized in a particular zoning or land use district.

Perimeter - The boundaries or borders of a lot, tract, or parcel of land.

Phase - The designated portion of a larger development, which is to be constructed as a unit and which is so designed that it can stand on its own even if the other phases of the development are never constructed.

Plaza - An open space that is set aside for civic purposes and short term, incidental commercial activity such as a farmers market.

Porch - An exterior appendage to a building, forming a covered approach to a doorway and which is not enclosed other than by porous screens.

Principal Use or Structure - The primary or predominant use, building or structure of any lot, as distinguished from an ancillary use or accessory use, building or structure.

Primary Façade - A side of a building that is visible from a public right-of-way or has the primary customer entrance.

Property - Any lot, parcel, or tract of land together with the building and structures located thereon.

Property Line - See Lot Line.
Public Entrance - An entrance to a structure that is maintained accessible to the public and free of encumbrances that might interfere with its use by the public.

Right-of-Way - Land owned or controlled by a governmental agency over which the public has a right of passage, including the streets, parkways, medians, sidewalks, and driveways constructed thereon.

Roof line - The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys or minor projections.

Scale - The apparent height, size and bulk of a structure compared to the height of adjacent buildings and to the height of a human and/or the apparent height, size and bulk of the components of the façade compared to the apparent height, size and bulk of the structure.

Setback - See Build-to--Line or Building Placement or Setback Line.

Screen wall - A freestanding wall built along the property line, or parallel with a building façade. It may mask a parking lot from the street, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm.

Sidewalk - An improved walkway intended primarily for pedestrians, usually running parallel to one or both sides of the pavement of a street.

Single Loaded Street - Developments are located on one side of the street and open space is located on the other side of the street.

Street Frontage - The distance along which a lot line adjoins a street, public or private.

Street, Stub - A street that usually ends at a property line and is designated to be extended to adjoining property in the future.

Strectscape - This term refers to the various components that make up a street, both in the right-of-way, and on private lot frontages. It includes pavement, parking spaces, planting areas, street trees, streetlights, sidewalks, front yard fences, front yards, front porches, etc.

Through-Block Pedestrian Passageway - An uninterrupted corridor which provides highly-visible, inviting, and convenient pedestrian access, through the interior of the block, to the next parallel block face. Such passageways offer an unobstructed view through the block, and feature landscaping, seating, overhead shade, lighting, and a paved walkway surface along their full length.

Tree Well, Street - A planting area for street trees, surrounded by paving; the tree well normally is situated in the sidewalk, between the curb and the edge of right-of-way.

Vehicular Use Area - An area used for the display or parking of any and all types of vehicles and equipment, and all land upon which vehicles traverse the property.

Yard - An open space at grade between a building or structure and the adjoining lot lines unoccupied and unobstructed by any portion of a building or structure from the ground upward, except as may be permitted by these regulations. For the purpose of determining the depth of front, rear and side yards, the minimum horizontal distance between the lot lines and the building or structure shall be used.

Yard, Front - A yard extending across the front of a lot, between the side lot lines, and being the minimum horizontal distance between the street right-of-way line and the principal building or any projections thereof other than the projections of uncovered steps, uncovered balconies or uncovered porches.

Yard, Rear - A yard extending across the rear of a lot, between the side lot lines, and being the minimum horizontal distance between the rear of the principal building or any
projections thereof other than the projections of uncovered steps, uncovered balconies or uncovered porches, to the rear lot line. On all corner lots the rear yard shall be at the opposite end of the lot from the front yard.

Yard, Side - An open unoccupied space on the same lot with a main building, situated between the side line of the building and the adjacent side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.

Yard, Street Side - A yard extending across the side of a corner lot between the rear line of the front yard and front line of the rear yard, and between the principal building and the street right-of-way line, and being the minimum horizontal distance between the principal building or any projections thereof other than the projections of uncovered steps, uncovered balconies or uncovered porches, to the right-of-way line.

\section*{Part 2}

Walkable Community Standards

\section*{Sub Part 1 - Block Standards}

\section*{Sec. 38-1390.29 Block standards.}

Streets and blocks comprise the "bones" of each of the Town Center neighborhoods. The location and types of streets and pedestrian pathways inform the size and configuration of the blocks in which development is expected to occur.
(a) Purpose and Intent of Block Standards - The establishment of street and block plans and standards, and the consideration of substantial or non-substantial changes, shall be guided by the following statements of intent:
(1) Variation of block lengths, widths and geometric configurations are encouraged in order to create diversity of place. Proposed changes in the location of streets that are designed to create variety of block size and shape should not be permitted to lessen the functionality and connectivity of the street network.
(2) Blocks may be formed through an interconnected network of vehicular streets and-by means of an approved block-defining pedestrian passageway. Pedestrian passageways that form blocks shall connect streets, parks, open space
or other pedestrian passageways and shall comply with the requirements contained in this Article.
(3) Variability in the size and shape of blocks should be limited in areas and districts intended for higher density and intensity of mixed use development in order to preserve vehicular routes and capacity of the supporting street system.
(4) The interconnected network of streets and pedestrian passage ways can be curvilinear, within limits established by the applicable design speed, as a means of avoiding long views, incorporating traffic calming measures and stormwater facilities, and preserving conservation areas.
(5) The context and use of a development site determines the degree of flexibility permitted for street and block plans. Development sites intended for hospital, educational or other types of large scale campuses may be afforded greater flexibility in the application of block standards, for example, to accommodate the placement and physical connection of multiple buildings and associated parking facilities. The physical context of a site should also be taken into consideration where natural or man-made conditions such as the presence of major roads, conservation areas, natural water bodies or utility corridors may also constrain block and connectivity planning as required by the provisions of this Code. Consistency with the street and block standards, as well as continuation of any street pattern which may be planned or established along the perimeter of abutting properties should be maintained. Flexibility in meeting connectivity and block standards is reserved for the internal portions of a development site or those areas most directly affected by existing constraints.

\section*{(b) Block Attributes - Size and Shape of Blocks}
(1) The primary block face is determined pursuant to the following hierarchy: (a) the block face adjoining an Urban Collector/Functionally Classified Street; or, (b)the block face adjoining a Parkway, Avenue or Main Street (Framework Street types); or, (c) the longest face of a block adjoining any other type of Framework Street.
(2) Primary block faces that are 250 feet or less in length may be permitted to accommodate parks and open space, small scale civic uses or neighborhood scale commercial or office uses approved for locations within Urban Residential districts, and/or in other locations where the number of such blocks is limited to one per

1,200 linear feet of adjoining street. However, this type of block shall not be permitted adjoining a functionally classified street unless both sides of the block adjoin a pedestrian passage-way and not a vehicular street.
sides.
(3) A block may be comprised of less than four
(c) Block Length and Depth Standards
\begin{tabular}{|c|c|c|c|c|}
\hline Area Type & District Type & Minimum Length - ROW to ROW along the primary block face (4), (5) & \begin{tabular}{l}
Maximum Length ROW to ROW along the primary block face \\
(4), (5)
\end{tabular} & Maximum Depth Perpendicular to the Primary Block Face (ROW to ROW exclusive of alleys and lanes) (4), (5) \\
\hline \begin{tabular}{l}
All Blocks \\
Adjoining a Functionally Classified Street
\end{tabular} & Applies to all Districts & 600 feet (1) & 800 feet (2) & 600 feet \\
\hline All Blocks Adjoining a Main Street & Traditional Town Center Core (TTCC), Corporate Neighborhood Center (CNC) & 250 feet (3) & 400 feet & 400 feet \\
\hline NA & \begin{tabular}{l}
Corporate Campus Mixed Use (CCMU), \\
Retail/Wholesale (RW), Urban Residential (UR)
\end{tabular} & 250 feet (3) & 600 feet & 600 feet \\
\hline
\end{tabular}

Notes:
(1) Primary block length adjacent to a functionally classified street cannot be less than 600 feet right-of-way to right-of-way where the block edges are formed by streets; however, where a block edge is defined by an approved pedestrian passage-way the primary block face may be less than 600 feet.
(2) Primary block faces that are more than 600 feet in length shall include a mid block pedestrian passage way at either: the mid-point of the primary block face; a point approximating the 600 foot dimension of the block face; or, at a location approved as part of the PD/UNP or PSP.
(3) See \(38.1390 .29(B)(2)\) for limitations related to blocks with a primary block face of less than 250 feet
(4) Right-in and right-out driveways shall not constitute a block for the purpose of determining compliance with minimum or maximum block length standards.
(5) A block length that is between \(95 \%\) and \(105 \%\) of the standard block length shall be considered in compliance with the block length standard, and shall not require an amendment or waiver.

\section*{Sec. 38-1390.30 Combination of blocks permitted; storm water facilities exempt.}
(a) Blocks may be combined and exceed the maximum block length standards to form building or development sites without a requirement for a substantial or non-substantial change when all of the following criteria have been satisfied: the combination involves blocks that are perpendicular (and not parallel) to a functionally classified street; the combination maintains vehicular and/or pedestrian connections to the adjoining street network that would have been provided if the blocks were not combined; and, the combination supports development consistent with the desired character of the applicable district.
(b) Except where restricted through standards contained in this Section, blocks may be combined to create larger development or building sites for the following purposes: to accommodate the footprint of one or more single or mixed use buildings that will share off-street parking facilities immediately or through a phased development program; to accommodate an educational campus, sports complex, hospital complex; or, a park or civic use such as a place of worship or library.
(c) The block standards shall not be applicable for lands required to accommodate a required stormwater facility designed as an amenity; or, preserve an existing wetland or protected habitat. Master planning for stormwater facilities should, to the maximum extent feasible, avoid significant disruption of the network of streets surrounding the facility and maintain connectivity. The storm amenity shall incorporate a pedestrian through block passageway which connects streets:
(d) Blocks that adjoin a Main Street (Framework Street type) may be combined to form a single development or building site consistent with the following restrictions:
(1) No more than two (2) blocks adjoining the Main Street may be combined;
(2) One combination of blocks may be permitted along each side of all street links that form a Main Street; and
(3) The primary block face standard applicable for
(f) When blocks are combined, access driveways with sidewalks and/or pedestrian passageways shall be placed in such a manner as to form four-way intersections with the interrupted streets. Additionally, the combined development or building site shall be planned in such a manner that the interconnected street network and block pattern can be maintained.

\section*{Sec. 38-1390.31 Pedestrian accommodations.}
(a) Where practical, pedestrian passageways, drive aisles with sidewalks, or standard Framework Streets shall be incorporated in combined blocks in order to provide opportunities for pedestrians to cross through the site.
(b) Planning and Design Standards for Through-Block Pedestrian Passageways - During the initial phases of project programming and development, owners may find it necessary to combine blocks. If the resulting block length exceeds the standards of this Code, owners shall incorporate approved Through-Block Pedestrian Passageways which make a direct connection to the opposite side of the block. As development projects are redeveloped and portions of surface parking areas are replaced with structures, such Passageways will eventually delineate formal pedestrian corridors between structures and outdoor urban plazas.
(1) Through-Block Pedestrian Passageways, consistent with the design standards of this chapter, shall be an acceptable substitute for required block termination. Through-Block Pedestrian Passageways shall function as an uninterrupted continuation of the surrounding street sidewalk grid system and shall signal a safe through-block pedestrian connection to the next parallel block face.
(2) The entryway component of Through-Block Pedestrian Passageways shall be highly-visible, and brightly lit in a way that and invites regular and convenient use by pedestrians seeking
a destination on the opposite side of the block. These facilities shall be placed in a public easement which provides for unrestricted public access. They shall be recorded on a plat map within the plan sheets of the Preliminary Subdivision Plan application and meet all access conditions required by the Orange County Fire Rescue Division.
(3) Regardless of the form through which public pedestrian access is provided, the costs of maintenance, repair and security of passageways shall be borne by the adjacent property owner or an entity approved by Orange County such as a property owner association, or Municipal Services Taxing Unit.
(4) Plan submittals for all Through-Block Pedestrian Passageways shall, at a minimum, delineate the following three (3) components along their full length:
- Walk Clear Zone. A centralized walk clear zone for safe, convenient and unimpeded pedestrian circulation.
- Tables, Seating, Shrub and Groundcover Plantings. Benches with backs or tables with seats, and planters (raised with seat walls, or cut-out style) shall be incorporated. Planters may include required canopy trees.
- Overhead Shade and Shelter. Overhead shade and shelter, in the form of approved canopy shade trees or fabricated structures shall be provided in accordance with the spacing and weather protection requirements below. Approved overhead fabricated awnings or trellises, or public art structures, may meet the overhead shade and shelter protection requirement. Fabricated overhead shade structures are intended to provide shade and protection from inclement weather. As such, a minimum of \(70 \%\) of the area within the limits of a fabricated shade structure shall provide solid overhead weather protection. A combination of fabricated overhead shade, and canopy trees, is encouraged to meet the overhead shade and shelter requirement.
- Customer access doors and windows. Doors and windows associated with uses directly abutting passageways are encouraged.
(5) When provided or required, Through-Block Pedestrian Passageways shall be provided in accordance with the following standards:
\begin{tabular}{|c|c|}
\hline \multicolumn{2}{|l|}{GENERAL SPACING OF THROUGH-BLOCK PEDESTRIAN} \\
\hline \multicolumn{2}{|r|}{PASSAGEWAYS} \\
\hline Block Length & Constructed Location * \\
\hline 400' - 599' & Middle \(1 / 3\) of block \\
\hline \(600^{\prime}\) or more & Every 300' \\
\hline * A \(10 \%\) variatio Passageways may certain land uses, spacing shall be \(m\) & Ecing and location (in any direction) aning Manager in order to accommodate ng footprint requirements. Passageway of Passageway. \\
\hline
\end{tabular}

\section*{Sec. 38-1390.32 Purpose.}

The purpose of Framework Street standards is to provide a network of interconnected streets that supports the needs of all users, including pedestrians, bicyclists and motor vehicles, offering multiple routes to a destination, and reducing reliance on urban arterial and collector roadways. Also, these standards are intended to result in the provision of a safe, comfortable, and attractive pedestrian environment that emphasizes accessibility, while providing secondary consideration for vehicular mobility.

\section*{Sec. 38-1390.33 General requirements.}

Whenever public or private streets, rights-of-way, pedestrian passageways, bikeways or driveway approaches are to
be constructed as part of any development after the effective date of this Code, they shall be utilized, designed and installed in accordance with the requirements contained herein. Whenever existing public streets, right-of-way, pedestrian passageways, trails, multi-use paths or driveway approaches abutting and serving a specific development do not meet the requirements listed herein and the transportation impacts of the specific development would result in unsafe facility operating conditions, the DRC may recommend appropriate conditions that would require the affected facilities be improved to conform to these requirements.

Sec. 38-1390.34 Encroachments within a right-of-way.
No encroachment shall be erected in or on any right-of-way unless consistent with the Right-of-Way Utilization Regulations of Orange County, Article VI of Chapter 21, Orange County Code.

\section*{Sec. 38-1390.35 Site access standards.}

The provision of vehicular access to lots, building or development sites within the Town Center shall be governed by the following standards.
(a) Lots, building and development sites within blocks that adjoin an Urban Collector/Functionally Classified Street, Avenue or Parkway may be subject to a requirement for a Unified Circulation and Access Plan. This Plan shall be established at the time of a Preliminary Subdivision Plan approval for the affected block(s). The DRC shall be authorized to designate cross-access corridors for blocks that adjoin one of the aforementioned Framework Streets or an Urban Collector/Functionally Classified Street. The following requirements apply to cross-access corridors:
(1) Design of Cross-Access Corridors. These corridors shall be designed to provide unified access and circulation among individual sites in order to assist in local traffic movement. Each corridor should be designed to include the following elements:
a. A continuous linear travel corridor extending the entire length of the block which it serves.
b. Sufficient width to accommodate two-way travel aisles designed to accommodate automobiles, service vehicles and loading vehicles.
c. Stub-outs and other design features which made it visually obvious that the abutting properties may be tied in to provide cross-access.
d. Linkage to other cross-access corridors in the area.

Commentary: Unified Access and Circulation Plans are intended to address vehicular circulation internal to blocks (individual or combined) and connecting lots, building sites and development sites that are intended for separate ownership. Where a block, group of blocks or combined blocks will be under common ownership, such as shopping center or apartment projects, the function of a Unified Circulation and Access Plan may be adequately addressed through the development plan review and approval process.
(2) Easements Required to be Dedicated. Wherever a cross-access corridor is designated no other development order shall be approved unless the property owner shall grant an easement, running with the land, allowing general cross-access to and from the other properties within the PSP or DP. Such easement shall be recorded in the public records of Orange County and constitute a covenant running with the land.
(3) Coordinated Access and Circulation Systems or Joint/Shared Parking Design. Wherever a cross-access corridor has been designated in accordance with (2) above, the sites within the affected area may be so designed as to provide for coordinated access and circulation systems. When elected by the affected property owners, joint/shared parking facilities may also be included as an element of a unified system.
(4) Development Prior to Abutting Use. In the event that a site is developed prior to an abutting property, it shall be designed to ensure that parking, access and circulation elements may be easily tied in to create a unified system at a later date.
(5) Existing Abutting Uses. In the event that a site abuts an existing developed property, it shall be so designed as to tie into the abutting parking, access and circulation to create a unified system unless the County Engineer finds that this would be impractical due to adverse topographical, soil, stormwater, or conservation conditions.
(b) Criteria for County Engineer approval of mid-block driveway access include, but are not limited to those listed below. The County Engineer may base an approval or denial of a driveway based on one or more of the applicable criteria.
(1) The proposed driveway is connected to a cross-access easement that is part of a Unified Circulation and Access Plan approved for the associated block;
(2) Access rights along the block adjoining a Functionally Classified/Urban Collector, Avenue or Parkway have been dedicated to Orange County;
(3) Unrestricted access driveways may be permitted for Avenues and at designated median openings along Functionally Classified/Urban Collectors and Parkways;
(4) Restricted access (right-in/right-out) driveways may be permitted for two lane Framework Streets with a non-raised median that is at least ten feet wide; and
(5) The pedestrian crossing area of the driveway shall be clearly marked and MUTCD consistent signage shall be erected to alert drivers exiting the block to the presence of pedestrians and bicyclists.

\section*{Sec. 38-1390.36 Framework Street Standards.}
(a) The Town Center multimodal transportation system is comprised of Functionally Classified/Urban Collector and Framework Streets. The purpose of the Framework Street network is to: connect Town Center Neighborhoods and Land Use Districts; provide connections to community parks internal to the Town Center; and connect the Town Center with the regional network of roads and transit facilities/services. Additional purposes associated with Framework Streets include:
(1) Framework Streets serve a public purpose by forming an interconnected network of streets designed to provide access to property, and provide for the movement of people and goods;
(2) Framework Streets are intended to provide a broad range of opportunities for people to satisfy their trip making needs by the most efficient and economical modes available; and,
(3) The placement, design and naming of Framework Streets provides a means of way finding within Town Center as well as provides geographic reference points for travelers.
(b) On-street parking shall be required for Main Streets and shall either be parallel to the curb or may be angled in areas deemed appropriate by the Development Review Committee and consistent with specifications approved by the County Engineer. Onstreet parking for Avenues and Parkways shall always be parallel to the curb. When elected by a property owner, on-street parking for Standard Streets may either be parallel to the curb or angled in areas deemed appropriate by the Development Review Committee and consistent with specifications as submitted by the applicant and approved by the County Engineer. Where required, the minimum width of on-street parking is seven (7) feet. The gutter portion of a curb and gutter section shall not be included as part of the width of an on-street parking space.

Where designated on-street parking is not includes as part of a standard Framework Street, the applicable preliminary subdivision plan or development plan shall address the type and signage required to provide notice that on-street parking of vehicles is not permitted.
(c) Bicycle lanes are always included within Avenue and Parkway Framework Street types and the minimum width shall be five (5) feet. The inclusion of bicycle lanes within any other Framework Street type is at the option of the developer and subject to approval at DRC in conjunction with a PSP or DP.
(d) The typical cross-section and standards for a Framework Street shall not be modified through the substantial or nonsubstantial change process.
(e) Alternative cross-sections and standards for a Framework Street type other than those defined herein may be proposed as a substantial change subject to the approval of the County Engineer, DRC and the Board of County Commissioners.
(f) The location, type and design of transit stations, stops and pull-over's within the right-of-way of Framework Streets shall be determined by the County during the PSP or DP review process.
(g) The posted speed of a Framework Street shall be the same as the design speed unless otherwise determined by the County.
(h) Bicycle lanes shall be striped, designed, and delineated in accordance with the second edition of the NACTO Urban Bikeway Design Guide (as it may be updated from time to time).No required
part of a bicycle lane shall be included in any part of a curb and/or gutter section.
(i) The minimum spacing of vehicular intersections with a Functionally Classified Street/Urban Collector (FCS) shall be 660 feet measured centerline to centerline of the intersecting streets. Driveway access to a FCS at locations between vehicular intersections may be approved by the County Engineer to accommodate right-in and rightout driveway access as well as access to public facilities (fire stations, police sub-stations, schools or libraries).
(j) Placement of traffic signals must meet the warrant requirements of the Manual of Uniform Traffic Control Devices (MUTCD). When signals are proposed at intervals closer than the minimum intersection spacing referenced in (I) above, they shall be considered only where the need for such signals is clearly demonstrated and approved by the County Engineer. They shall be evaluated based upon the safe and efficient operation of the Framework Street or Functionally Classified Street/Urban Collector. The traffic analysis supporting the signalization must show no significant reduction of service for through traffic on the Functionally Classified Street/Urban Collector.
(k) Direct vehicular access from a lot, building or development site to an Avenue or Parkway shall be limited to one (1) right-in/right-out per block face with an exception for public facilities such as fire stations, police sub-stations, schools or libraries. All lots, building or development sites that adjoin a Main Street shall have direct access from another street, inclusive of alleys or lanes. All lots, building or development sites that adjoin any other Framework Street are encouraged to have direct access from another street, inclusive of alleys or lanes.
(1) Utilities placed under pavement within any Framework Street shall include a sufficient number of lateral connections to adjoining properties to provide service without the need to cut any part of a curb, pavement or walkway.
(m) Curb or gutter, sub-base and pavement construction standards shall be as specified by the County Engineer. Durable pavement materials other than asphalt or concrete may be substituted for the wearing surface of on-street parking and within gateway intersections with the approval of the County Engineer.
(n) Streetlights are required along all Framework Streets
(o) Where Framework Streets are programmed to include underground utility pipes with a diameter of sixteen (16) inches, or larger, the minimum width of the Framework Street Walking Zone sidewalk over such pipe(s) shall be a minimum of twelve (12) feet. The subject underground utility pipe should be aligned under the street-side edge of the subject sidewalk - not the private property side. In no case may the façade of a building be placed within eighteen (18) feet of utility pipes possessing a diameter of sixteen (16) inches, or larger.
(p) Bulb-out planting areas for street trees shall be required for any Framework Street that has been designated as a Main Street. Bulb-out planting areas shall be optional on all other Framework Streets.
(q) Cul-de-sacs shall be subject to approval by the Development Review Committee (DRC) on a case-by-case basis when natural or man-made constraints impede roadway connectivity. The DRC shall endeavor to ensure that pedestrian connectivity is maintained when cul-de-sacs are considered for approval.
(r) Front loaded lots shall not be utilized where: they front a block containing a public or private school, or a public park/civic space owned and maintained by Orange County.
(s) Where feasible, all utilities that are intended for placement within the right-of-way of a Framework Street shall be placed under pavement or the sidewalk sections along either side.
(t) Wherever a development or building site abuts unplatted land or a future development phase of the same development, street stubs shall provide access to abutting properties or to logically extend the street system into the surrounding area. The determination that street stubs are required shall be made by the DRC as part of the review of PSP's.

\section*{Sec. 38-1390.37 Framework street cross-sections and standards.}
(a) Each Framework Street cross-section is comprised of several elements including: traveled way; furnishing zone; walking
zone; and frontage zone. Requirements and restrictions relative to each of these elements are provided below.
(1) The traveled way includes through lanes, bicycle lane, parking lane and edge zone. Bulb-outs may extend into the traveled way consistent with standards determined and approved by the County Engineer.
(2) The furnishing zone is intended to accommodate: street light standards; canopy or understory trees; trash receptacles and street furniture such as benches, wayfinding signage standards and kiosks; and public bicycle parking facilities.
(3) The walking zone is intended for pedestrian travel and shall be kept clear of permanent or movable obstacles to pedestrian movement. When a use agreement is approved by the County Engineer, overhangs, awnings, canopies marquees and other facilities specified in the Right-of-Way Utilization Regulations contained in Chapter 21 of the Orange County Code may extend over or be placed within the walking zone to the full extent of the width of the zone or as otherwise provided in the approved use agreement.
(4) The frontage zone extends beyond the public right-of-way to the face of a building or to the front edge of a required setback. This type of zone may serve a variety of purposes. The first purpose is to provide an area for outdoor seating and related activities associated with residential or non-residential uses. The frontage zone also delineates the minimum or maximum setback for properties adjoining Framework Streets.

\section*{Town Center Framework Street}

\section*{MAIN STREET}

A pedestrian-scalerd street suitable for neighborhood settings served by shorter block lengths and featuring smaller scale shops and restaurants. The front facade of atructures on properties abutting Main Street tope Framework Streets are placed between \(10^{\prime}\) and \(20^{\circ}\) from the right-of-way. Structured and surface parking and associated drive aisles for properties abutting Main Streets are located behind buildings within the blocks interior. Primary acoess to block interior surface parking is provided in xccordance with the standards described in Part 2.

(1) iniderdrive bane wisth may be required behind anglas on-street parking stall conngurations - consult County Enginger cordesignee for specific design and for submittal requirements.
(2) Bike lane width shall hot include surface aras of opt ional valley gutter.
(3) Gutters assciated with storrowater drainage systems at parking lane 'bulb out'islands shall acrommodate uninterrupted storrmater flow with in sidewalk edge gutter pan, and aroid flooding of adacent bike bne surface.
(4) Required on-strest perking may be designed in ethera parallelorangled configuration. Parking stallwith includes guter pan surfoce of curband gutter systems instalied st sidewelkedge.
(5) See Part 4 foradescription of pemitted 10 'buitling setback flex zone mesant to accommodate architectural projections, recesses, entryway alcoves, widened outdror seating areas, etc.

\section*{Town Center Framework Street}

\section*{PARKWAY}

A limited distance, multimodal street which gener ally connects north and south locations within an urbanized setting. On-strest parking, bicycle lanes and sidewalks are essential elements of this Framework Street type. Driveway curb out access from Parkways is controlled in order to enhance safery for pedestrians and bicydists; to preserve elements of frontage and furnishing zones; and to ensure the smooth flow of street traffic. The option for a center median is included in the design parameters for Parkways in order to provide protected left turns.

(1)When thmugh bnes separated ty matian, the minimum coar width (including drivelane bike bne and gutter pan surfacest shall be 77. (2) Qike lane width shall not include surface arge of optional valley gutter.
(3)Gutters associated with stormwater drainage systems at parking lane 'bulb out'islands shall acommadate uninternupted stormwater flow within sidewalkedge guter pan, and avoid fiowing ofodjacent bike tone surnace.
(4) Required on-street panking sell width shall include gutter pan surfare of cutt and gutter syotems installed at sidewalk edge. Angled onsreet parking is prohibited.
(5) Building setbacks dete mined by surrounding Town Center Land Use Distri: designtimn, Gonsult the fown Genter recommended Lard Use District, orapprowed Planned DevelopmentlUnifed Neightorhoad Plan.

\section*{Town Center Framework Street}
(1) Bike lane width shall not include surface aree of optional valley gutter.
(2)Gutters assciated with stormwaterd ainage systems at parking lane 'bulbout isiands shall accommodate uninterrupted stormwater flow with in sidevalk edge gutter pan, and avoid floodingofadacent bike bne surface.
()) Required on-strest parking stall width shall include gutter fan suface of cutband gutter systems installed at sidewalk edge. Anglad onstreet parking is prohibited.
(4) Building setbacks detemined by surround ing Fown Center Land Use Distrit designation. Gonsult the Fown Genter recommended Land Use District, or approved Planned Davelopment/Inified Meighborhood Plan.
(1)widerdrise lane with may be required tehind angled on-street parking stall configu rations - consult County Enginearor designee for specific de signand for submitral requirements.
(2) Bike lane width shall not include surfice ares of optional valley gutter.
(3)Gutters ascoiated with stormuater drainage systems at optional parking bane 'bulb out' is inds shall accommodate uninterupted stormwaterflow within sidewalkedge gutter pan, and suoid flooling of ad facent bike lane surfoce.
(4) Optional on-street parking may be designed in either a parallel or angled configuration. Paking stall width includesputter pan surface of curband gutter sstems intalkd at sidewalkedge.
(5) Building setbacks detemnined by surround ing Town Center Land Use District desiaration. Gonsult the Tawn Centar recommended Land Use District, arapproved Planned Development/Unifiat Neig htorhocd Pan.


\section*{Town Center Framework Street}

\section*{REAR LANE}

This Framework Street may provide access to both residential and non-residential usas including delivery areas and parking lots within the blocks interior. Because Rear Lanes are not placed along the front of residencitial or non-residential uses - typical Framework Street Frontage Zone, Furnishing Zone, and on-street parking stalls are not required, Landscaping (induding knes walls along along surface parking lots) shall be provided along the non-residential property edge in accordanee with the standards described below. This street type shall also facilitate ernergency vehide access.

\begin{tabular}{|c|c|c|}
\hline DESIGII PARAMETERS & HIPIAUM & MAXIRUM \\
\hline \multicolumn{3}{|l|}{Travelad Way} \\
\hline Through tanes bach woy) & 1 & 1 \\
\hline Through Lane (nonemergency access) width tieet) & 10 & 12 \\
\hline Ememency Accessclearwidth (feet) & 20 & 22 \\
\hline Gutter width feet! & \multicolumn{2}{|c|}{varies} \\
\hline \multicolumn{3}{|l|}{Bullding Setback .} \\
\hline Buiding setbsak (residential and non-res) (feet) & 10 & Ná \\
\hline
\end{tabular}
\begin{tabular}{|c|c|c|c|}
\hline \multicolumn{4}{|l|}{Surtace Parking Edge Rutifer landscapeStandards} \\
\hline - & SurfaceFsrkingon SothSider ofRear Lare & Refr Lare Betwan Pexidentialand Surfece Ferking & Mesidentalon both Sidesof Mear lare!l? \\
\hline Knee Wall Requited Along Surfece Parking Lot Edge (1) & No & Yes & - No \\
\hline Landscape buffer width abng non-residential edge (feet) & 5 & 7 (includes knee wall at parking lot edige & Na \\
\hline Required Landscaping (2) & \multicolumn{3}{|l|}{Continuous lexcluding petestriancut-through si fine of shrubs and ground overer piont materialsabing full length of any parking botadge.} \\
\hline
\end{tabular}
(1) With the following axeption, consult par 4 for knee wall standands. Periouic pedestian cut-th mugh'internptions imaximum \(6^{\prime}\) to \(8^{\prime}\) wide) in the bine wall and associated land saping shall be promided at appropriate lacations and intenads imeximum 150 ' springi. Such cut-throughs shail incorforate a sidewalk surface or otherapproved stabilized walk surface.
(2) Landscaping is not required abong residential edige of Rear Lanes.

Roundabout


NOTE: The roundabout graphic above is only provided as a local roundabout example. Roundabouts along Town Center Framework Streets shall be designed and reviewed, on a case-bycase basis, in accordance with County Standards. Roundabout planning and design shall factor adjacent development context, and safe visibility. For a thorough roundabout design reference resource, consult the latest edition of the FHWA document Roundabouts: An Informational Guide.
\begin{tabular}{|l|c|c|}
\hline \multicolumn{1}{|c|}{ DESIGN PARAMETERS } & MINIMUM & MAXIMUM \\
\hline Target speed & NA & 20 \\
\hline Through Lanes (each way) & 1 & 1 \\
\hline Through Lane Width (feet) & 10 & 11 \\
\hline Entry Lane Width (feet) & & \\
\hline Bike Lane Width (feet) & & 5 \\
\hline Median Zone & & \\
\hline Landscape Area Radius (feet) & & \\
\hline Apron Width (feet) & & \\
\hline Curb and Gutter width (feet) & & \\
\hline Streetside Zone & & \\
\hline Walk Zone width (feet) & 6 & 2 \\
\hline Curb and Gutter width & 2 & \\
\hline
\end{tabular}

11/15/2012

\section*{PZC/LPA APPV'D DOC}

\section*{Sec. 38-1390.38 General standards.}
(a) All streets and public ways shall be paved and curbed in accordance with the standards for Framework Street types, and the following requirements:
(1) Additional Improvements for Streets in Existence Prior to the Adoption of this Chapter. Where any Street(s) lying within or abutting a proposed development requires construction of additional lanes or other improvements to meet the standards of this Code or the requirements of a pre-existing development order or agreement, the extent of the improvements required (or money escrowed) shall be commensurate with the impact of the proposed development, in accordance with the requirements of Orange County.
(2) Intersection/Access Improvements. Intersection and access improvements to Framework or Functionally Classified Streets, such as acceleration, deceleration, and turning lanes, shall be installed at the developer's expense within the area of the applicable and approved PSP or Development Plan and on abutting Streets and in accordance with standards established by the County Engineer.
(3) Improvements Required to Nearest Acceptable Improved Public Street. Each development shall abut, or have as its primary access, a street whose improvements have been approved by the Orange County Development Engineering Division pursuant to the minimum requirements of this Chapter. Wherever the abutting street does not meet these requirements, the developer shall construct the street where it abuts the development and to the nearest structurally acceptable paved public street as determined by the County Engineer.
(4) Paving, Base Courses, Wearing Surfaces, etc. As established in Chapter 34, Subdivision Regulations, of the Orange County Code.
(5) Pavement Markings. All travel lanes, lines, turning arrows and other pavement markings needed to control traffic flow shall be-placed on the pavement by the developer, in accordance with the Manual for Uniform Traffic Control Devices.
(6) Traffic Control Devices. All required regulatory, warning and/or guide signs; signalization/hazard ahead warning devices and other traffic control devices shall be approved
by the Orange County Traffic Engineering Division and installed by the developer in accordance with the Manual of Uniform Traffic Control Devices.
(7) Driveway Approaches. Driveway approaches shall be provided in accordance with the grades and specifications as established by Orange County. Such construction shall be subject to inspection and approval by the County Engineer. If any paving or curb defects, or any damage from heavy equipment shall occur within one year from the date of acceptance, the defects shall be remedied by the developer at the developer's expense.
(b) Adjoining property owners shall have maintenance responsibility for required on-street parking, bulb outs, furnishing zones and walking zones. This responsibility shall be assigned to a Property Owner Association, Municipal Services Benefit Unit (MSBU), Municipal Services Taxing Unit (MSTU) or Community Development District when approved by the Board of County Commissioners. Such funding mechanism shall be in place prior to or concurrent with a Preliminary Subdivision Plan.
(c) All intersections and curves shall be designed in accordance with the following or an alternative approved by the County Engineer:
(1) Right Angle Intersections. Streets shall be designed so as to intersect as nearly as possible at right angles. The approach to an intersection should be approximately at right angles for a minimum of 150 (one hundred and fifty) feet on Framework Streets.
(2) Non Right Angle Intersections. With the approval of the County Engineer, one approach to an intersection may be designed with a maximum of sixty (60) degrees of offset from a right angle.
(3) Relationship to Existing Intersections. New intersections to an existing street shall wherever practical be located directly across from any existing intersection on the opposite side of the street, so as to form a single four-way intersection.
(d) All streets shall be designed in accordance with: the latest editions of the Orange County Road Construction Specifications; the Florida Department of Transportation Manual
of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Green Book), and Chapter 19 (Traditional Neighborhood Development) of the Green Book; including the associated Traditional Neighborhood Development Handbook; and the following minimum standards:
(1) The minimum right-of-way width shall be as depicted on the applicable street type cross-section, or of sufficient width to provide for adequate ultimate drainage facilities, utilities, and sidewalks, whichever is greater.
(2) The minimum lane/pavement widths shall be determined based on the information presented with each Framework Street cross-section and the anticipated vehicular volume as described in Chapter 34 of the Orange County Code.
(3) The minimum pavement width for a one-way street, exclusive of alleys and lanes, shall be seventeen (17) feet.
(4) Minimum median width shall be fifteen and one-half (15.5) feet back of curb to back of curb.
(5) Pavement widths shall be measured exclusive of curbs.
(6) Gutter curbing may be used in Framework Street type cross-sections where bulb outs are utilized for tree planting or to separate on-street parking spaces.
(e) Intersection Design Standards and Requirements Reserved.

Sub Part 3-Pedestrian and Bicycle Facility Design Standards

\section*{Sec. 38-1390.39 Pedestrian and bicycle facility design standards.}

The purpose of this section is to identify standards that are applicable to the timing, construction, location and responsibility for pedestrian and bicycle facilities supporting specific public and civic uses, or which are in addition to those facilities included within the typical cross-sections of Framework Streets. The following standards shall be addressed during the review and approval of a PD/UNP, DP or PSP.
(a) Pedestrian and bicycle access to an elementary public school is required to be available at the time of issuance of
the first certificate of occupancy for a non-model residential dwelling unit included in an approved PSP or Development Plan. The PD/UNP that includes the area encompassed by the Development Plan should address how pedestrian and bicycle access to the elementary school site serving the area will be accomplished. The minimum level of access shall be either a Framework Street, or a temporary or permanent Multi-use Path. In either case, the Street or Path shall connect directly to the school site or to a Framework or Functionally Classified Street abutting the school site.
(b) Pedestrian and/or bicycle facility connections from or to Framework Streets and an Open Space District, as required and depicted by the applicable PD/UNP, shall be provided by the applicable property owner at the time of PSP or Development Plan approval for lands that include the connection(s). The property owner may choose to provide the necessary right-of-way or easement connection and construct the connection, or to escrow funds with the County equal to the cost of construction.
(c) Pedestrian facility connections from or to a designated or constructed Horizon West Trail shall be required from all adjoining Horizon West Village properties. The location, type and design standards for any pedestrian facility connection to a designated or constructed Trail shall be included in the PSP and approved by the Board of County Commissioners. If the Trail has not yet been constructed at the time of the submittal of a PD/UNP, the PD/UNP shall include sufficient information to determine the location of the Trail within the property subject to the PD/UNP, and an agreement between the property owner and Orange County shall be executed providing for the dedication of right-of-way or access easements, design of the facility, and financial responsibility for improvements associated with the Trail.
(d) Multi-use Paths and Trails shall be designed and constructed in conformance with AASHTO standards for such facilities. Non-Street sidewalks shall be constructed to the same standards as Street related sidewalks. Multi-use Paths and Sidewalks shall also be marked or signed in accordance with the AASHTO/MUTCD standards.
(e) Pedestrian and/or bicycle facilities included in the cross-section of a Framework Street may be permitted to be located outside the right-of-way within an Open Space District, APF Park or other type of open space designated on an approved

PSP or DP. The DRC shall have the authority to approve the alternative pedestrian and/or bicycle facility location as part of a PD/UNP, PSP or Development Plan.
(f) Pedestrian and/or bicycle facilities shall not be reduced in width from the standards established herein, but widths may be increased at the discretion and cost to the applicant/property owner.
(g) Design and location standards for pedestrian facilities are as follows:
(1) Pedestrian passageways and sidewalks shall be well lit and physically separated from driveways and parking spaces by landscaping, barriers, grade separations, or other means to protect pedestrians from vehicular traffic.
(2) A crosswalk shall be required when a sidewalk crosses a public driveway or a paved area accessible to vehicles.
(3) Crosswalks shall be designed and coordinated to move people safely to and from buildings and parking areas. Where pathways cross a parking area, driveways or road, they shall be clearly marked with contrasting paving material, humps, raised crossing or painted striping.
(4) Whenever walkways are provided, raised crosswalks or other traffic-calming measures approved by the Orange County Traffic Engineering Division shall be used to slow traffic.
(5) Crosswalks shall be located at all points where a sidewalk crosses a lane of vehicular travel.
(6) Public entrance. New buildings that are open to the public shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be a distinctive and prominent element of the architectural design, and shall be open to the public during business hours. Buildings shall incorporate lighting and changes in mass, surface or finish which places an emphasis to the entrance.
(h) Design and standards for off-street bicycle facilities are as follows:
(1) Multi-use Paths or Bicycle Paths included within the right-of-way of Functionally Classified Streets/Urban Collectors (or where permitted within designated open space areas adjoining the right-of-way) shall be designed and constructed to include 10 feet of pavement width and centerline striping, as recommended by the AASHTO.
(2) All Bicycle Paths should provide clear signage indicating:
a. Hours of operation (if limited)
b. Maximum speed
c. Protocols for passing
d. Direction of flow of traffic
(i) Design and location standards for bicycle parking facilities are as follows:
(1) Short term bicycle parking devices shall be durable, securely anchored and support the frame of a bicycle in at least one place. The device shall also accommodate a high security U-shaped lock that can secure the frame and at least one wheel, or a cable lock that can secure the frame and both wheels. Acceptable parking devices include but are not limited to: inverted \(U\) racks; a connected series of angled \(U\) shaped space; or a continuous chain of \(U\) shaped spaces.
(2) Long term bicycle parking devices include but are not limited to: bicycle bank; secured and enclosed indoor or outdoor storage facility; and, bicycle locker.
(3) If there is one (1) building associated with the installation, the bicycle parking device(s) shall be located as close to the primary building entrance as the nearest nonhandicapped parking space.
(4) Bicycle parking spaces must be at least six (6) feet ( 1.8 meter) long and two (2) feet ( 0.6 m ) wide, with an overhead clearance of seven (7) feet ( 2.1 meters).
(5) The parking device must be a minimum of two (2) feet from a parallel wall and two and one-half (2.5) feet from a perpendicular wall.
(6) An aisle at least five (5) feet (1.5 m) shall be provided between rows of bicycle parking.
(7) If located on or next to a sidewalk, a minimum of five (5) feet of clear sidewalk must remain when bicycles are parked at a device.
(8) If a device is installed at a transit stop, its location shall not impede transit boarding.
(9) A bicycle parking device shall not impede pedestrian travel.
(10) Where automobile parking is covered, bicycle parking shall also be covered.
(11) If the device is near a curb on a street with automobile parking, at least three (3) feet of space must remain between a bicycle parked at the device and the curb.
(12) Bicycle parking devices may be placed within a public right-of-way through an Encroachment Permit.

\section*{Sub Part 4 - Transit Standards}

\section*{Sec. 38-1390.40 Transit facility design standards.}

Transit service will play an important role in securing mobility for visitors, residents and employees of Town Center Land Use Districts. The location, design and amenities associated with transit access are addressed in the standards provided below.
(a) The provision of on-street transit access shall be addressed in the PD/UNP for Neighborhood Planning Areas, or may be deferred to the Preliminary Subdivision Plan (PSP) process when the Master Street and Block Plan submittal requirement has also been deferred. The applicant for a PD/UNP or PSP review should coordinate transit access planning with the local service provider in order to identify preferred locations and integration with street design as well as building design plans. This planning process should be guided by the LYNX Mobility/Design Manual and the LYNX Customer Amenities Manual as may be updated from time to time.

\section*{Part 3 \\ Land Use Standards}

\section*{Sec. 38-1390.41 Neighborhood planning area and district based development programs.}

Development entitlements authorized through the PD/UNP, PSP or DP process, or assigned to an Open Space District parcel, shall be consistent with the adopted Comprehensive Plan and Chapter 30 of the Orange County Code of Ordinances. Authorized development programs may be comprised of the following:
(a) The land uses, per Neighborhood Planning Area and applicable Neighborhood Parcel, from Table 1.1 (FLU4.8.3) of the adopted Comprehensive Plan;
(b) Any approved Transfer of a Development Right (TDR) from a sending to a receiving area authorized by Chapter 30, Article XIV, Division 3 of the Orange County Code of Ordinances; and/or,
(c) Any development program bonus awarded with approval of a Planned Development/Unified Neighborhood Plan, Development Plan or Preliminary Subdivision Plan.

Sec. 38-1390.42 Internal transfer of uses/development program.
(a) The transfer of land uses/development program between Neighborhoods and/or Neighborhood Parcels within the same PD/UNP may be approved consistent with applicable provisions of this Development Code. This type of request for transfer can be processed with the initial PD/UNP or as a nonsubstantial change request with a subsequent Development Plan (DP) or Preliminary Subdivision Plan (PSP).
(b) A land use/development program transfer from one Neighborhood Planning Area Parcel to another Neighborhood Planning Area (NPA) Parcel, where one of the Parcels is not included in an approved PD/UNP, shall not be permitted.

Sec. 38-1390.43 Residential density standards.
(a) Net density is calculated by dividing the total number of dwelling units by the net developable acreage. Net developable acreage is defined as the area in acres, after the area included in natural water bodies, conservation (wetland areas), APF (adequate public facilities) lands, greenbelts, stormwater (when incorporated into a publicly accessible open space as a landscaped amenity), and public open space has been deducted from the total area within a property or parcel boundary. (CP Policy FLU4.8.7)
(b) The average minimum net density for Town Center, with the exception of lands designated as URD within Neighborhood Parcel UR-3, shall be four (4) dwelling units per net acre. An evaluation of the average minimum net density shall be determined for each PD/UNP, based on the total net acres of Land Use Districts that include dwelling units as part of the development program. When a PD/UNP development program does not include dwelling units, the average minimum net density evaluation shall not apply.
(c) The maximum density for lands designated as URD within Neighborhood Parcel UR-3 shall be two (2) dwelling units per net acre.
(d) The maximum residential net density for Town Center Land Use Districts, without Transfer of Development Rights (TDRs), shall be as identified below. All standards are dwellings per net acre.
- Urban Residential District (UR) - five and one-half (5.5) dwellings
- Corporate Campus Mixed Use District (CCMU) - twelve (12) dwellings
- Corporate Neighborhood Center District (UNC) - five and one-half (5.5) dwellings
- Retail/Wholesale District (RW) - twelve (12) dwellings
- Traditional Town Center Core District (TTCC) - forty-two (42) dwellings
(e) The maximum residential net density for Town Center Land Use Districts with Transfer of Development Rights (TDR's) shall be as identified below. All standards are dwellings per net acre.
- Corporate Residential District (UR) - Eight (8.0) dwellings
- Corporate Campus Mixed Use District (CCMU) - twenty (20) dwellings
- Eight (8) dwellings Urban Neighborhood Center District (UNC)
- Retail/Wholesale District (RW) - twenty (20) dwellings
(TTCC)-No \(\stackrel{\circ}{\circ}\) Traditional Town Center Core District
(f) The maximum net density without TDR's may be increased up to the maximum net density with TDR's provided that an equivalent number of units (transfer of development rights) have been obtained in accordance with the provisions of chapter 30, article XIV, division 3 , transfer of development rights (TDRs). All TDR sending and/or receiving areas shall be identified on the Planned Development/Unified Neighborhood Plan (PD/UNP). All wetlands and upland greenbelts may be designated as TDR sending areas and all Neighborhood Parcels and building or development sites may be designated as sending and receiving areas. Development rights for sending areas located outside the boundary of the receiving PD/UNP must be transmitted through a development agreement prior to or concurrent with approval of the receiving zone through a PD/UNP, Development Plan or Preliminary Subdivision Plan.

\section*{Sec. 38-1390.44 Non-Residential intensity standards.}
(a) Net Floor Area Ratio (FAR) is expressed as a maximum standard for each type of Land Use District. The standards are based on the total net acres of land within a Land Use District, Development Plan or a Preliminary Subdivision Plan intended for a non-residential or a mixed non-residential and residential use. The Net FAR calculation requires a net acreage and a gross floor area.

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(b) The maximum net FAR for Town Center Land Use Districts, without Transfer of Development Rights (TDRs), shall be as identified below. All standards are expressed as the ratio of total gross floor area to net acres of building or development site area.
- Urban Residential District (UR) - Not applicable (when non-residential uses in the UR District are allowed through the Permitted by Location Permission Type, the non-residential intensity is controlled through the maximum amount of floor area per site)

- Corporate Neighborhood Center District (UNC) - 0.20 FAR
- Retail/Wholesale District (RW) - 0.20 FAR
- Traditional Town Center Core District (TTCC) -0.60 FAR
(c) The maximum net FAR for Town Center Land Use Districts with Transfer of Development Rights (TDR's) shall be as identified below. All standards are expressed as the ratio of total gross floor area to net acres of building or development site area.
- Urban Residential District (UR) - Not applicable (when non-residential uses in the UR District are allowed through the Permitted by Location Permission Type, the non-residential intensity is controlled through the maximum amount of floor area per site)
- Corporate Campus Mixed Use District (CCMU) - 0.40 FAR
- Urban Neighborhood Center District (UNC) -0.40 FAR
- Retail/Wholesale District (RW) - 0.40 FAR
- Traditional Town Center Core District (TTCC) - No maximum
(d) Mixed Residential and Non-Residential Density or Floor Area Ratio (FAR). When a development proposal includes the vertical integration of residential and non-residential uses, residential units may be converted to gross floor area and combined with nonresidential gross floor area to create a mixed use gross floor area for the purpose of determining compliance with maximum FAR standards. In mixed use buildings, the gross floor area of residential units is included in the calculation of floor area ratio even in the circumstance where the residential gross floor area is greater than fifty (50) percent of the total gross floor area of the building.

\section*{Sec. 38-1390.45 Town Center use table summary.}
(a) Figure 3-1 represents a summary of the information presented in Figure 17-1, Section 38-77 of the Zoning Regulations. Table 17-1, Section 38.77 is the basis for the use categories listed in the Horizon West Town Center Use Table. Each category includes a group of uses that fit within the specific definition of the category or subcategory based on similarity of purpose, impact, categorization or other defining element. This Table also provides the key to all Special Standards that are noted for an individual use type.
(b) The permitted use, permitted use with special standards, use permitted by location, and permitted as an ancillary use permission types set forth in this section are respectively indicated by the letters " P ", " P (number of special condition)", "PUNP", and "A" in the cells of the Town Center Use Table Summary. No primary use shall be permitted in a district unless the letter "P", "P(number of special condition)", "P-UNP" appears for that use in the appropriate cell.
(c) Except as may be provided otherwise, buildings, structures, lands and premises shall be used only in accordance with the uses and conditions contained in the "Use Table" set forth in Section 38-77, the "Permitted Uses and Special Standards" set forth in Section 38.03.16, and the "Permitted Uses by Location Criteria" set forth in Section 38.03.17.
(d) When a use is permitted in a particular Horizon West Town Center Land Use District, it is permitted in that district subject to:
(1) Compliance with all applicable requirements of Chapter 38 and elsewhere in the Orange County Code; and
(2) Compliance with all standards specified for "permitted uses and special standards" and conditions that may apply and are noted in the "Use Table".
(e) Ancillary uses (identified by the letter " A " in the Use Table) must be located within the building occupied by the principal use and shall be limited in floor area to a cumulative total of \(10 \%\) of the gross floor area of the ground floor of the building in which the ancillary use(s) is located.
(f) Uses identified as "Permitted by Location" or "PUNP" in the Use Table are limited to pre-designated locations specified on an approved PD/UNP.

\section*{Sec. 38-1390.46 Permitted uses with special standards.}

The following sub-sections identify Land Use District and Use Category Special Standards. These standards are in addition to any conditions that are noted in the Use Table, Figure 17-1, Section 38-77.
(a) Sub-category \(1 A\) - Urban Residential Small Scale. This sub-category of use types is appropriate as a principal use in locations within Urban Residential (UR) districts. Attached dwellings units shall be limited to a maximum of five (5) principal dwelling units on the ground level within a single building. Use types permitted in this sub-category, other than detached and attached residential (such as live-work units, and bed \& breakfast), shall be limited to sites where the primary frontage adjoins a Functionally Classified/Urban Collector, Parkway or Avenue. In addition, live-work units shall be limited to a maximum of five (5) principal units within a single building. A single building would encompass up to five principal units regardless of the ownership type.
(b) Sub-category 1B - Urban Residential Medium Scale. This sub-category of use types is appropriate as a principal
use in locations within Urban Residential (UR) districts. Attached dwellings shall be limited to a maximum of eight (8) dwelling units within a single building. A single building would encompass up to 8 principal units regardless of the ownership type. Use types permitted in this sub-category, other than detached and attached residential, shall be limited to sites where the primary frontage adjoins a Functionally Classified/Urban Collector, Parkway or Avenue. Live-work units shall be limited to a maximum of eight (8) principal units per building. This sub-category of uses shall not be mixed with sub-category 1 A uses within the same Development Site or Subdivision.
(c) Sub-category 1C-Urban Residential Large Scale. This sub-category includes attached and multi-family dwellings with no maximum on the number of dwelling units, or the number of live-work units within a single building. In addition, this subcategory permits multiple buildings per development site. When permitted by location in a Retail/Wholesale district, the number of attached/multi-family dwellings per development site shall be limited to two hundred twenty five (225), with a maximum of one (1) development site per Retail/Wholesale district.
(d) Sub-category \(2 A\) - Neighborhood Scale Commercial. This sub-category includes land use types, whose size and scale of operation are adapted for a neighborhood market for retail sale of goods or services, and are appropriate for location within Urban Residential and Corporate Neighborhood Center districts. Neighborhood commercial use types may be permitted by location within an Urban Residential district subject to the following restrictions: sites are limited to corner lots adjoining a Parkway or Avenue; no more than one site per block and a minimum spacing of six hundred (600) feet between sites utilized for neighborhood commercial use types; on-site parking is limited to four (4) spaces (all other required parking spaces shall be accommodated through on-street parking); buildings are limited to a maximum of 1,500 total square feet of gross floor area in a freestanding building; and no more than one tenant per building. A freestanding single tenant building has no common wall with any other building or structure intended for occupancy by another tenant.

The maximum square feet of gross floor area per individual neighborhood commercial use type within a Corporate Neighborhood Center shall be 5,000 square feet of gross floor area, except that one
use of up to 20,000 square feet of gross floor area shall be permitted for each CNC District. The maximum gross floor area of any individual multi-tenant building within a CNC shall be limited to 25,000 square feet. Where this sub-category may be permitted by location within a Corporate Campus Mixed Use district the maximum square feet of gross floor area per use shall be 5,000 square feet and multi-tenant buildings are not permitted. No outdoor storage of materials for any use shall be permitted. A multiple tenant structure shall mean any building or structure designed or constructed for two (2) or more tenants.
(e) Sub-category \(2 B\) - Town Center Scale Commercial. This sub-category includes land use types, whose size and scale of operation are suited to serve the commercial needs of all villages that comprise Horizon West. These uses are appropriate for location within the Traditional Town Center Core and Retail/Wholesale districts.

Maximum 75,000 square feet gross floor area per development site per individual use type. The "gross floor area" of any use type includes outdoor storage areas and any outdoor area providing services, such as, but not limited to, outdoor merchandise display, garden supplies, plant display, snack bars, etc. Gross floor area, however, does not include loading areas. For the purpose of determining the applicability of the seventy-five thousand \((75,000)\) square foot threshold, the aggregate square footage of all adjacent stores which may share either a series of checkout stands, management areas, storage areas, common entrances, or a controlling ownership interest, shall be considered a single commercial establishment/use type.
(f) Sub-category 2C-Large Scale Town Center Commercial. This sub-category includes land use types, whose size and scale of operation require application of special development and design standards to effectively integrate such uses within the Town Center Retail/Wholesale districts. Individual use types may exceed 75,000 square feet gross floor area per development site per individual use type. However, where permitted in the Traditional Town Center Core district, the maximum square feet of floor area on the ground level shall be limited to 75,000 square feet, and any floor area in addition to this maximum shall be located in one or more stories located above the ground level. The "gross floor area" of any use type includes outdoor storage areas and any outdoor area providing services,
such as, but not limited to, outdoor merchandise display, garden supplies, plant display, snack bars, etc. Gross floor area, however, does not include loading areas. For the purpose of determining the applicability of the seventy-five thousand \((75,000)\) square foot threshold, the aggregate square footage of all adjacent stores which may share either a series of checkout stands, management areas, storage areas, common entrances, or a controlling ownership interest, shall be considered a single commercial establishment/use type. The provisions of 38-79 (153) are incorporated herein as applicable for this use sub-category.
(g) Sub-category 3A-Neighborhood Scale Park and Recreation. This sub-category includes land use types that are appropriate within Corporate Neighborhood Centers, or within Urban Residential districts in locations that minimize adverse impacts to adjoining residential uses (noise, lighting or parking). When included in Urban Residential districts, the permitted use types should be centrally located within a five to ten-minute walk for the residents of a majority of homes planned for the UR neighborhood.
(i) Sub-category 3B-Town Center Scale Park and Recreation. This sub-category includes land use types that may be permitted by location within CCMU or TTCC districts. Sites are limited to locations that minimize potential adverse impacts (noise, lighting or parking) to adjoining residential or non-residential uses, and have a primary frontage on a Functionally Classified/Urban Collector, Parkway or Avenue.
(j) Sub-category 3C-Specialty Park and Recreation. This sub-category includes land use types that may be permitted by location within the Open Space district. The Orange County National Golf Course is designated on the TCSAP-Recommended Land Use Plan as a use permitted within an Open Space. Structures and activities associated with uses included in this sub-category shall be located and operated to minimize adverse impacts to adjoining residential uses.
(1) Sub-category 4A -Town Center Scale Entertainment and Visitor. This sub-category includes land use types that are appropriate within the Traditional Town Center Core and Retail/Wholesale districts.
(m) Sub-category 5A -Neighborhood Scale Medical, Health and Individual Care. This sub-category includes land use types, whose size and scale of operation are adapted for a neighborhood market for medical, health and individual care services and are appropriate for location within Urban Residential and Corporate Neighborhood Center districts. These use types may be permitted by location within an Urban Residential district subject to the following restrictions: sites are limited to corner lots adjoining a Parkway or Avenue; no more than one site per block and a minimum spacing of six hundred (600) feet between sites. utilized for the use types permitted within any other subcategory; on-site parking is limited to four (4) spaces, (all other required parking spaces shall be accommodated through on-street parking); and buildings are limited to a maximum of 1,500 square feet gross floor area in a freestanding single tenant building. A freestanding single tenant building has no common wall with any other building or structure intended for occupancy by another tenant.

The maximum square feet of gross floor area per individual use type within a Corporate Neighborhood Center shall be 5,000 square feet of gross floor area. The maximum gross floor area of any individual multi-tenant building within a CNC shall be limited to 25,000 square feet. No outdoor storage of materials for any use shall be permitted. A multiple tenant structure shall mean any building or structure designed or constructed for two (2) or more tenants.
(n) Sub-category 5B-Large Scale Medical, Health and Individual Care. This sub-category includes land use types, whose size and scale of operation are suited to serve the medical and health care needs of all villages that comprise Horizon West. These uses are appropriate for location within the Corporate Campus Mixed Use and Retail/Wholesale districts.
(0) Sub-category 6A -Neighborhood Scale Business and Personal Service. This sub-category includes land use types, whose size and scale of operation are adapted for a neighborhood market for business and personal services and are appropriate for sites within Corporate Neighborhood Center districts, or within Urban Residential districts in locations that minimize adverse impacts to adjoining homes. These use types may be permitted by location within an Urban Residential district subject to the following restrictions: sites are limited to corner lots adjoining a Parkway or Avenue; no more than one site per block and a minimum spacing of six hundred (600) feet between sites utilized
for neighborhood scale business and personal service use types; on-site parking is limited to four (4) spaces, (all other required parking spaces shall be accommodated through on-street parking); and buildings are limited to a maximum of 1,500 square feet gross floor area in a freestanding single tenant building. A freestanding single tenant building has no common wall with any other building or structure intended for occupancy by another tenant.

The maximum square feet of gross floor area per individual use type within a Corporate Neighborhood Center shall be 5,000 square feet of gross floor area. The maximum gross floor area of any individual multi-tenant building within a CNC shall be limited to 25,000 square feet. No outdoor storage of materials for any use shall be permitted. A multiple tenant structure shall mean any building or structure designed or constructed for two (2) or more tenants.
(p) Sub-category 6B-Town Center Scale Business and Personal Service. This sub-category includes land use types, whose size and scale of operation are suited to serve the business and personal service needs of all villages that comprise Horizon West. These uses are appropriate for location within the Traditional Town Center Core, Corporate Campus Mixed Use and Retail/Wholesale districts.
(q) Sub-category 6C -Communication. This subcategory includes communication facilities that are essential to the commercial and business operations expected to occur within the Town Center. These uses may be appropriate for specific locations within the CCMU, R/W and Open Space districts, where the impact to adjoining or impacted residential or non-residential uses can be mitigated.
(r) Sub-category 7A - Wholesale Distribution. This sub-category of uses encompasses the receipt and distribution of finished products to wholesale buyers. The manufacturing, assembly and sale of finished parts or products to the general public is not included.
(s) Sub-category \(7 \boldsymbol{B}\) - Storage and Warehousing. This sub-category of uses includes the storage/warehousing of a variety of business related or individually owned goods or products which are appropriate for a location in the Retail/Wholesale district.
(t) Sub-category 8 - High-Tech \& High-Value. This sub-category of uses includes a variety of uses that rely on the development, refinement, testing and pre-production manufacturing of products utilizing evolving and advanced technologies.
(u) Sub-category \(8 B-\) CleanTech Research, Development, Testing \& Minor Manufacturing. This subcategory includes non-agriculturally based alternative fuels \& energy production firms; environmental engineering and consulting (including but not limited to development of water and wastewater treatment and conservation technology, air purification, environmental testing and analysis, environmental remediation services and the development of biodegradable materials and fabrics); technologies that increase resource use efficiency (including the development of hybrid vehicle technology, light materials for vehicles, and smart logistics software); nanotechnology; the development of "smart construction" and biodegradable materials and fabrics; environmental testing and analysis; and remediation services.
(v) Sub-category 9A-Neighborhood Scale Civic Use. This sub-category includes land use types, whose size and scale of operation are appropriate for sites within Corporate Neighborhood Center districts, or within Urban Residential districts in locations that minimize adverse impacts to adjoining homes. These use types may be permitted by location within an Urban Residential district subject to the following restrictions: sites for elementary schools shall occupy a central location relative to the district in which it is located; adjoin a Functionally Classified/Urban Collector, Parkway or Avenue; and, be easily accessible by walking, bicycling or auto. Sites for other types of small scale civic uses are limited to: corner lots adjoining a Parkway or Avenue; no more than one site per block and a minimum spacing of six hundred (600) feet between sites utilized for any other subcategory of use types; on-site parking is limited to the number of spaces required for a single-family dwelling unit (all other required parking spaces shall be accommodated through on-street parking); and buildings are limited to a maximum of 1,500 square feet gross floor area in a freestanding single tenant building. A freestanding single tenant building has no common wall with any other building or structure intended for occupancy by another tenant.

The maximum square feet of gross floor area per individual use type within a Corporate Neighborhood Center shall be 5,000 square feet of gross floor area. No outdoor storage of materials for any use shall be permitted.
(w) Sub-category 9A - Large Scale Civic Use. This sub-category includes land use types, whose size and scale of operation are suited to serve the civic needs of all Town Center neighborhoods and districts. These uses are appropriate for location within the Traditional Town Center Core and Corporate Campus Mixed Use districts.
(x) Sub-category 10A - Utilities - Large Scale Civic Use. This sub-category of uses is not permitted in any district within the Town Center.

Figure 3-1 Horizon West Town Center Use Table by District
\begin{tabular}{|c|c|c|c|c|c|c|}
\hline \multirow[t]{2}{*}{Land Use Categories, Sub-Categories} & \multicolumn{6}{|l|}{\begin{tabular}{l}
Horizon West Land Use Districts \\
\(\mathbf{P}=\) Permitted \(; \mathbf{P S}=\) Permitted with Special Standards; \(\mathbf{P}\)-UNP \(=\) Permitted by Location;
\[
\mathbf{A}=\text { Permitted as an Ancillary Use }
\]
\end{tabular}} \\
\hline & Urban Residential & Corporate Campus Mixed Use & Traditional Town Center Core & Retail/
Wholesale
(Marketplace) & Corporate
Neighborhood
Center & Open Space \\
\hline \multicolumn{7}{|l|}{Category 1-Residential Land Use Types (SAPCategory - Dwelling)} \\
\hline Sub-category 1A Residential Small Scale & PS & PS & & & PS & \\
\hline Sub-category 1B - Urban Residential MediumScale & PS & PS & PS & & PS & \\
\hline Sub-category 1C Residential Large-Scale & & P & P & PS & & \\
\hline \multicolumn{7}{|l|}{Category 2-Commercial Land Use Types (SAP Category - Retail)} \\
\hline Sub-category 2A Neighborhood Scale Commercial & P-UNP & \[
\begin{gathered}
\text { P-UNP } \\
\text { and/or } \\
\text { A }
\end{gathered}
\] & P & P & PS & \\
\hline Sub-category 2B- Town Center Scale (Less than 75,000 square feet) & & & PS & PS & & \\
\hline
\end{tabular}
\begin{tabular}{|c|c|c|c|c|c|c|}
\hline Land Use Categories, Sub-Categories & \multicolumn{6}{|l|}{\begin{tabular}{l}
Horizon West Land Use Districts \\
" \(\mathbf{P}=\) Permitted; PS = Permitted with Special Standards; \(\mathbf{P}-\mathrm{UNP}=\) Permitted by Location;
\end{tabular}} \\
\hline & \multicolumn{6}{|c|}{A \(=\) Permitted as an Ancillary Use} \\
\hline  & Urban Résidential & \begin{tabular}{l}
Corporate Campus \\
Mixed Use
\end{tabular} & Traditional Town Center Core & Retail/ Wholesale (Marketplace) & Corporate Neighbortood Center & Open Space \\
\hline \begin{tabular}{l}
Sub-category 2C - Large \\
Scale (More than 75,000 sq. ft.)
\end{tabular} & & & PS & PS & & \\
\hline \multicolumn{7}{|l|}{Category 3 - Patk and Recreation Use Types (SAP Category - Parks, Open Space and Recreation)} \\
\hline Sub-category 3A Neighborhood Scale & P-UNP & & & & P & \\
\hline Sub-category 3B - Town Center Scale & & A & P & P & PS & PS \\
\hline Sub-category 3CSpecialty Use Types & & & & & P-UNP & PS \\
\hline
\end{tabular}

Category 4 - Entertainment and Visitor Use Types (SAP Category-Hotel)
\begin{tabular}{|c|c|c|c|c|}
\hline \begin{tabular}{c} 
Sub-category 4A - Town \\
Center Scale
\end{tabular} & \(P\) & \(P\) & \(P\) & PS \\
\hline Category \(5-\) Medical, Health and Individual Care Related Use Types (SAP Category - \\
Office)
\end{tabular}
\begin{tabular}{|c|c|c|c|c|c|}
\hline \begin{tabular}{c} 
Sub-category 5A - \\
Neighborhood Scale
\end{tabular} & P-UNP & \(\mathbf{P}\) & \(\mathbf{P}\) & \(\mathbf{P}\) & PS \\
\hline \begin{tabular}{c} 
Sub-category 5B - Large \\
Scale
\end{tabular} & & \(\mathbf{P}\) & \(\mathbf{P}\) & \(\mathbf{P}\) & \\
\hline
\end{tabular}
\begin{tabular}{|c|c|c|c|c|c|c|}
\hline Category 6-Business & erso & vice & & \(t y=0\) & & \\
\hline Sub-category 6A Neighborhood Scale & P-UNP & P & P & P & PS & \\
\hline Sub-category 6B-Town Center Scale & & P & P & P & PS & \\
\hline Sub-category 6C Communication & & \(\mathbf{P}(\mathrm{UNP})\) & & \(\mathbf{P}\) (UNP) & & \(\mathbf{P}\) (UNP) \\
\hline \multicolumn{7}{|l|}{Category 7 - Distribution, Manufacturing and Warehouse Uses (SAP Category Warehouse/Light Industrial)} \\
\hline Sub-category 7A Wholesale Distribution & & & & P & & \\
\hline
\end{tabular}

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\begin{tabular}{|c|c|c|c|c|c|c|}
\hline \multirow[t]{2}{*}{Land Use Categories, Sub-Categories} & \multicolumn{6}{|l|}{\begin{tabular}{l}
Horizon West Land Use.Districts \\
\(P=P\) ermitted; \(P S=P e r m i t t e d\) with Special Standards; \(P\)-UNP \(=\) Permitted by Location; \\
\(A=\) Permitted as an Ancillary Use
\end{tabular}} \\
\hline & Urban
Residential & Corporate Campus Mixed Use & \begin{tabular}{|c|}
\hline Traditional \\
Town Center \\
Core
\end{tabular} & \[
\begin{gathered}
\text { Retail/ } / \cdots \\
\text { Wholesale } \\
\text { (Marketplace) }
\end{gathered}
\] & \begin{tabular}{c} 
Corporate \\
\begin{tabular}{c} 
Neighborthood \\
Center
\end{tabular} \\
\hline
\end{tabular} & \[
\begin{aligned}
& \text { Open } \\
& \text { Space }
\end{aligned}
\] \\
\hline Sub-category 7B Storage and Warehousing & & & & P & & \\
\hline \multicolumn{7}{|l|}{Category 8-High Tech/High Value and CleanTech (SAP Category - Warehouse/Light Industrial)} \\
\hline Sub-category 8A- High Tech/High Value & & P & P & P & & \\
\hline Sub-category 8B CleanTech Research, Development, Testing \& Minor Manufacturing & & P & P & P & & \\
\hline \multicolumn{7}{|l|}{Category 9 -Civic Uses (SAP Category-Parks, Open Spaceand Recreation)} \\
\hline Sub-category 9A - Small Scale Civic Use & P-UNP & P & P & & PS & \\
\hline Sub-category 9B - Large Scale Civic Use & & P & P & & & \\
\hline \multicolumn{7}{|l|}{Category 10- Public Works} \\
\hline Sub-category 10APublic or Private Utilities & & & & & & P-UNP \\
\hline \multicolumn{7}{|l|}{, \(\because\) 园} \\
\hline
\end{tabular}

\section*{Part 4}

Placemaking
Orange County recognizes the importance of ensuring that residents, visitors, and workers have a choice of living, working, and shopping environments. The County's goal is to facilitate a variety of lifestyles. These design standards offer Orange County residents, employers, and shoppers lifestyle choices featuring more urbanized and compact conditions within the Town Center area of Horizon West. The TCSAP expresses a preference for compact, vibrant, and pedestrian-scaled places featuring mixed-use residential, employment, and shopping choices. This Part serves as
a guide to the form and placement of structures, parking and sidewalk corridors to facilitate development of safe, popular, and economically-vibrant settings to work, live, shop, and recreate.

\title{
Sec. 38-1390.41 General Building Placement, Site Planning, and Visual Buffer Standards
}

\section*{Build-To and Minimum Setback Standards along Framework Streets.}

Part 2 distinguishes the Town Center's system of Framework Streets from the County's functionally-classified streets (Arterials and Collectors). It also provides a series of graphic cross sections which further describe the parallel components (within the private property, and public realms) that make up the length of all Framework Streets and Through Block Pedestrian Passageways. Each of these street components plays an important role in shaping the visual character of the Town Center's many neighborhoods. The Frontage Zone component of Framework Streets plays a particularly visible and important role in shaping the street's visual character.
(a) Structural 'Build-To' Standards and Architectural Expression. When building front or side facades are placed adjacent to the public sidewalk, a continuous street wall is created which effectively delineates the sidewalk corridor's private property edge. In these settings, parking is placed behind the building (within the block's interior), and at adjacent on-street locations. Except as set forth in sec. 38-1390.42(b)(1)(a), where build-to requirements apply, but no structure is proposed for a segment of a block face adjacent to a Framework Street (e.g. a gap in the street wall, between adjacent existing buildings), then parking and drive lanes (with the exception of permissible right-in / right-out driveways) may be placed no closer than ninety (90) feet from the right-of-way. If a building is constructed within any portion of such gap between adjacent existing buildings, the ninety (90) feet parking setback requirement does not apply to the area immediately behind the new building, within the interior of the block.

10' Build-To Line. Throughout the Corporate Neighborhood Center and Traditional Town Center Land Use Districts and along all Main Street type Framework Streets, building front facades will be pulled forward, toward the street, to
a build-to line located 10 feet from the property line. The rooflines of buildings that form sidewalk edge street walls should vary in height, and have distinguishable individual facades that give the appearance of multiple buildings and uses. A 10' deep variation in the required build-to line, to accommodate visual interest and architectural expression, is described below.

10' Deep Architectural Design Flex Zone. To facilitate architectural expression and visual interest, and to avoid elongated stretches of featureless and rigidly-aligned street walls, buildings are allocated an additional ten (10) feet deep flex zone (a dimensional variation in the build-to line) in a direction away from the Framework Street and commencing at the back of the Frontage Zone. Within this façade design flex zone (which spans between 10 and 20 feet from the property line), building entryways shall be emphasized, and the façade should give the appearance of individual shop fronts and residences. Incorporating street-level recessed, projected (maintain 10' minimum setback), and / or freestanding architectural forms including columns, colonnades, pilasters, balconies, raised seat wall planters, and/or expanded outdoor seating areas will achieve visual interest and architectural character. However, a minimum of \(70 \%\) of the length of the building's forward-most façade shall be constructed directly on the \(10^{\prime}\) build-to line on the front street, and on any side street.

NOTE: Rear Lane and Residential Rear Alley type Framework Streets are exempt from 'Build-To' conditions within all Town Center Land Use Districts. See Framework Street section standards within Part 2.

Front and side street corner lot build-to standards occur under three (3) circumstances:
(1) Along All Main Street Type Framework Streets. Main Streets are intended to feature a compact mixture of smaller scale office, retail, personal service, and high-density residential uses served by slower vehicular movement. Owners of all properties along Main Streets shall construct front facades in accordance with the Build-To standards described above. On-site surface parking and associated driveway access for structures along any Main Street type Framework Street, regardless of the Land Use District setting, `shall be located behind structures and within the interior of the block. Vehicular access to block interior
surface parking facilities may be provided along the intersecting side streets.

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(2) Build-to standards throughout the Corporate Neighborhood Center (CNC) Land Use Districts. CNC Districts feature small scale, neighborhood-serving retail, personal service, and civic uses designed and scaled for convenient walking access from the surrounding neighborhood. CNC Districts shall be designed and configured to accommodate heavy pedestrian traffic from the surrounding Corporate Campus Mixed Use and Urban Residential Districts. Buildings on all properties within the CNC Land Use Districts shall be constructed with front and side streetfacing facades in accordance with the build-to standards described herein.
(3) Build-to standards throughout the Traditional Town Center Core (TTCC) Land Use District. The TTCC Land Use District will be designed as the primary activity center of the Horizon West Town Center, and surrounding Villages. The TTCC District shall be designed and configured to accommodate busy pedestrian traffic while featuring the Town Center's shortest blocks and tightest street grid pattern. The TTCC District will incorporate mixed-use buildings featuring first floor retail, personal service, and offices. Upper floors may contain residential and office uses. Buildings on all properties within the TTCC District shall be constructed with front (and side street) facades in accordance with the Build-To standards described herein.

TABLE 4-I


NOTES:
(1) Includes residential uses located on top of non-residential uses
(2) Must locate building at 10 -foot line, but up to \(30 \%\) may be allowed at the 20 -foot line. See Flex-Zone.
(3) Includes any porch.
(4) 30 feet allowed for garages with apartments above
(5) If on a Main Street, then building must be located at 10 -foot line, but up to \(30 \%\) may be allowed at the 20 -foot line.
(6) See Garage standards in section \(38-1384(\mathrm{~g})\).
(7) \(\mathrm{CNC} \& \mathrm{UR}=45^{\prime}\); TTCC \& \(\mathrm{CCMU}=150^{\prime}\)
(b) Refuse and Mechanical Equipment; Placement and Visual Screening. Ground-mounted meters, valves, and mechanical equipment, outdoor storage and service areas (except those associated with single-family detached units) shall, to the extent possible, be purposely oriented away (and located remote) from visible areas where high-volume vehicular and pedestrian traffic is anticipated. Such equipment or storage areas shall be visually screened by a one hundred (100) percent opaque fence, wall, or landscaping buffer.

Wall-mounted meters and associated hardware can visually detract from the appearance of project walls and building facades. Therefore, wall-mounted meters and associated hardware shall, to the extent possible, be located on walls possessing a minimum of visual exposure to high-traffic areas. Such meters shall, to the extent possible, be placed in cabinets and painted to match the surrounding wall surfaces and trim.

Dumpsters and other refuse areas shall also be screened by a one hundred (100) percent opaque buffer - including a six-foot masonry wall. The masonry wall shall be configured to incorporate a landscaped planter strip, for planted shrubs or vines, around the entire exterior foundation of the walled area. The wall shall incorporate a continuous decorative cap feature along its full length, and replicate the architectural trim, finish, and color of the principle structure. The gate shall be opaque and self-closing.

\section*{Sec. 38-1390.42 Parking.}

NOTE: This section will occasionally refer to development standards in the Village Planned Development Code ("Village Code" Division 8, Section 38-1380 et seq., Orange County Code). Applicable references within the Village Code to "Village Roadways" or "Village Streets" shall be considered interchangeable with this Division's reference to Framework Streets.
(a) Residential Parking. Residential parking, and related vehicular access, shall be provided in accordance with Section 38-1384(i).
(b) Non-Residential Parking. Non-residential parking, and related vehicular access, shall be provided in accordance with
the parking standards for Village Centers in section 38-1389(d)(4). However, the terms "village roadways" or "village" within that section refer to projects and development within the limits of the Horizon West Town Center SAP. Proposals for shared parking may be submitted in accordance with the provisions outlined in chapter 38. All other provisions of section 38-1389(d)(4) shall apply, with the exception of the following modifications, deletions, and additions:
(1) \(38-1389(\mathrm{~d})(4) \mathrm{b}\) - All at-grade parking lots fronting Town Center roadways shall be set back in accordance with the Framework Street Cross Sections in Article 2, and the following:
a. Corporate Neighborhood Center (CNC) Districts Parking stalls are prohibited between CNC District buildings and the right of way of functionally classified roads.

Drive lanes may be permitted between CNC District buildings and the right-of-way of functionally classified roads.

No more than \(30 \%\) of an individual block face which abuts a Town Center Framework Street may include one (1) double-loaded drive aisle (e.g. single row of adjacent parking stalls placed on both sides of a 2 -way drive aisle). Drive lanes and parking stalls are prohibited between buildings and the adjacent roadway along the remainder of such block faces.
b. Traditional Town Center Core (TTCC) District On-site surface parking and associated driveway access for all structures within the TTCC District (regardless of Framework Street type or functionally-classified road status) shall be located behind structures and within the interior of the block. Vehicular access to block interior surface parking facilities may be provided along the intersecting side streets or through approved right-in / right-out driveway curb cut locations.
(2) 38-1389(d)(4)d. Where off-street parking. areas are permitted to adjoin Framework streets, there is no dimensional restriction on the maximum length of such street frontage. Within the Corporate Neighborhood Center District, limitations are placed on the percentage of individual block faces which may adjoin off-street surface parking areas.
(3) 38-1389(d)(4)h (Parking). Off-street parking shall be located in accordance with the provisions of the Town Center Code. Landscaping for the screening and interior of off-street parking shall comply with chapter 24 , and the Framework Street standards described in Part 2 of the Town Center Code. A masonry (with stucco finish) or brick knee wall, between forty (40) and fifty (50) inches high, including a decorative cap shall be installed along the parking lot edge, between the parking lot and the Framework Street. The knee wall shall not extend over thirty (30) feet without an offset or projection (for insertion of accent plantings) or projected pilaster and column feature which provides aesthetic variety. The wall shall be installed along not less than \(70 \%\) of the length of any parking or drive aisles adjacent to Framework Streets or functionally classified roads. Opaque plantings shall be installed within any interruptions of the knee wall in accordance with the parking lot perimeter landscape buffering requirements of Chapter 24.

Decorative screen fencing may be acceptable, with prior approval of the Development Review Committee (DRC), as an alternative to the masonry knee wall required along functionally classified roads. Such screen fencing shall be designed and constructed in a durable manner which minimizes the need for fence repairs. Decorative screen fencing shall be between forty (40) and sixty (60) inches high and shall feature at least \(50 \%\) opacity.

\section*{(4) \\ 38-1389(d)(4)i. (Grocery Store Parking)}
a. Parking and parking access for grocery stores or other retail anchor establishments shall be located in accordance with the building and parking placement standards ascribed to the individual land use districts, or Framework Street type, of the Town Center.
b. Regardless of the orientation of the side or rear of a grocery store, or other retail anchor establishment, relative to an adjacent roadway, parking and parking access shall be located in accordance with the building and parking placement standards ascribed to the individual land use districts, or Framework Street type, of the Town Center. Grocery store side or rear facades, which are visible from an adjacent Framework street, shall not project blank, or featureless walls. Instead, such walls
shall incorporate projected architectural features including decorative trim, pilasters, recessed window glazing (transparent or spandrel) and projected window surrounds, awnings, varied roof and eaves lines, and paint color variations.
c. Buildings within outlying portions of parking lots for grocery stores or other retail anchor establishments shall be located in accordance with the building placement standards ascribed to the individual land use districts, or Framework Street type, of the Town Center. Notwithstanding the colors or architectural forms or finishes which may be associated with any particular formula retail company, buildings within the outlying portions of parking lots for grocery stores or other retail anchor establishments shall, at a minimum, repeat the architectural style or selected trim on any existing adjacent retail anchor development or selected architectural features established. Parking for these buildings shall be located in accordance with the building and parking placement standards ascribed to the individual land use districts, or Framework Street type, of the Town Center.
d. Parking lots shall be configured into a series of smaller modules or sub-lots and pedestrian pathways in accordance with Chapter 38-7.9(153), Big Box development.
(5) \(38-1389(d)(4) j\). This provision for required pass-throughs in parking lots is redundant of the pedestrian pathways already required elsewhere and therefore is not applicable to the Town Center.
(c) Front-Loaded Parking Options. Front-loaded parking configurations which place parking stalls, or drive aisles, in front of buildings (between buildings and the adjacent street) shall be limited to the following configurations. Listed from mostpreferred (narrowest footprint) to least-preferred (widest footprint), they are:
(1) 1-way (or 2-way) drive aisle. Drive aisle (with no associated parking), with no associated parking, which provides vehicle circulation around buildings.
(2) Single (or double) loaded, 1-way drive aisle for parallel parking stalls. 1-way drive aisle which accesses a single row of parallel parking stalls - or which accesses parallel stalls on both sides of the aisle. Single-loaded configurations
which place stalls only on the building side of drive aisles (not on the street side) are preferred.
(3) Single (or double) loaded, 1-way (or 2-way) drive aisle for angled parking. 1-way (or 2-way) drive aisle which accesses a single (or double) row of angled parking stalls. Singleloaded configurations which place stalls only on the building side of drive aisles (not on the street side) is preferred.
(4) Single (or double) loaded, 1-way (or 2-way) drive aisle for head-in (90 degree) parking. 1-way (or 2-way) drive aisle which accesses a single (or double) row of head-in parking stalls. Single-loaded configurations which place stalls only on the building side of drive aisles (not on the street side) is preferred.
(d) Parking Lot Sub-Lots and Pedestrian Pathways. Expansive parking lot surfaces along Framework and functionallyclassified streets can detract from the desired visual character of Town Center neighborhoods. Therefore, surface parking lots of commercial projects abutting any Town Center streets shall be configured into a series of smaller sub-lots, in accordance with Chapter 38-79(153)g ("Big Box" ordinance). NOTE: Throughblock pedestrian passageways (otherwise required in order to meet block length standards), including their required components as described within Part 2 of this Chapter, shall replace an individual parking lot pedestrian pathway whenever a pathway is coincidental with a through-block passageway. However, no individual substitution of a pedestrian passageway for a pathway may cause more than 3 adjacent head-to-head parking stall aisles that lack a pedestrian pathway. Furthermore, projects not meeting the 75,000 square feet gross floor area definition of Big Box, shall (to the extent possible) align required parking lot pedestrian pathways with the entries of smaller commercial structures.

\section*{Sec. 38-1390.43 Framework Street Trees, Landscaping at Parking Lots and Building Foundations}
(a) 3-Tier Landscaping Buffering. When parking facilities (drive aisles or parking stalls) are-constructed adjacent to Framework Streets or functionally classified roads, the following three (3) tiered system of landscaping, and knee wall (or decorative screen fencing only along functionally classified roads and
intersecting framework streets to the nearest driveway), shall be required: in accordance with Chapter 24-4(a)(1); and any related standards described within Part 2 and Part 4 of this Division. NOTE: The landscape buffer strip described within Chapter 24 shall be deepened to extend across the full depth of a Framework Street Frontage Zone; and
(2) A decorative masonry knee wall, installed along the rear (private property side) edge of the Frontage Zone, designed, constructed, and located in accordance with the standards described in sec. 38-1390.42(b)(3). Decorative screen fencing may be acceptable, with prior approval of DRC, as an alternative to the masonry knee wall required along functionally classified roads; and
(3) \(8^{\prime}\) planter strip along the immediate base of the building's Primary and Secondary facades in accordance with Chapter 9-554(f). When parking stalls are not proposed immediately adjacent to a building perimeter sidewalk, the required building base landscape strip may be relocated to the exterior edge (drive aisle side) of the building perimeter sidewalk. Reasonable interruptions in the relocated landscape strip, for pedestrian access, may be incorporated.
(b) Exemptions from 3-tier landscape buffering requirements. Following are exemptions from the 3-tier landscape buffering requirements above:
(1) Where a building façade is constructed directly abutting a Framework Street Frontage Zone (e.g. no parking placed between the building and road), the above 3 -tiers of landscaping shall not be required. However, street trees shall be required along the street curb in accordance with Chapter 381384(c), and narrow planter cutouts, raised planters, or potted plantings are encouraged along building foundation edges within the Framework Street Frontage Zone.
(2) Residential Rear Alley type Framework Streets. No landscaping required.
(3) Rear Lane type Framework Streets. Nonresidential projects shall incorporate a landscape buffer, excluding street trees, along property edges which abut a Rear Lane type Framework Street in accordance with the standards established in Part 2, and this Section. Said landscape buffer shall be fully planted with groundcover, and a continuous shrub hedge at least thirty (30) inches high at planting, with a species capable of growing to at least thirty-six (36) inches in height within eighteen months, which hedge shall be maintained at a height not less than thirty-six (36) inches. In addition, whenever a surface parking lot is placed adjacent to a Rear Lane, a knee wall, as described above shall be installed along the parking lot edge of the required landscape buffer. Residential uses abutting Rear Lanes are not required to incorporate any Framework Street related landscape buffering.
(c) Framework Street Trees. Approved canopy Street trees shall be planted within the Furnishing Zone or bulb out planters of Town Center Framework streets as illustrated within Part 2 of this Division. With the exception of Rear Lane type streets where street trees are not required, street trees shall be planted along all Framework streets at a maximum average spacing of forty (40) feet on-center. Trees shall have a clear trunk of six (6) feet, and minimum caliper of three (3) inches at the time of planting. Palms may not be used as Framework street trees.

\section*{Section 38-1390.44 Detached Residential Development Standards}

With the following exceptions, detached residential structures and lots shall be developed in accordance with the residential district types described within Division 8, 'Village Planned Development Code' (e.g. Estate District, Estate Home District, Estate Rural District, Garden Home Single-Family District, Garden Home Mixed Use District, or Village Home District). Where a conflict exists between the Village Planned Development Code, and this Section, the standards of this Section shall prevail.

\section*{(a) General Development Standards.}
(1) Density. Density standards shall be in accordance with those described within Part 3.
(2) Permitted Uses. Permitted uses and all other accessory uses within any Town Center Land Use District shall be consistent with Part 3, Land Use Standards.
(3) Driveways: Shared driveways are encouraged; when driveways are not shared, they must be set back a minimum of one (1) foot from the side property line.
(4) Residential building finished floor elevations [along front and side streets] shall be elevated a minimum of 3 steps above the adjacent sidewalk grade, and shall include any necessary components associated with applicable ADA requirements. NOTE: Individual structures may be exempt from the above grade separation requirement when it can be demonstrated that no air conditioned space within the structure is less than twenty (20) feet distance from the back of sidewalk.
(b) Single-Family Detached Residential Development Standards. The following standards shall apply to all single-family detached residences, where such uses are permitted, in accordance with the Use Table referenced in Part 3.
(1) Maximum lot area: See the individual detached residential housing district types within the Village Code Sections 38-1385 through 38-1386.
(2) Minimum average lot size: See the individual detached residential housing district types within the Village Code Sections 38-1385 through 38-1386.
(3) Minimum living area: See the individual detached residential housing district types within the Village Code Sections 38-1385 through 38-1386.
(4) Minimum lot width: See the individual detached residential housing district types within the Village Code Sections 38-1385 through 38-1386.
(5) Minimum lot depth: 100 feet. 110 feet with alley.
(6) Maximum building height: See individual Town Center Land Use Districts
(7) Maximum detached garage height: Twentytwo (22) feet; or thirty (30) feet with living area over garage.
(8) Maximum lot coverage: Reserved
(9) Open space: Reserved
(10) Building Minimum Setbacks*:
a. Front: Ten (10) feet. Includes any provided porch.
b. Side: Five (5) feet.
c. Side street: Ten (10) feet. Includes any provided porch.
d. Rear: Twenty (20) feet for primary structure.
e. Lakefront: In accordance with chapter 30.
f. Garages: See section 38-1384(g).
*The Frontage Zone of Framework Streets may [depending on the surrounding Land Use District, and the adjacent street type) function as either a build-to line, or a minimum setback line. See Sec. 38-1390.41 General Building Placement, Site Planning, and Visual Buffer Guidelines.

\section*{Section 38-1390.45 Attached Residential Development Standards}

With the following exceptions, attached residential development shall develop in accordance with Use Table in Part 3, and Section 38-1387 (Townhouse/Apartment/Condominium District) of the Village Code, regardless of the form of ownership. Where any conflicts exist between these development standards and those within the Village Code, the standards of this section shall prevail:
(a) General Development standards.
(1) Density. Attached residential projects shall meet density standards described within Part 3 of this Code.
(2) Minimum building separation: Twenty (20) feet, or as may be approved otherwise by the Building Official.
(3) Permitted uses. Permitted uses, and all other accessory uses within any Town Center Land Use District shall be consistent with Part 3 of this Code.
(4) Driveways: Shared driveways are encouraged; however, when driveways are not shared; they must be set back a minimum of one (1) feet from the side property line.
(b) Townhouse Development Standards.

With the exceptions described below, Townhouse developments shall develop in accordance with Section 38-1387-1 of the 'Village Planned Development Code'.
(1) Maximum building height: See individual Town Center Land Use Districts
(2) Maximum lot coverage: Reserved
(3) Open space: Reserved
(4) Maximum number of units per building: See Article 3, Use Table.
(5) Building Setbacks*:
a. Front: Ten (10) feet. Includes any provided porch.
b. Side: Five (5) feet for end units.
*The Frontage Zone of Framework Streets may (depending on the surrounding Land Use District, and the adjacent street type) function as either a build-to line, or a minimum setback line. See Sec. 38-1390.41 General Building Placement, Site Planning, and Visual Buffer Guidelines.
(c) Apartment and Condominium Development Standards.
With the exceptions described below, apartment and condominium developments shall develop in accordance with Section 38-1387.2 (apartments), and 38-1387.3 (condominiums) of the 'Village Planned Development Code'. Where any conflict may exist
between the Village Planned Development Code and this Section, the standards of this section shall prevail.
(1) Minimum lot depth: 100 feet. 110 feet with alley.
(2) Minimum lot width: Reserved
(3) Maximum building height: See individual Town Center Land Use Districts
(4) Maximum detached garage height: Twentytwo (22) feet; or thirty (30) feet with living area over garage.
(5) Minimum living area: Five hundred (500) square feet per dwelling unit. Living area is defined as the area that is heated and cooled.
(6) Maximum number of units per building: See Part 3, Land Use Standards
(7) Maximum lot coverage: Reserved
(8) Open space: Reserved
(9) Maximum building length: Reserved
(10) Building Setbacks:
a. Front*: Ten (10) feet. Includes any provided porch.
b. Side: Five (5) feet.
c. Side street*: Ten (10) feet. Includes any provided porch.
*The Frontage Zone of Framework Streets may [depending on the surrounding Land Use District, and the adjacent street type) function as either a build-to line, or a minimum setback line. See Sec. 38-1390.41 General Building Placement, Site Planning, and Visual Buffer Guidelines

Sec. 38-1390.46 Town Center Land Use Districts Development Standards

An overview description of the intended uses and character of each of the Town Center Land Use Districts is given in Part 1 of this Code. The following standards further delineate the development standards of each District.

\section*{(a) Generally.}
(1) Integrated, District-Wide, Non-Vehicular Pathways. Each Town Center Land Use District shall feature a District-wide, integrated bicycle and sidewalk system which incorporates multiple connections to a Town Center - wide pedestrian / bikeway / recreation trail system. All bike, multi-use, and pedestrian systems shall ultimately prioritize safe and convenient access to the Traditional Town Center Core District.
(2) Subdivision Walls. Subdivision perimeter walls, along any Framework Street, are prohibited.
(3) Driveways: Shared driveways are encouraged; however, when driveways are not shared, they must be set back a minimum of one (1) foot from the side property line.
(4) Signage. With the following exceptions, signage within the UR District shall be permitted and installed in accordance with Section 38-1389(d)(5).
(b) Urban Residential District (UR).
(1) Detached Single Family. See Section 381390.44 above, and Part 3, Use Table
(2) Townhome, Apartment, Condominium development guidelines. See Section 38-1390.45, and Part 3, Use Table
(3) Development Standards. The following standards shall apply to development within the Urban Residential District.
a. (1) Permitted uses: See Part 3 Use Table. See also detached residential housing district types within the Village Code Sections 38-1385 through 38-1386.

> b. Maximum lot area: None

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c. Minimum average lot size: Reserved
d. Minimum living area: Reserved
e. Minimum lot width: Reserved
f. Minimum lot depth: 100 feet. 110
feet with alley.
g. Maximum lot coverage: Reserved
h. Open space: Reserved
i. Building Setbacks:
i. Front*: Ten (10) feet. Includes any provided porch.
ii. Side: Five (5) feet.
iii. Side street*: Ten (10) feet. Includes any provided porch.
*The Frontage Zone of Framework Streets may [depending on the surrounding Land Use District, and the adjacent street type) function as either a build-to line, or a minimum setback line. See Sec. 38-1390.41 General Building Placement, Site Planning, and Visual Buffer Guidelines
j. Maximum building height(i)(ii): 3 stories, 45 feet maximum Maximum detached garage height: 22 feet; 30 feet with living area over garage.

\section*{(c) Corporate Campus Mixed-Use District (CCMU).}
(1) Character and Scale. CCMU District projects will be planned and developed to achieve a campus-like setting for office development that is visually compatible with residential development. Buildings will project a primary orientation toward the adjacent streets. Visibly featureless sides of buildings are prohibited. Side facades shall, at a minimum, incorporate projected trim, architectural massing, and roof line expressions which replicate those surrounding building's primary
entrance. Corner buildings will visually project entrance forms and trim along both streets.
(2) Townhome, Apartment, Condominium development guidelines. See Section 38-1390.45 above, and Use Table.
(3) Development Standards. The following standards shall apply to development within the Corporate Campus Mixed Use District.
a. Permitted uses: See Part 3, Use Table.
b. Maximum lot area: None
c. Minimum living area: Reserved
d. Minimum lot width: Reserved
e. Minimum lot depth: 100 feet. 110 feet with alley
f. Maximum lot coverage: Reserved
g. Open space: Reserved
h. Building Setbacks:
a. Front*: Ten (10) feet. Includes any provided porch.
b. Side: Five (5) feet.
c. Side street*: Ten (10) feet. Includes any provided porch.
*The Frontage Zone of Framework Streets may [depending on the surrounding Land Use District, and the adjacent street type) function as either a build-to line, or a minimum setback line. See Sec. 38-1390.41 General Building Placement, Site Planning, and Visual Buffer Guidelines
stories, 150 feet.
i. Maximum building height(i)(ii): 12

Maximum detached garage height: 22 feet; 30 feet with living area over garage.

\section*{(d) Corporate Neighborhood Center District (CNC).}
(1) Character and Scale. The scale, character, and convenient proximity of the CNC Districts make them ideal gathering places for neighborhood employees, visitors, and residents of the adjacent neighborhoods. Street sidewalks shall be lined with neighborhood-serving retail, personal service and civic uses - all within walkable distances of adjacent employers and residential settings. Building front facades shall be pulled-forward, and located at the rear of the Framework Street Frontage Zone, and surface parking stalls and drive surfaces shall be placed behind buildings, within the interior of the block.
(2) Public Spaces. Small passive parks, plazas and squares will be provided throughout the Corporate Neighborhood Centers Districts as areas for shaded sitting, eating, outdoor conversations and relaxation.
(3) Transportation System Connections. The Corporate Neighborhood Center District shall serve as a confluence of all modes of transportation, i.e. walking, bicycling, and automotive, bus and shuttle bus, with visible and convenient linkages provided to, from, and through the District.
(4) Development Standards. The following standards shall apply to development within the Corporate Neighborhood Center Districts.
a. Permitted uses: See Part 3, Use Table.
b. Maximum lot area: None
c. Minimum average lot size: Reserved
d. Minimum living area: Reserved
e. Minimum lot width: Reserved
f. Minimum lot depth: 100 feet. 110 feet with alley
g. Maximum lot coverage: Reserved
h. Open space: Reserved
i. Building Setbacks:
\[
\begin{array}{cl}
\text { i. } & \text { Front }{ }^{*} \text { Ten (10) feet. } \\
\text { Includes any provided porch. } \\
\text { ii. } & \text { Side: Five (5) feet. } \\
\text { iii. } & \text { Side street*: Ten (10) feet. } \\
& \text { Includes any provided porch. }
\end{array}
\]
*The Frontage Zone of Framework Streets may [depending on the surrounding Land Use District, and the adjacent street type) function as either a build-to line, or a minimum setback line. See Sec. 38-1390.41 General Building Placement, Site Planning, and Visual Buffer Guidelines
j. Maximum building height: 3
stories, 45 feet.
Maximum detached garage height:
22 feet; 30 feet with living area over garage.

\section*{(e) Retail / Wholesale District (R/W).}
(1) Character and Scale. Retail/Wholesale Districts will have a mix of retail, personal services, office, warehouse and warehouse showroom, and attached residential uses. Development sites in Retail/Wholesale Districts may be designed with internal orientation however, side and rear building facades shall replicate the trim, molding, window surfaces, and roofline details of the building's front façade.
(2) Townhome, Apartment, Condominium development guidelines: See also Section 38-1390.45 above, and Part 3 Use Table
(3) Development Standards. The following standards shall apply to development within the Retail / Wholesale District.
Table.
a. Permitted uses: See Part 3, Use

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\begin{tabular}{ll} 
b. & Maximum lot area: Reserved \\
c. & Minimum average lot size: Reserved \\
d. & Minimum lot width: Reserved \\
e. & Minimum lot depth: 100 feet. 110 \\
& \\
f. & \\
g. & \\
h. Open space: Reserved
\end{tabular}
i. Front*: Ten (10) feet. Includes any provided porch.
ii. Side: Five (5) feet.
iii. Side street*: Ten (10) feet. Includes any provided porch.
*The Frontage Zone of Framework Streets may [depending on the surrounding Land Use District, and the adjacent street type) function as either a build-to line, or a minimum setback line. See Sec. 38-1390.41 General Building Placement, Site Planning, and Visual Buffer Guidelines
i. Maximum building height:

TO BE DETERMINED (so to accommodate hospital heights)

\section*{(f) Traditional Town Center Core District (TTCC).}
(1) Character and Scale. The Traditional Town Center Core District will serve as the civic, cultural and retail heart of the Town Center, and the surrounding Villages. It will be a vibrant, mixed use center containing a variety of high-density residential, retail, office, hotel, civic, and entertainment uses. Passive parks, plazas and squares will be provided throughout the TTCC as areas for outdoor public activities and events, as well as sitting, outdoor conversations, shade and relaxation. The TTCC District will be designed as a pedestrian-oriented activity center with building fronts oriented toward streets and parks. Civic. spaces and public buildings will be encouraged, designed and located as focal points throughout the TTCC District.
(2) Short Blocks and Tight Grid Street System. The blocks within the TTCC District will be the shortest of the Town Center Land Use Districts and be reminiscent of traditional community downtown neighborhoods, in accordance with Part 2. Convenient, safe, shaded, spacious, and clearly-delineated
pedestrian sidewalks and corridors will be the standard throughout the TTCC District.
(3) Townhome, Apartment, Condominium development guidelines: See also Section 38-1390.45 above, and Part 3 Use Table.
(4) Development standards. The following general development standards shall apply to all development within the Traditional Town Center Core District.

Table.
a. Permitted uses: See Part 3, Use
b. Building setbacks: See Section 381390.41, and Framework Street cross sections, Part 2.
c. Minimum average lot size: Reserved
d. Maximum lot width: Reserved
e. Minimum living area: Reserved
f. Minimum lot depth: 100 feet. 110 feet with alley
g. Maximum square footage of individual establishment: Reserved
h. Maximum lot coverage: Reserved
i. Open space: Reserved
j. Building Setbacks:
i. Front*: Ten (10) feet. Includes any provided porch.
ii. Side: Five (5) feet. iii. Side street*: Ten (10) feet. Includes any provided porch.
*The Frontage Zone of Framework Streets may [depending on the surrounding Land Use District, and the adjacent street type) function as either a build-to line, or a minimum setback line. See

Sec. 38-1390.41 General Building Placement, Site Planning, and Visual Buffer Guidelines.
stories, 150 feet.
Section 2. Land Use Table. Section 38-77.1, titled "Horizon West Town Center PD Code Land Use Table" is hereby created under Chapter 38, Article VIII of the Orange County Code. See Exhibit "A" attached hereto and incorporated herein.

Section 3. Conditions for permitted uses and special exceptions. Section 38-79 is hereby amended by adding the following numbered conditions correlating with the numbers listed in the Horizon West Town Center PD Code Use Table set forth in section 38-77.1:
(165) Category 1-B Standards: Attached residential limited to 8 units per building. Non-residential uses must front on the following road types: Arterial, Collector, Parkway or Avenue.
(167) Category 1-C Standards: MF in a Retail/Wholesale District limited to 225 units, and only one MF development (regardless of units) allowed in the R/W District.
(168) Garage apartments permitted per Town Center development standards
(169) Live-Work Units Requirements:
1. No more than two employees, in addition to the resident owner or employee of the business, shall be permitted to work or report to work on-site.
2. A minimum of 80 percent of a structure's street front facade at street level shall be occupied by nonresidential uses
3. Live/work units that exceed [2,000] square feet must have at least two exits
4. Loading or unloading associated with a business occupying a live-work unit shall be from the rear of the unit.
5. A residential use will be permitted within
6. Signage intended to promote on-site nonresidential uses shall be restricted to one (1) two square foot sign permanently affixed to door or wall of the business component of each live-work unit.
7. Required parking will be based on the applicable parking standard for the nonresidential use or the closest similar use, plus one space for the residential use.
8. The external access for the non-residential component shall be oriented to the street and should have at least one external entrance/exit separate from the living space. The entrance to the business component shall be located on the ground level. Access to the non-residential component of each live/work unit shall be clearly separate from the common walkways or entrances to the other residential units within the development, or other residential units in adjacent developments.
9. The live/work unit shall have a minimum ground floor height of thirteen (13) feet.
(170) Farmers Markets are permitted in property owners association or approved county owned common areas, cannot utilize any required parking areas, can operate only between 10 AM and 4 PM on one weekend day per week, and must be approved by the Zoning and Planning Managers. Any utilization of community building indoor space is limited to \(15 \%\) of the total FM area.
(171) Hotels/Convention Facilities permitted for Orange County National Golf Course
(172) See Category 2-A, 5-A, 6-A \& 9-A Urban Residential Standards: Sites limited to: Corner lots on Parkway or Avenue; One per block; 600-feet spacing between other commercial uses; 4 on-site parking spaces max; 1500 sq. ft. max per site; One tenant max per site;

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(173) See Category 2-A Corporate Neighborhood Center Standards: Buildings limited to: 25,000 sq. ft . max; Individual Tenants max at 5000 sq . ft.; One building in the CNC may be up to 20,000 sq. ft.
(174) See Category 2-A Corporate Campus Mixed Use Standards: Buildings limited to: 5000 sq. ft. max; No multi-tenant buildings permitted.
(175) Category 1-A Standards: Attached residential limited to 5 units per building. Non-residential uses must front on the following road types: Collector, Parkway or Avenue.
(176) See Category 2-B Town Center Standards: 75,000 sq. ft. max per individual use type at any development site (including outdoor storage/display areas).
(177) See Category 3-A Neighborhood Park Standards: See Planning for appropriate uses and locations. (Uses should minimize neighborhood impacts for noise, lighting and parking, and should be centrally located within a 10 -minute walk for majority of planned homes in neighborhood.)
(178) See Category 3-B Town Center Park Standards: See UNP approved uses and locations. (Uses should minimize abutting property impacts for noise, lighting and parking, and have primary frontage on Collector, Parkway or Avenue.)
(179) See Category 3-C Specialty Park Standards: See UNP for approved uses and locations. (Uses shall be located and operated to minimize adverse impacts to adjoining residential uses.)
(180) See Category 5-A \& 6-A Corporate Neighborhood Standards: 25,000 sq. ft. max building size; 5000 max sq. ft. tenant size.
(181) See Category 8-A High-Tech Standards: Uses allows are those for development, refinement, testing up to and including Pre-Production manufacturing of advanced technological products.
(182) See Category 8-B Clean-Tech Research Standards: See Definition of 8-B Industries for description of allowable uses.
(183) See Category 9-A Elementary Schools Location Standards: Centrally located in the district in which it is located, and adjoining a Collector, Parkway or Avenue.
(184) See Category 9-A Corporate Neighborhood Center Standards: 5000 sq. ft. max per use.

Section 4. Effective date. This ordinance shall take effect pursuant to general law.

APPROVED THIS DAY OF \(\qquad\) , 2012.


\section*{Town Center Land Use Table}

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\section*{town center land use table}
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & \[
\begin{gathered}
\text { SIC } \\
\text { Group }
\end{gathered}
\] & Land Use &  &  &  &  &  &  & 2
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\hline & & RESIDENTIAL & & & & & & & \\
\hline Single-family detached and modular homes with customary accessory uses & & Single-family detached and modular homes with customary accessory uses & P & P & P & & & & 1 A \\
\hline Residential storage as a principal use (in an enclosed structure only) & & Residential storage as a principal use (in an enclosed structure only) & & & & & & & \\
\hline Principal residence and accessory buildings in excess of size requirements outlined in Condition \#114 & & Principal residence and accessory buildings in excess of size requirements outlined in Condition \#114 & & & & & & & \\
\hline Fences and walls permitted (except subdivision fences and walls) See Section 38-1408 and Town Center Standards & & Fences and walls permitted (except subdivision fences and walls) See Section 38-1408 and Town Center Standards & P & P & P & P & P & P & \\
\hline Accessory buildings, uses and structures & & Accessory buildings, uses and structures & \(P(114)\) & \(\mathrm{P}(114)\) & & & & & \\
\hline Screen rooms (single-family residential) & & Screen rooms & \(\mathrm{P}(18)\) & P(18) & \(\mathrm{P}(18)\) & & \(\mathrm{P}(18)\) & & \\
\hline Screen enclosures & & Screen enclosures & \(\mathrm{P}(84)\) & P (84) & & & \(\mathrm{P}(84)\) & & \\
\hline Fee simple duplex and patio homes & & Fee simple duplex and patio homes & P & P & & & P & & 1A \\
\hline Home occupations & & Home occupations & \(\mathrm{P}(8)\) & \(\mathrm{P}(8)\) & & & \(\mathrm{P}(8)\) & & \\
\hline Live-Work Dwelling Units (Type 1) & & & \[
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\hline \mathrm{P}(\mathrm{UNP}) \\
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(159) \\
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\] & & & & \[
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& \mathrm{P}(165) \\
& (159)
\end{aligned}
\] & & 1A \\
\hline Mobile homes as permanent residential dwelling units, including mobile home parks & & Mobile homes & & & & & & . & \\
\hline Temporary mobile homes, travel trailers and recreational vehicles (For R.V. parks and campgrounds, see SIC \#703) & & Temporary mobile homes & \(P(5)\) & \(\mathrm{P}(5)\) & \(\mathrm{P}(5)\) & \(\mathrm{P}(5)\) & \(\mathrm{P}(5)\) & & \\
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\section*{town center land use table}
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\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  &  & Z
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\hline Chimneys, water \& fire towers, church spires, domes, cupolas, stage towers, scenery lofts, cooling towers, elevator buikheads, smokestacks, flagpoles, and parapet walls. & & Chimneys, water \& fire towers, church spires, domes, cupolas, stage towers, scenery lofts, cooling towers, elevator bulkheads, smokestacks, flagpoles, and parapet walls. & \(\mathrm{P}(7)\) & P (7) & P (7) & P (7) & P (7) & & \\
\hline Multi-family Residential & & Multi-family Residential & & P (157) & \(\mathrm{P}(157)\) & \[
\begin{aligned}
& \hline \text { P(UNP) } \\
& (157) \\
& \hline
\end{aligned}
\] & (A) & & 1 C \\
\hline Transient rental units & & Transient rental units & & P & P & & & & \\
\hline Family foster homes (see definition in section 38-1, O.C. Code & & Family foster homes (see definition in section 38-1, O.C. Code & P & & & & & & 1A \\
\hline Garage Apartments on SFR lots & & Garage Apartments on SFR lots & \(\mathrm{P}(158)\) & \(\mathrm{P}(158)\) & \(\mathrm{P}(158)\) & \(\mathrm{P}(158)\) & P (158) & & \\
\hline Swimming pools, Jacuzzis, tennis courts, spas, hot tubs, including appurtenances to such uses & & Swimming pools, Jacuzzis, tennis courts, spas, hot tubs, including appurtenances to such uses & \(\mathrm{P}(10)\) & \(\mathrm{P}(10)\) & & & & \(\mathrm{P}(10)\) & \\
\hline Community Residential Homes " A " (max. 6 clients, not restricted to 5) & & Community Residential Homes " \(A\) " (max. 6 clients, not restricted to 5) & \(P(165)\) & & & & & & 1A \\
\hline Community residential Homes " B " \((7\) to 14 clients-not restricted to 12 max ) & & Community residential Homes " B " ( 7 to 14 clientsnot restricted to 12 max) & & & & & \(\mathrm{P}(156)\) & & 18 \\
\hline Community residential Homes "C" (greater than 14 clients) & & Community residential Homes " C " (greater than 14 clients) & & P & P & & & & 1 C \\
\hline Family lot provision & & Family lot provision & & & & & & & \\
\hline Guest house & & Guest house & & & & & & & \\
\hline Short-term rental, resort residential, resort villa & & Hotel, motel, timeshare or similar uses & & & & & & & \\
\hline & & Townhouses and triplexes and quadruplexes with fee simple units, up to five dwellings per building & \(\mathrm{P}(165)\) & P (165) & \(\mathrm{P}(165)\) & & \(\mathrm{P}(165)\) & & 1A \\
\hline quadruplexes with fee simple units & & Townhouses, mansion homes and other housing types with more than five and up to eight dwellings per building & \(\mathrm{P}(156)\) & P (156) & \(\mathrm{P}(156)\) & & \(\mathrm{P}(156)\) & & 1B \\
\hline Zero side yard development & & Zero side yard development & P (165) & \(\mathrm{P}(165)\) & & & & & 1A \\
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\section*{town center land use table}
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  &  & 2
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003 \\
\hline Boarding, lodging and rooming houses & & Boarding, lodging and rooming houses & & & & & & & \\
\hline Student housing & & Student housing & & P & P & & & & 1C \\
\hline Single-family transient rental & & Single-family transient rental & & \(\rho\) & P & & & & \\
\hline Adult/child day care homes & & Adult/child day care homes & \[
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\end{gathered}
\] & P & P & P & \[
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P(170) \\
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\] & & \\
\hline Family day care homes & & Family day care homes & & P & P & & & & 1 C \\
\hline Adult/child day care centers & & Adult/child day care centers & & P & P & & P & & \\
\hline Tents & & Tents & & & & & & & \\
\hline Single-family unit in conjunction with a commercial use & & Single-family unit in conjunction with a commercial use & & & & & & & \\
\hline Model homes & & Model homes & P & p & P & P & P & & 1A,18,1C \\
\hline Recreational vehicle or boat storage and parking (Residential only) & & Recreational vehicle or boat storage and parking (Residential only) & & & & & & & \\
\hline & & AGRICULTURE, FORESTRY, \& FISHING & & & & & & & \\
\hline & 01 & AGRICULTURAL PRODUCTION (crops) & & & & & & & \\
\hline Wheat, corn, soybeans, etc. & 011 & Cash grains & & & & & & & \\
\hline Vegetable farms & 0161 & Vegetables \& Melons & & & & & & & \\
\hline Truck farms & 0161 & Vegetables \& Meions & & & & & & & \\
\hline Citrus and fruit crops cultivation & 0174 & Citrus fruits & & & & & & & \\
\hline Commercial plant nurseries and, greenhouses (no retailing) & 0181 & Ornamental nursery products & & & , & & & & \\
\hline Crop farms & 0191 & General farms, primarily crops & & & & & & & \\
\hline Washing \& packaging of fruit and vegetables & & Washing \& packaging of fruit and vegetables & & & & & & - & \\
\hline Open air sales of agricultural or farm products & & Open air sales of agricultural or farm products & & & & & & & \\
\hline Outdoor storage of operative agriculturally related equipment & & Outdoor storage of operative agriculturally related equipment & & & & & & & \\
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\hline & 02 & AGRICULTURAL PRODUCTION (livestock) & & & & & & & \\
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town Center land use table
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  &  & 2
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\hline Commercial kennels & & Commercial kennels & & & & & & & \\
\hline Boarding of horses and ponies and riding stables for commercial purposes; raising of horses and ponies for commercial purposes & & Boarding of horses and ponies and riding stables for commercial purposes; raising of horses and ponies for commercial purposes & & & & & & & \\
\hline Animal stock grazing, stock yards & 0211 & Beef cattle (grazing) & & & & & & & \\
\hline Dairy farms & 0241 & Dairy farms & & & & & & & \\
\hline Poultry raising or keeping & 025 & Poultry \& eggs & & & & & & & \\
\hline Raising or keeping of cows, horses \& ponies for domestic purposes & 0272 & Horses \& equines & & & & & & & \\
\hline Commercial aviculture, aviaries & 0279 & Commercial aviculture & & & & & & & \\
\hline Bee keeping & & Bee keeping & & & & & & & \\
\hline Breeding, keeping and raising of farm animals (e., goats, sine, pot-bellied pigs, etc.) for sale or profit (not for domestic purposes & & Breeding, keeping and raising of farm animals (e., goats, sine, pot-bellied pigs, etc.) for sale or profit (not for domestic purposes & & & & & & & \\
\hline Breeding, keeping and rising of farm animals (ex., goats, swine, pot-bellied pigs, etc.) for domestic purposes only & & Breeding, keeping and rising of farm animals (ex., goats, swine, pot-bellied pigs, etc.) for domestic purposes only & & & & & & & \\
\hline Breeding, keeping, and raising of exotic animals & & Breeding, keeping, and raising of exotic animals & & & & & & & \\
\hline  & Cras &  & Ninter &  & \% \(x^{*}, \cdots\) & - \({ }_{\text {arem }}\) &  &  & \% \({ }^{\text {a }}\) \\
\hline & 07 & AGRICULTURAL SERVICES & & & & & & & \\
\hline Grove caretaking, harvesting business & 0722 & & & & & & & & \\
\hline Veterinarians for livestock & 0741 & Veterinary services for livestock & & & & & & & \\
\hline Veterinary service with no outdoor runs or compound & 0742 & Veterinary services & & P & P & p & \[
\begin{gathered}
\hline \mathrm{P}(170) \\
(112)
\end{gathered}
\] & & 5B \\
\hline Veterinary services with outdoor runs or compounds (domestic pets) & 0742 & Veterinary services & & & & & & & \\
\hline
\end{tabular}

TOWN CENTER LAND USE TABLE

town Center land use table
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & \begin{tabular}{l}
SIC \\
Group
\end{tabular} & Land Use &  &  &  &  &  &  & 2
0
0
0
0
0 \\
\hline Bituminous coal \& lignite mining & 012 & COAL MINING & & & & & & & \\
\hline \% \(\%\), & \(\therefore\) & " \(\because \because \cdots \cdots\) & \(\because\). & & \(\because\) & \% & -.. & - & \\
\hline Petroleum \& natural gas production & 013 & OIL AND GAS EXTRACTION & & & & & & & \\
\hline ¢ \(2 \times \cdots\) & \(\because \therefore\) & \(\cdots \quad \vdots \quad \cdots \cdots{ }^{\prime}\) & , & \(\cdots\) & 4 & 3 & \(\because \square^{2}+\) & \(\because 82\) &  \\
\hline & 014 & NON-METALILIC MINERALS, EXCEPT FUELS & & & & & & & \\
\hline Cement, rock, limestone, crushing and grinding of asphalt, concrete \& cement & 1422 & Crushed and broken limestone & & & & & & & \\
\hline Cement, concrete, asphalt batch plants & & Cement, concrete, asphalt batch plants & & & & & & & \\
\hline Operation of sand \& gravel pits for construction, sand \& gravel mining & 1442 & Construction sand and gravel & & & & & & & \\
\hline Operation of sand \& gravel pits for glassmaking, molding \& abrasives & 1446 & Industrial sand & & & & & & & \\
\hline Preparation of phosphate rock & 1475 & Phosphate rock & & & & & & & \\
\hline Borrow pits, excavation and fill & 1499 & Borrow pits & & & & & & & \\
\hline  & & \(\because \because \%\) & \(\therefore \quad \therefore\) & \(\therefore \quad \therefore\) & \(\cdots\) & \(\cdots\) & \({ }^{2}\) & \(\therefore\) - & \(\therefore 2\) \\
\hline & & CONSTRUCTION & & & & & & & \\
\hline & 016 & HEAVY CONSTRUCTION (not bldg. const.) & & & & & & & \\
\hline Retention, detention, drainage ponds for associated development & 1629 & Retention/detention & P & P & P & P & P & P & \\
\hline \(\cdots{ }^{\circ} \mathrm{B}\) & & \(\because \because\) & & . & \(\stackrel{5}{5}\) & \(\bigcirc\) & \% & \(\therefore\) : & ...: : \\
\hline & 017 & SPECIAL TRADE CONTRACTORS & & & & & & & \\
\hline Contractors storage, trade shops, equipment yards, and offices with outdoor storage & 017 & Special Trade Contractors , & & & & & & & \\
\hline Contractors offices (no outdoor storage or overnight parking of vehicles) & & Contractors offices (no outdoor storage or overnight parking of vehicles & & & & & & & \\
\hline F , \% & \(\cdots\) & \(3^{4}+\cdots{ }^{*}\) & \(\therefore\) & \% & \(\because\) & \(\cdots\) & , & \% & Nos \\
\hline
\end{tabular}

\section*{TOWN CENTER LAND USE TABLE}
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  &  &  \\
\hline & & NOTE: ALL RETAIL TRADE USES (SIC GROUP \#52\#59) AND SERVICE USES (SIC GROUP \#70-\#89) ARE PERMITTED IN INDUSTRIALZONING DISTRI CTS AS ACCESSORY USES ONLY, UNLESS OTHERISE PERMITTED, SUBJECT TO COMPLIANCE WITH THE STANDARDS OUTLINED IN CONDITION \#106 & & & . & & & & \\
\hline * \(\because\) ¢ & - &  & & \(\because\) & & \(\therefore \therefore\) & \(\because\) & \(\because\) & \(\cdots\) \\
\hline & & MANUFACTORING & & & & & & & \\
\hline & 20 & FOOD, KINDRED PRODUCTS & & & & & & & \\
\hline Food processing \& packaging & 203 & Canned, frozen \& preserved fruits \& veggies & & & & & & & \\
\hline Meat storage, cutting \& distribution, animal slaughtering & 2011 & Meat packing plants/animal slaughtering & & & & & & & \\
\hline Dairy products manufacturing & 202 & Dairy products & & & & & & & \\
\hline Ice cream manufacturing & 2024 & Ice cream \& frozen desserts & & & & & & & \\
\hline Citrus processing plants & 2033 & Canned fruits, vegetables, preserves, jams \& jellies & & & & & & & \\
\hline Bakery products manufacturing, bakery plants & 205 & Bakery products & & & & & & & \\
\hline Candy and confectionery manufacturing & 206 & Sugar \& confectionery products & & & & & & & \\
\hline Tallow, grease \& lard manufacturing & 207 & Fats \& oils & & & & & & & \\
\hline Beverage processing \& storage, milk bottling \& distribution, soft drink bottling & 208 & Beverages & & & & & & & \\
\hline \(\because\)... ..... & \(\therefore\) & : & * & \(\therefore \therefore\) & & \(\cdots\) & \(\therefore\) & \(\because \square\) & \(\therefore \cdots\) \\
\hline Tobacco, cigarettes, cigars manufacturing & 21 & TOBACCO PRODUCTS & & & & & & & \\
\hline \% \% & &  & & \(\cdot{ }^{\text {c }}\) & \(\because\) & & \(\cdots\) & \(\cdots\) & \(\therefore\) \\
\hline Textile manufacturing & 22 & TEXTILE MILL PRODUCTS & & & & & & & \\
\hline Upholstery and dye manufacturing & 22 & Textile mill products & & & & & & & \\
\hline  & \(\therefore \cdots\) & \(\cdots{ }^{*} \because \because \cdots\) & \(\because\) & \% & & \(\because\) & \(\because\) & \(\because\) & \\
\hline
\end{tabular}
- Formatted Table

\section*{town center land use table}

town Center Land use table
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  &  & 2
0
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0 \\
\hline Manufacturing of chemical products, liquid fertilizer, corrosive acid, pharmaceuticals, soap, cosmetics, glue, explosive, paint, varnish and bulk paint mixing & 28 & CHEMICALS \& ALLIED PRODUCTS & & & & & & & \\
\hline Manufacturing of bulk organic and inorganic medicinal chemicals & 2833 & Medicinal chemicals and botanical products & & & & & & & \\
\hline Fertilizer manufacturing, agricultural chemicals manufacturing & 287 & Agricultural chemicals & & & & & & & \\
\hline 5 & C** & Sty \({ }^{\text {a }}\) & "8, & \% & 20 & \% & \% & Fi. & (8) \({ }^{\text {and }}\) \\
\hline & 29 & PETROLEUM COAL PRODUCTS & & & & & & & \\
\hline Petroleum refining, bulk storage of petroleum products & 2911 & Petroleum refining & & & & & & & \\
\hline Asphalt manufacturing & 295 & Asphalt paving \& roofing materials & & & & & & & \\
\hline Lubricating oils \& greases manufacturing & 2992 & Lubricating oils \& greases & & & & & & & \\
\hline  & \(\xrightarrow{3}\) & a \(x^{4}\) & ?, \({ }^{\text {a }}\) & \% 2 & \(x^{4}-4\) &  & - \(x^{2}\) & - & \% \\
\hline Plastic, rubber \& tire manufacturing & 30 & RUBBER \& MISC. PLASTIC PRODUCTS & & & & & & & \\
\hline Plastic containers manufacturing & 3089 & Plastics products & & & & & & & \\
\hline  &  &  & +9, \(x^{4}\) & 5-x \({ }^{2}\) & 209 & \(3^{5} \mathrm{~m}^{2}\) & Sax \({ }^{2}\) &  &  \\
\hline Shoes manufacturing & 31 & LEATHER PRODUCTS & & & & & & & \\
\hline Leather processing & 3111 & Leather products & & & & & & & \\
\hline  & \%, \({ }^{\text {en }}\) &  & \% & 3 & \(\cdots\) & \% & arse & Cremex & \(8{ }^{\text {cta }}\) \\
\hline Cement, line, gypsum, plaster manufacturing & 32 & STONE, CLAY, GLASS PRODUCTS & & & & & & & \\
\hline Glass products and glass containers manufacturing & 32 & Stone, clay \& glass products & & & & & & & \\
\hline Pressed and blown glass & 3229 & Pressed and blown glass & & & & & & & \\
\hline Novelties \& souvenirs manufacturing & 326 & Pottery and related products & & & & & & & \\
\hline Manufacturing of ceramics & 3269 & Pottery products & & & & & & & \\
\hline
\end{tabular}

TOWN CENTER LAND USE TABLE
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & \[
\begin{gathered}
\text { SIC } \\
\text { Group }
\end{gathered}
\] & Land Use &  &  &  &  &  &  & 긍
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0 \\
\hline Concrete block and brick manufacturing & 3271 & Concrete block \& brick & & & & & & & \\
\hline Manufacturing of floor stabs, incinerators, septic tanks \& silos & 3272 & Concrete products & & & & - & & & \\
\hline  & 4 yc &  &  & 2ixamex & - \({ }^{2}\) &  & \% \(5+5\) & 4-7, 5 &  \\
\hline Blast furnace manufacturing, manufacturing of iron, steel, \& aluminum, smelting & 33 & PRIMARY METAL INDUSTRIES & & & & & & & \\
\hline Primary metal industries & 33 & Primary metal industries & & & & & & & \\
\hline  & 为 &  & 3- & Wers & + 4.9 & \% & N-9 & \% &  \\
\hline Metal, cans, barrels, tools \& hardware manufacturing & 34 & FABRICATED METAL PRODUCTS & & & & & & & \\
\hline Metal containers manufacturing & 3411 & Metal cans \& shipping containers & & & & & & & \\
\hline Testing of sandblasting nozzles & 3471 & Plating \& polishing & & & & & & & \\
\hline  &  &  &  &  &  & a \(x^{3}\) & \% & !-x"xat & sta \({ }^{2}\) \\
\hline Industrial \& commercial machinery & 35 & INDUSTRIAL \& COMMERCIAL MACHINERY & & & & & & & \\
\hline Steam, gas, hydraulic engines manufacturing & 351 & Engines \& turbines & & & & & & & \\
\hline Manufacturing of farm Machinery & 352 & Farm \& garden machinery & & & & & & & \\
\hline Concrete manufacturing, paving \& mixing, temporary asphalt plants & 353 & Mining machinery, construction & & & & & & & \\
\hline Computer equipment manufacturing & 357 & Computer and office equipment & & & & & & & \\
\hline Machine shops, carburetors, pistons, amusement apparatus manufacturing & 359 & Miscellaneous industrial equipment & & & & & & & \\
\hline  & \%es & 込 & [ 0 & \(3{ }^{3}\) & \%ras & \% x\% & \(\therefore 2\) & ¢e\% & 4, 480 \\
\hline
\end{tabular}

\section*{TOWN CENTER LAND USE TABLE}


TOWN CENTER LAND USE TABLE
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  &  & 2
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0 \\
\hline  & &  & - 4 20 & \({ }^{4,59}+2\) & \(\cdots\) &  & \(4^{24}\) & Stersin & 48 \\
\hline & 39 & MISC. MANUFACTURING INDUSTRIES & & & & & & & \\
\hline Toys \& sporting goods manufacturing & 394 & Toys \& sporting goods & & & & & & & \\
\hline Sign manufacturing & 3993 & Signs \& advertising specialties & & & & & & & \\
\hline  & \(\cdots\) &  & \(4 x^{2}+x^{2}\) & Fixemer & \% & Pex \({ }^{\text {a }}\) & 24, \({ }^{4} 8\) & Trex &  \\
\hline Railroad transportation & 40 & RAILROAD TRANSPORTATION & & & & & & & \\
\hline Railroad, bus, taxi, carpool, vanpool, limousine, and ambulance terminals for passenger transportation with onsite pick-up and drop-off areas for passengers, shuttle operation (see 7514 for car rental, 4581 for airports, 4231 for truck terminals) & 41 & LOCAL \& INTER-URBAN PASSENGER TRANSIT & & & & & & & \\
\hline Railroad, bus, taxi, carpool, vanpool, and ambulance and limousine charter service and storage facilities without on-site pick-up or drop-off areas for passengers & 41 & LOCAL \& INTER-URBAN PASSENGER TRANSIT & & & & & & & \\
\hline Limousine service, home-based & 4119 & & & & & & & & \\
\hline Indoor storage of products, furniture, household \& commercial goods, machinery, equipment storage of building materials & 42 & WAREHOUSING & & & & \[
\begin{aligned}
& P(30) \\
& (111)
\end{aligned}
\] & & & 7B \\
\hline Courier services & 4215 & Courier services, except air & & & & P & & & 6 B \\
\hline Portable toilet storage & 422 & Warehousing \& storage & & & & & & & \\
\hline Warehousing & 422 & Warehousing \& storage & & & & \[
\begin{aligned}
& P(30) \\
& (111)
\end{aligned}
\] & & & 78 \\
\hline Dead storage yard & & Dead storage yard & & & & & & & \\
\hline Cold storage frozen food lockers & 4222 & Refrigerated warehousing \& storage & & & & & & & \\
\hline
\end{tabular}

TOWN CENTER LAND USE TABLE
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  &  &  \\
\hline Self－storage facility & 4225 & General warehousing \＆storage & & & & \[
\begin{aligned}
& \mathrm{P}(30) \\
& (111)
\end{aligned}
\] & & & 78 \\
\hline Bulk storage of petroleum，storage of wrecked automobiles，oil，hazardous chemicals，explosives，gasoline，and ammunition & 4226 & Special warehousing and storage & & & & & & & \\
\hline Truck terminals，truck stop，bus，cab， truck repair，storage and terminals， parking and／or storage of trucks & 4231 & Trucking terminal facilities & & & & & & & \\
\hline Temporary portable storage containers & & & & & & & & & \\
\hline  &  &  & 2－6e & \[
\frac{x-\operatorname{sen}}{\rho}
\] &  &  & 8ctas & asmex & \[
\frac{2+x+5}{6 B}
\] \\
\hline  & \％－ &  & Fस & \％ & x＋me & ल\％\({ }^{\text {a }}\) &  & Natas & Mater \\
\hline Marinas，commercial boat rentals， airboat rides & 44 & WATER TRANSPORTATION & & & &  & & xinnes & \％\％moser \\
\hline Or \({ }^{2}\) & \(\cdots\) &  &  & \(\cdots\) & 为 & \％， & ， & － & \(\therefore \mathrm{A}\) \\
\hline Dismantling boats，marine wrecking & 4499 & Water transportation services & & & & & & & \\
\hline  & 2\％\(x^{29}\) & Sorsers & 2mes & \％ & ＊＊＊ & \％ & 边 & Nox & A－30 \\
\hline & 45 & TRANSPORTATION BY AIR & & & & & & & \\
\hline Airports，airplane landing facilities， aircraft maintenance，seaplane base & 4581 & Airports，flying fields \＆services & & & & & & & \\
\hline Helicopter landing facility，Vertiport， airship／blimp hanger facility and hangers & 4581 & Airports，flying fields \＆services & & & & & & & \\
\hline  & as \({ }^{\text {arem }}\) &  & ＂＊say & 20 & ，＂¢ & \(4{ }^{2}\) & \％ & 为 & ＊2x \(x^{2}\) \\
\hline Pipeline transportation of petroleum \＆other commodities，underground pipeline unless required to be above ground due to physical conditions & 46 & PIPELINES，EXCEPT NATURAL GAS & & & & & & & \\
\hline
\end{tabular}

13

TOWN CENTER LAND USE TABLE
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  & \[
\begin{aligned}
& \ddot{4} \\
& 0 \\
& \stackrel{0}{n} \\
& \stackrel{0}{0} \\
& 00
\end{aligned}
\] & 200 \\
\hline - \(x^{\text {a }}\) & \%os &  & and & C. & & & & \(\cdots\) & \% \\
\hline & 47 & TRANSPORTATION SERVICES & & & & & & & \\
\hline Travel agencies, tour brokers and tour operators & 4724 & Travel agencies & & P & P & P & P & & 6B \\
\hline Ticket agencies & 4729 & Airline, bus, rail, ticket agencies & & P & P & P & P. & & 6 B \\
\hline  &  &  & LTemta &  &  & 20, &  & \(\cdots\) &  \\
\hline & 48 & COMMUNICATIONS & & & & & & & \\
\hline Cellular telephone sales \& service, beeper \& pager services & 4812 & Radio broadcasting stations & & P & P & P & P & & 68 \\
\hline & 4813 & Tele Communication & & & & & & & \\
\hline Radio, television or movie studios (excluding towers) & 4832 & Radio broadcasting stations & & P & P & P & & & 6B \\
\hline Communication towers (See Sec. 381427) & & Communication towers & & & & & & & \\
\hline Lattice (Ord. No. 95-25, §2, 8-29-95) & & & & P(UNP) & & P (UNP) & P(UNP) & P(UNP) & 6 C \\
\hline Guyed (Ord. No. 95-25, §2, 8-19-95) & & & & P(UNP) & & P(UNP) & P(UNP) & P(UNP) & 6 C \\
\hline Monopole (Ord. No. 95-25, §2, 8-2995) & & & & P(UNP) & . & P(UNP) & & P(UNP) & 6 C \\
\hline T.V. studios (excluding towers) & 4822 & T.V. broadcasting stations & & P & P & P & & & 68 \\
\hline Satellite dish service & 4841 & Cable and other pay television services & & P & P & P & & & 6 B \\
\hline  & Emem &  & \% \(x^{4}\) & Erect & 20, & Tar \({ }^{\text {a }}\) & \%atat &  & \%ay \({ }^{2}\) \\
\hline & 49 & ELECTRIC, GAS, SANITARY SERVICES & & & & & & & \\
\hline Substations, telephone switching stations & 49 & Substations, telephone switch stations, water plants & & & & & & & \\
\hline Power plants, transfer stations, refuse storage sites, wastewater and water plants, septic disposal sites, line stabilization and dewater, septage and wastewater sludges & 49 & Power plants, transfer stations, refuse storage sites, wastewater and water plants, septic disposal sites, line stabilization and dewater, septage and wastewater sludge & & & & & & & \\
\hline Electrical, gas, sanitary services & 49 & Electric, gas, sanitary services & & & & & & & \\
\hline
\end{tabular}

TOWN CENTER LAND USE TABLE
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & \[
\begin{gathered}
\text { SIC } \\
\text { Group }
\end{gathered}
\] & Land Use &  &  &  &  &  & \[
\begin{aligned}
& \ddot{0} \\
& 0 \\
& \sim \\
& \text { N } \\
& \stackrel{\rightharpoonup}{0} \\
& 0 \mathbf{0}
\end{aligned}
\] & 2
0
0
0
0 \\
\hline Solid waste management facilities (Ord. No. 2009-11, §4(App. A), 4-2809) & 4953 & Solid waste management facilities & & & & & & P(UNP)
(120) & \\
\hline Hazardous waste treatment, storage and disposal facilities (Ord. No. 2009-
\[
11, \xi 4(\text { App. A), 4-28-09) }
\] & 4953 & Hazardous waste treatment, storage and disposal facilities & & & & & & & \\
\hline Incinerators ( Ord. No. 2009-11,
\[
\S 4(\text { App. A) , 4-28-09) }
\] & 4953 & Incinerators & & & & & & & \\
\hline Aluminum recycling collection drop-off sites & & Aluminum recycling collection drop-off sites & & & & & & & \\
\hline Clean Tech - renewable energy production; energy management, storage transmission and distribution; green building products; advanced materials and environmental products; environmental remediation \& pollution prevention services \& products & & A & & \(\mathrm{P}(172)\) & \[
\mathrm{P}(172)
\] & \(\mathrm{P}(172)\) & \(\mathrm{P}(172)\) & & 8B \\
\hline  & 8 & WHOLESALE TRADE & & - \%hat & y \(x^{2}\) & - & "*) & \% & \[
85
\] \\
\hline Wholesale meat \& produce, and soft drink bottling distribution & 50 & WHOLESALE DISTRIBUTING OF DURABLE AND NONDURABLE GOODS & & & & P & & & 7A \\
\hline Wholesale bakeries & 50 & Wholesale distribution of durable and nondurable goods & & & & P & & & 7A \\
\hline Wholesale distribution of bedding, chairs, desks, mattresses, waterbeds, carpets, lamps, curtains and linens & 502 & Furniture and home furnishings & & & & P & & & 7A \\
\hline Wholesale distribution of awnings, fencing, septic tanks, mobile homes & 5039 & Construction materials & & & & & & & \\
\hline
\end{tabular}
town center land use table


\section*{town center land use table}
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  & \[
\begin{aligned}
& \ddot{0} \\
& \tilde{0} \\
& \tilde{0} \\
& \stackrel{\rightharpoonup}{0} \\
& 0
\end{aligned}
\] & \[
\] \\
\hline Storage yards for automobiles，trucks， boats，and commercial vehicles （regardless if for sale，lease or not）For storage of wrecked or inoperable vehicles & & Storage yards for automobiles，trucks，boats，and commercial vehicles（regardless if for sale，lease or not）For storage of wrecked or inoperable vehicles & & & & & & & \\
\hline Outdoor storage and display of equipment，products and merchandise & & Outdoor storage and display of equipment， products and merchandise & & & & & & & \\
\hline  & \％ & W\％ & －4， & ＂tay & \％ & 2axas & E＊ & CN0． &  \\
\hline & 52 & BUILDING MATERIALS \＆GARDEN SUPPLIES & & & & & & & \\
\hline Lumber and other building materials， building materials storage and sales & 521 & Lumber and other building materials & & & \[
\begin{gathered}
P(166) \\
(153)
\end{gathered}
\] & \(\mathrm{P}(166)\) & & & 2B \\
\hline Paint \＆wall paper stores & 5231 & Paint，glass \＆wailpaper stores & ． & & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & & & 2 B \\
\hline Hardware stores & 5251 & Hardware stores & & P & P & P & P & & 2B \\
\hline Nurseries（retail），garden stores & 5261 & Retail nurseries \＆garden stores & & & P & \(p\) & P & & 2B \\
\hline Mobile home dealers & 5271 & Mobile home dealers & & & & & & & \\
\hline Nox & \％ & \％， & \％ 6 & \％ &  & N\％ & \％ & \％ & 20， \\
\hline & 53 & GENERAL MERCHANDISE STORES & & & & & & & \\
\hline Shopping centers（see definitions in section 38－1，O．C．Code） & 5311 & Shopping center／retail uses are permitted by individual use type and size parameters for each Town Center District．See individual land uses for availability in each district． & & & & & & & \\
\hline Big box developments（see definition in section 38－1，O．C．Code） & & Big box developments & & & \(\mathrm{P}(153)\) & P （153） & & & 2C \\
\hline  & \(8{ }^{3}\) & \(3{ }^{2}\) & ＋6\％ & 为为 & \(\cdots\) & \％ & 为 & Kob & － \\
\hline & 54 & FOOD STORES & & & & & & & \\
\hline Conveniencetion food stores，grocery stores with no fuel sales & 5411 & Grocery stores & \[
\begin{aligned}
& P(162) \\
& P(\text { UNP })
\end{aligned}
\] & \(P(164)\) P（UNP） （A） & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & \(\mathrm{P}(163)\) & & 2A \\
\hline
\end{tabular}
town center land use table

town Center land use table
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  &  & \[
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& 0 \\
& 0 \\
& \hline 0
\end{aligned}
\] \\
\hline & 55 & AUTO DEALERS \& SERVICE STATIONS & & & & & & & \\
\hline Golf cart sales and services & & Golf cart sales and service & & & & & & & \\
\hline New \& used automobiles, pickups and vans (See condition \#138) & 5511 & New and used car dealers & & & ' & & & & \\
\hline Auto parts, tire dealers & 5531 & Auto \& home supply stores & & & \[
\begin{aligned}
& \hline \mathrm{P}(166) \\
& (67)
\end{aligned}
\] & \[
\begin{aligned}
& P(166) \\
& (67) \\
& \hline
\end{aligned}
\] & & & 2B \\
\hline Gas stations, automobile service stations & 5541 & Gasoline stations, except truck stops & & & \[
\begin{gathered}
\hline P(166) \\
(68) \\
(138)
\end{gathered}
\] & \[
\begin{gathered}
\hline \mathrm{P}(166) \\
(68) \\
(138)
\end{gathered}
\] & & & 2B \\
\hline Pump islands for gasoline sales & & Pump islands for gasoline sales & & & & & & & \\
\hline Truck stops & 5541 & Truck stops & & & & & & & \\
\hline Boat dealerships, boat supplies (see condition \#138) & 5561 & Boat dealers & & & & & & & \\
\hline Recreational vehicle and commercial vehicle sales, service \& storage (see Condition \#138) & 5561 & Recreational vehicle dealers & & & & & & & \\
\hline Motorcycle dealers (see Condition \#138) & 5571 & Motorcycle dealers & & & & & & & \\
\hline Go-carts, dune buggies, utility trailers (see Condition \#138) & 5599 & Automotive dealers & & & & & & & \\
\hline  & \[
\frac{5}{56}
\] & \begin{tabular}{l}
Ser \\
APPAREL \& ACCESSORY STORES
\end{tabular} &  & \% & 7\% \({ }^{\text {and }}\) & 4xtays &  &  & 2xay \({ }^{2}\) \\
\hline Bridal shops, dress shops, maternity shops (used or new) & 5621 & Women's clothing stores & & & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & & & 2B \\
\hline Clothing stores (used or new) & 5651 & Family clothing store & & & \(P(166)\) & \(\mathrm{P}(166)\) & & & 2B \\
\hline  & \({ }^{\prime 2}\) & 为 \({ }^{\text {a }}\) & "20x & **" & 5 &  & 5 & , +mom & \(\cdots\) \\
\hline & 57 & FURNITURE STORES & & & & & & & \\
\hline Furniture stores, vertical blinds & 5712 & Furniture stores & & & P (166) & \(\mathrm{P}(166)\) & & & 28 \\
\hline Carpet stores & 5713 & Floor covering stores & & & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & & & 2B \\
\hline
\end{tabular}
town center land use table
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  &  &  \\
\hline Appliance stores, refrigerators, ovens, retail sales of air conditioners \& parts (with no outdoor storage) & 5722 & Household appliance stores & & & \(P(166)\) & \(\mathrm{P}(166)\) & & & 2 B \\
\hline Appliance stores, refrigerators, ovens, air conditions and parts with outdoor storage & & Appliance stores, refrigerators, ovens, air conditioners and parts with outdoor storage & & & & & & & \\
\hline Radio \& T.V. sales \& service & 5731 & Radio, T.V. electronic stores & & & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & & & 2B \\
\hline Record \& tape stores & 5735 & Record \& tape stores & \(\mathrm{P}^{*} \mathrm{UNP}\) ) & \[
\begin{gathered}
P(\text { UNP }) \\
(A) \\
(164)
\end{gathered}
\] & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & P (163) & & 2A \\
\hline  & * &  & Asem & 5oses & rasam & 5 \(0^{2}\) & \%** &  & \%asmen \\
\hline & 58 & EATING \& DRINKING PLACES & & & & & & & \\
\hline Restaurants with no drive-thru or walk-up windows & 5812 & Eating places & \begin{tabular}{l}
P(UNP) \\
(162)
\end{tabular} & \begin{tabular}{l}
\(\mathrm{P}(164)\) P(UNP) \\
(A)
\end{tabular} & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & \(\mathrm{P}(163)\) & & 2A \\
\hline Restaurants, drive-in restaurants, snack bars, lunch stands, food-vending commissaries (permanent buildings) & 5812 & Eating places & & & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & & & 2B \\
\hline Snack bars, lunch stands, ice cream, coffee shops & & & \[
\begin{gathered}
\text { P(UNP) } \\
(162)
\end{gathered}
\] & \begin{tabular}{l}
P(UNP) \\
(A) \\
(164)
\end{tabular} & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & \(\mathrm{P}(163)\) & & 2A \\
\hline Caterers & 5812 & Eating places & & & & & & & \\
\hline Alcoholic beverage sales (see Chapter 4 of O.C. Code and sections 38-1414 and 38-1415 of O.C. Code). See condition \#103 & & & & & P & P & & & 2B \\
\hline Cocktail lounges, pubs and bars & 5813 & Drinking places (cocktail lounges) & \[
\begin{aligned}
& P(162) \\
& P(U N P)
\end{aligned}
\] & \begin{tabular}{l}
P(UNP) \\
(A) \\
(164)
\end{tabular} & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & \(\mathrm{P}(163)\) & & 2A \\
\hline and & 为 & 为 & Crer & \% & 50, & \% \({ }^{2}\) & Nasem & \% & 8ix \\
\hline
\end{tabular}
town center land use table
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  & \[
\begin{aligned}
& \ddot{0} \\
& \tilde{0} \\
& 0 \\
& \text { ᄃ } \\
& \tilde{0} \\
& 0.0
\end{aligned}
\] & \[
\begin{aligned}
& \text { ㄹ } \\
& 0 \\
& 0 \\
& 0 \\
& 0
\end{aligned}
\] \\
\hline & 59 & MISCELLANEOUS RETAIL & & & & & & & \\
\hline Drug stores, apothecary shops, pharmacies & 5912 & Drug stores & & \[
\begin{aligned}
& \mathrm{P}(\text { LUP }) \\
& \text { (A) } \\
& \text { (164) }
\end{aligned}
\] & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & \(P(163)\) & & 2B \\
\hline Liquor stores & 5921 & Liquor stores & & & \[
\begin{aligned}
& \hline P(166) \\
& (126)
\end{aligned}
\] & \[
\begin{gathered}
P(166) \\
(126) \\
\hline
\end{gathered}
\] & \[
\begin{aligned}
& P(166) \\
& (126)
\end{aligned}
\] & & 2B \\
\hline Pawn shops & 5932 & Used merchandise stores & & & & & & & \\
\hline Sporting goods, firearms sales, \& bicycle shops & 5941 & Sporting goods \& bicycle shops & \[
\begin{gathered}
\mathrm{P}(\mathrm{UNP}) \\
(162) \\
\hline
\end{gathered}
\] & \begin{tabular}{l}
P(UNP) \\
(a) \\
(164)
\end{tabular} & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & P (163) & & 2A \\
\hline Book stores & 5942 & Book stores & \[
\begin{gathered}
\mathrm{P}(\mathrm{UNP}) \\
(162) \\
\hline
\end{gathered}
\] & \[
\begin{gathered}
\mathrm{P}(\mathrm{UNP}) \\
\text { (A) } \\
(164) \\
\hline
\end{gathered}
\] & \(\mathrm{P}(166)\) & \(P(166)\) & \(\mathrm{P}(163)\) & & 2A \\
\hline Office supplies & 5943 & Office supplies & \[
\begin{gathered}
\mathrm{P}(\mathrm{UNP}) \\
(162) \\
\hline
\end{gathered}
\] & \[
\begin{gathered}
\text { P(UNP) } \\
\text { (A) } \\
(164) \\
\hline
\end{gathered}
\] & \(\mathrm{P}(166)\) & \(P(166)\) & \(\mathrm{P}(163)\) & & 2A \\
\hline Jewelry stores & 5944 & Jewelry stores & \[
\begin{aligned}
& \text { P(UNP) } \\
& (162)
\end{aligned}
\] & \begin{tabular}{l}
P(UNP) \\
(A) \\
(164)
\end{tabular} & \(\mathrm{P}(166)\) & ly & \(\mathrm{P}(163)\) & & 2A \\
\hline Ceramic shops, hobby shops & 5945 & Hobby, toy \& game shops & \[
\begin{aligned}
& \mathrm{P}(\text { UNP }) \\
& (162)
\end{aligned}
\] & \begin{tabular}{l}
P(UNP) \\
(A) (164)
\end{tabular} & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & \(\mathrm{P}(163)\) & & 2A \\
\hline Photographic supply stores & 5946 & Camera \& photographic supply stores & \[
\begin{aligned}
& \mathrm{P}(\mathrm{UNP}) \\
& (162)
\end{aligned}
\] & \begin{tabular}{l}
P(UNP) \\
(A) \\
(164)
\end{tabular} & \(\mathrm{P}(166)\) & \(P(166)\) & \(\mathrm{P}(163)\) & & 2A \\
\hline Gift shops & 5947 & Gift, novelty, souvenir shops & \[
\begin{aligned}
& \mathrm{P}(\mathrm{UNP}) \\
& (162)
\end{aligned}
\] & \begin{tabular}{l}
P(UNP) \\
(A) \\
(164)
\end{tabular} & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & \(\mathrm{P}(163)\) & & 2A \\
\hline
\end{tabular}

TOWN CENTER LAND USE TABLE
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  & \[
\begin{aligned}
& \ddot{U} \\
& \tilde{0} \\
& \tilde{n} \\
& \stackrel{\Gamma}{0} \\
& 0.0
\end{aligned}
\] & \[
\begin{aligned}
& \text { 2 } \\
& 0 \\
& 0 \\
& 0 \\
& 0 \\
& 0
\end{aligned}
\] \\
\hline Leather goods & 5948 & Luggage \& leather products stores & \[
\begin{aligned}
& \text { P(UNP) } \\
& (162)
\end{aligned}
\] & \[
\begin{gathered}
\hline \text { P(UNP) } \\
(\mathrm{A}) \\
(164)
\end{gathered}
\] & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & \(\mathrm{P}(163)\) & & \[
2 A
\] \\
\hline Retail sale of products by T.V., catalog, mail order, telephone, vending machines, or from other temporary locations & 596 & Non-store retailers & & & & & & & \\
\hline Fuel oil dealers, propane gas dealers & 598 & Fuel dealers & & & & & & & \\
\hline Florists & 5992 & Florists & \begin{tabular}{l}
P(UNP) \\
(162)
\end{tabular} & \begin{tabular}{l}
P(UNP) \\
(A) \\
(164)
\end{tabular} & \(P(166)\) & \(P(166)\) & \(\mathrm{P}(163)\) & & 2 A \\
\hline Tobacco shops & 5993 & Tobacco stores & \begin{tabular}{l}
P(UNP) \\
(162)
\end{tabular} & \begin{tabular}{l}
P(UNP) \\
(A) \\
(164)
\end{tabular} & \(\mathrm{P}(166)\) & \(P(166)\) & P (163) & & 2 A \\
\hline Newsstands, magazine stands & 5994 & Newsstands & \[
\begin{gathered}
\mathrm{P}(\mathrm{UNP}) \\
(162) \\
\hline
\end{gathered}
\] & \begin{tabular}{l}
P(UNP) \\
(A) \\
(164)
\end{tabular} & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & \(\mathrm{P}(163)\) & & 2 A \\
\hline Optical goods, eyeglass stores & 5995 & Optical goods & \[
\begin{aligned}
& \text { P(UNP) } \\
& (162) \\
& \hline
\end{aligned}
\] & \begin{tabular}{l}
P(UNP) \\
(A) \\
(164)
\end{tabular} & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & P (163) & & 2 A \\
\hline Art \& antique stores & 5999 & Cell phone stores & \[
\begin{aligned}
& \text { P(UNP) } \\
& (162)
\end{aligned}
\] & \[
\begin{gathered}
P(U N P) \\
(A) \\
(164)
\end{gathered}
\] & \(P(166)\) & \(\mathrm{P}(166)\) & P(163) & & 2A \\
\hline Outdoor auctions, auto auctions & 5999 & Misceilaneous retail & & & & & & & \\
\hline Indoor auctions & 5999 & Miscellaneous retail & & & & & & & \\
\hline Sparklers, retail & 5999 & Sparklers retail & & & & & & & \\
\hline Open air markets & & Open air markets & & & & & & & \\
\hline Farmers markets & & Open air markets & & & \(\mathrm{P}(160)\) & \(\mathrm{P}(160)\) & & & 2B \\
\hline Indoor markets & & Indoor markets & & & & & & & \\
\hline Spas, hot tubs, pool sales & & & & & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & & & 2 B \\
\hline
\end{tabular}

\section*{TOWN CENTER LAND USE TABLE}
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  &  & 2
0
0
0
0
0 \\
\hline \multirow[t]{2}{*}{} & - \({ }^{2}\) & , & F2, \(\mathrm{S}_{5}\) & - \(x^{2}\) & \(x^{2}\) & 2-4 & \%at &  & Smater \\
\hline & & FINANCE/INSURANCE REAL ESTATE & & & & & & & \\
\hline Office use buildings in excess of 1 story in height within 100 feet of the side or rear lot lines of any lot in a single-family residential district & & Office use buildings in excess of 1 story in height within 100 feet of the side or rear lot lines of any lot in a single-family residential district & & \(\square\) & & & & & \\
\hline  & 2atas &  &  & \& & 8, \({ }^{\text {a }}\) & \({ }^{* N a}\) & Fixa & \% &  \\
\hline Banks & 60 & DEOSITORY INSTITUTIONS & & P & P & P & \(\mathrm{P}(170)\) & & 6B \\
\hline  & -na &  & - \(x^{4}\) & 0 & \(\cdots\) & \(\underline{1}\) & , &  & \% \\
\hline Credit bureaus, mortgage loan companies, finance offices & 61 & NON-DEPOSITORY INSTITUTIONS & & P & P & P & \(\mathrm{P}(170)\) & & 6 B \\
\hline Pay-day loans, cash advance facilities & & & & & & & & & \\
\hline  &  &  &  & \% \(x^{2}\) & 20.ex \({ }^{2}\) &  &  &  & Wxatyex \\
\hline \multirow[t]{2}{*}{} & 62 & SECURITY \& COMMODITY BROKERS & & P & P & P & PS & & 6B \\
\hline &  & \(\square x^{2+8}\) & \%ras & 20, & atar \(x^{2} x^{2}\) & O4, \(x^{5 y}\) & ARy &  & \% \({ }^{2}\), \({ }^{2}\) \\
\hline Major insurance underwriters & 63 & INSURANCE CARRIERS & & P & P & P & PS & & 6B \\
\hline aremer & \% \({ }^{8}\) & ¢ Ena & \(\cdots\) & \% &  &  & Sex \({ }^{2}\) & \% & -2, 2 \\
\hline Brokers, underwriters, insurance agencies & 64 & INSURANCE AGENTS, BROKERS \& SERVICE & \[
\begin{aligned}
& \mathrm{P}(\text { UNP }) \\
& (162)
\end{aligned}
\] & \(\mathrm{P}(164)\) & (P(166) & \(\mathrm{P}(166)\) & \(\mathrm{P}(163)\) & & 6A \\
\hline \multirow[t]{2}{*}{} & 2ex \({ }^{2}\) & \% \({ }^{2}\) & Hembere & Sxamex &  & ne \(0^{6}\) & 2ex &  & \[
\sqrt{-3 x}+x^{204}
\] \\
\hline & 65 & REAL ESTATE & & & & & & & \\
\hline Real estate offices \& agents, apartment finding, rental service, appraisers & 6531 & Real estate agents \& managers & \[
\begin{aligned}
& \text { P(UNP) } \\
& (162)
\end{aligned}
\] & P & P & P & \(\mathrm{P}(170)\) & & 6A \\
\hline Abstract \& title services & 6541 & Title abstract offices & \[
\begin{aligned}
& \mathrm{P}(\text { UNP }) \\
& (162) \\
& \hline
\end{aligned}
\] & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & \(\mathrm{P}(163)\) & & 6A \\
\hline \multirow[t]{3}{*}{} & 6553 & Cemetery, subdividers \& developers & & & & & & & \\
\hline & \[
56
\] & Coty & \[
x^{2 G y}+x^{4}
\] & \[
x^{2} x^{2} x^{2}+y^{2}
\] & \[
\cos +\operatorname{tax}
\] & \[
2^{2+x} x^{*}
\] &  & gex & \[
\mid
\] \\
\hline & 67 & HOLDING \& OTHER INVESTMENT OFFICES & & & & & & & \\
\hline
\end{tabular}

TOWN CENTER LAND USE TABLE
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  & \[
\begin{aligned}
& \stackrel{y}{0} \\
& \text { D } \\
& \text { n } \\
& \stackrel{\rightharpoonup}{\nu} \\
& 00
\end{aligned}
\] & \[
\begin{aligned}
& \text { 2 } \\
& 0 \\
& 0 \\
& 0 \\
& \mathbb{U}
\end{aligned}
\] \\
\hline Investment offices \& companies & 672 & Investment offices & \[
\begin{aligned}
& \hline \text { P(UNP) } \\
& \text { (162) }
\end{aligned}
\] & P & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & \(\mathrm{P}(163)\) & & 6A \\
\hline Estate planning \& management & 673 & Trusts & \begin{tabular}{l}
P(UNP) \\
(162)
\end{tabular} & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & \(\mathrm{P}(163)\) & & 6A \\
\hline  &  & \[
\frac{\operatorname{SERVICSS}}{}
\] & FTFere & 2x, \(x^{2}\) & Stasem & T-3, \(\mathrm{c}^{2+8}\) &  &  &  \\
\hline & 70 & HOTELS \& OTHER LODGING PLACES & & & & & & & \\
\hline Hotels \& motels, timeshare units & 7011 & Hotels \& motels, timeshare units & & P & P & P & & \(\mathrm{P}(161)\) & 4A \\
\hline Camps \& R.V. parks, R.V. resort, campgrounds & 703 & Camps \& R.V. parks & & & & & & & \\
\hline Bed and breakfast homestay, 6-rooms \(\max\) (not 5 or 7) & 7011 & Hotels \& motels & \begin{tabular}{l}
P(UNP) \\
(165)
\end{tabular} & \[
\begin{aligned}
& \text { P(UNP) } \\
& (165)
\end{aligned}
\] & & & \[
\begin{aligned}
& P(165) \\
& (A)
\end{aligned}
\] & & 1A \\
\hline Bed and breakfast inn, 7-12 rooms (aka medium-scale)(aka large-scale) & 7011 & Hotels \& motels & & P & P & & P & & 1 B \\
\hline Country inn & 7011 & Hotels \& motels & & & & & & & \\
\hline  &  &  &  & - \% & , +4\% & \%-3. &  & \% \({ }^{2+4}\) & 20xat \\
\hline & 72 & PERSONAL SERVICES & & & & & & & \\
\hline Laundry plants, processing of laundry and dry cleaning, dry cleaning plants & 7211 & Power laundries & & & & & & & \\
\hline Laundry \& dry cleaning retail & 7212 & Dry cleaning & & P & P & P & \(\mathrm{P}(170)\) & & 6B \\
\hline Laundering (coin-operated) & 7215 & Coin-operated laundries & & & & & & & \\
\hline Dyeing, dry cleaning plant & 7216 & Dry cleaning plants & & & & & & & \\
\hline Carpet \& rug cleaning & 7217 & Carpet \& upholstery cleaning & & & & & & & \\
\hline Tailoring & 7219 & Tailoring & \[
\begin{aligned}
& \mathrm{P}(162) \\
& \text { (UNP) }
\end{aligned}
\] & P & P & P & \(\mathrm{P}(170)\) & & 6A \\
\hline Photographic artists, sculptors, musicians, and studios & 7221 & Photographic studios, portraits & \[
\begin{aligned}
& \mathrm{P}(162) \\
& \text { (UNP) }
\end{aligned}
\] & P & P & P & \(\mathrm{P}(170)\) & & 6A \\
\hline Beauty shops, beauty salons & 7231 & Beauty shops, beauty salons & \[
\begin{aligned}
& \mathrm{P}(162) \\
& \text { (UNP) }
\end{aligned}
\] & P & P & P & \(\mathrm{P}(170)\) & & 6A \\
\hline
\end{tabular}
town Center land use table
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  &  & \[
\] \\
\hline Barber shops, hair stylists & 7241 & Barber shops & \[
\begin{aligned}
& \hline P(162) \\
& \text { (UNP) }
\end{aligned}
\] & P & P & P & \(P(170)\) & & 6 A \\
\hline Shoe repair & 7251 & Shoe repair \& shoeshine & \[
\begin{aligned}
& \mathrm{P}(162) \\
& \text { (UNP) }
\end{aligned}
\] & P & P & P & \(\mathrm{P}(170)\) & & 6A \\
\hline Funeral homes, funeral directors, funeral chapter & 7261 & Funeral service, except crematories, and embalming & & P & & p & & & \\
\hline Crematories (animal or human)(See Ord. 92-41) & 7261 & Funeral service, crematories, embalming & & & & & & & \\
\hline Costume rental, dating services, escort services, tanning salons, tattoo parlors, valet parking & 7299 & Miscellaneous personal services & & & & & & & \\
\hline Adult entertainment, body scrub parlors & 7299 & Adult entertainment & & & & & & & \\
\hline  & ETEx &  &  & Fity &  &  &  &  & 4temex \\
\hline & 73 & BUSINESS SERVICES & & & & & & & \\
\hline Advertising agencies & 7311 & Advertising agencies & & P & P & P & \(\mathrm{P}(170)\) & & 6 B \\
\hline Quick print, duplicating services & 7334 & Photocopying & & P & P & P & \(\mathrm{P}(170)\) & & 6 B \\
\hline Secretarial services & 7338 & Secretarial \& court reporting & & P & P & P & \(\mathrm{P}(170)\) & & 6 B \\
\hline Exterminating \& pest control service, pest control supplies, disinfecting service, fumigating service & 7342 & Disinfecting \& pest control service & & & & & & & \\
\hline Office cleaning, janitorial \& maid service, chimney cleaning, window cleaning & 7349 & Building cleaning \& maintenance services & & & & & & & \\
\hline Rental and storage of heavy construction equipment, bulldozers and cranes & 7353 & Heavy construction equipment (rental \& storage) & & & & - & & & \\
\hline Appliance, T.V., VCF, furniture and vending machine rental with no outdoor storage & 7359 & Equipment rental \& leasing & & & & & & & \\
\hline
\end{tabular}

\section*{town Center Land use table}
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  & \[
\begin{aligned}
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& 0 \\
& \sim \\
& \tilde{\sim} \\
& \stackrel{0}{0} \\
& 0
\end{aligned}
\] &  \\
\hline Equipment rental \& leasing with outdoor storage & 7359 & Equipment; rental \& leasing & & & & & & & \\
\hline Employment agencies (excluding labor pools), nursing registries & 7361 & Employment agencies & & & & & & & \\
\hline Labor pools and labor halls & & Labor pools and labor halls & & & & & & & \\
\hline Data processing, data entry service & 7374 & Data processing & \[
\begin{aligned}
& P(162) \\
& \text { (UNP) }
\end{aligned}
\] & P & P & P & \(P(170)\) & & 6A \\
\hline Computer repair and maintenance & 7378 & Computer maintenance \& repair & \[
\begin{aligned}
& \text { P(162) } \\
& \text { (UNP) }
\end{aligned}
\] & P & P & P & \(\mathrm{P}(170)\) & & 6A \\
\hline Computer software consultants & 7379 & Computer-related services & \[
\begin{aligned}
& \mathrm{P}(162) \\
& \text { (UNP) }
\end{aligned}
\] & P & P & P & \(\mathrm{P}(170)\) & & 6A \\
\hline Lie detector services, detective agencies, investigators & 7381 & Detective \& armored car service & \[
\begin{aligned}
& \mathrm{P}(162) \\
& \text { (UNP) }
\end{aligned}
\] & P & P & P & \(\mathrm{P}(170)\) & & 6A \\
\hline Security operations, burglar and fire alarm monitoring & 7382 & Security systems services & \[
\begin{aligned}
& P(162) \\
& \text { (UNP) }
\end{aligned}
\] & P & P & P & \(\mathrm{P}(170)\) & & 6A \\
\hline Film processing \& developing & 7384 & Photo finishing laboratories & \[
\begin{aligned}
& \mathrm{P}(162) \\
& \text { (UNP) }
\end{aligned}
\] & P & P & P & P(170) & & 6A \\
\hline Justices of the peace, notaries public, bondspersons, credit card service, telephone answering service, and trade shows & 7389 & Business services & & P & P & P & \(\mathrm{P}(170)\) & & 6B \\
\hline Call centers & & Business services & & P & P & P & \(\mathrm{P}(170)\) & & 6B \\
\hline Convention facilities & & Business services & & P & P & P & \(\mathrm{P}(170)\) & \(\mathrm{P}(161)\) & 6B \\
\hline Auto and vehicle repossession & 7389 & Business services & & & & & & & \\
\hline  & \% & , \(x^{2+4 y^{2}}\) & \% & \% & -283 & - 3 & 为 & \%n \({ }^{\text {chen }}\) & 2 \\
\hline & 75 & AUTO REPAIR SERVICES \& PARK & & & & & & & \\
\hline Truck rental, sales and leasing (see condition \#138) & 7513 & Truck rental \& leasing & & & & & & & \\
\hline Car rental and leasing & 7514 & Passenger car rental & & & & & & & \\
\hline
\end{tabular}

TOWN CENTER LAND USE TABLE
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use & Urban Residential &  &  &  &  &  & 20
0
0
0
0
0 \\
\hline Parking lots \＆parking garages for office，commercial or industrial uses & 7521 & Automobile parking & & & & & & & \\
\hline General auto repair & 753 & Automotive repair shops & & & & & & & \\
\hline Auto painting and paint and body shop & 7532 & Auto painting；paint and body shops & & & & & & & \\
\hline Muffler shops & 7533 & Auto，exhaust repair shops & & & & & & & \\
\hline Automotive lube shops & 7549 & Automotive services，except repair & & & & & & & \\
\hline Automotive tire dealers（See SIC \＃5531） & & & & & & & & & \\
\hline Automotive transmission repair & 7537 & Automotive transmission repair & & & & & & & \\
\hline Enclosed mechanical garages，bus， cab，truck repair & 7538 & General automotive repair shops & & & & & & & \\
\hline Carwashes & 7542 & Carwashes & & & & & & & \\
\hline Automobile towing services（does not include the storage，sales or dismantling of wrecked／inoperative vehicles），window tinting & 7549 & Towing services & & & & & & & \\
\hline \％cx \({ }^{\text {che }}\) & 4\％＇1） &  & gre & \({ }^{2}+{ }^{2}\) & 边 & \％ & 4，\％ & & 为离为 \\
\hline & 76 & MISCELLANEOUS REPAIR SERVICES & & & & & & & \\
\hline Radio \＆T．V．repair，auto radio，VCR and stereo repair & 7622 & Radio \＆T．V．repair & & P & P & P & \(\mathrm{P}(170)\) & & 6B \\
\hline Heating，air conditioning and refrigeration sales \＆service & 7623 & Refrigeration service repair & & P & P & P & \(P(170)\) & & 6 B \\
\hline Electric appliances repair，electric tool repair，telephone repair，washing machine repair & 7629 & Appliance repair & & P & P & P & \(\mathrm{P}(170)\) & & 6 B \\
\hline Watch \＆clock repair，jewelry repair & 7631 & Watch \＆clock repair & & P & P & P & \(\mathrm{P}(170)\) & & 68 \\
\hline Furniture stripping and repair， furniture refinishing & 7641 & Reupholster \＆furniture repair & & & & & & & \\
\hline Welding shop & 7692 & Welding repair & & & & & & & \\
\hline Machine shops & & Machine shops & & & & & & & \\
\hline
\end{tabular}

\section*{TOWN CENTER LAND USE TABLE}
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  &  & \[
\begin{aligned}
& \text { T } \\
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& \stackrel{0}{0} \\
& \text { N }
\end{aligned}
\] \\
\hline Locksmiths, lawnmower repair, bicycle repair, sharpening services & 7699 & Repair services, locksmiths & & P & P & P & \(\mathrm{P}(170)\) & & 6B \\
\hline  & -6"\% &  & + + arab &  & 4 \(x^{4}\) & \% + cos & Wext & \(4 \times 8{ }^{4}\) &  \\
\hline & 78 & MOTION PICTURES & & & & & & & \\
\hline Video tape editing & 781 & Motion picture \& video tape production & & P & P & P & \(\mathrm{P}(170)\) & & 6B \\
\hline Music video production, audio-visual motion picture program production, commercial T.V. production & 7812 & Motion picture \& video tape production & & P & P & P & \(\mathrm{P}(170)\) & & 6B \\
\hline Movie theaters & 7831 & Motion picture theaters & & & P & P & & & 4A \\
\hline Drive-in theaters & 7833 & Drive-in theaters & & & & & & & \\
\hline Video tape rental & 7841 & Video tape rental & & & \(\mathrm{P}(166)\) & \(\mathrm{P}(166)\) & \(\mathrm{P}(163)\) & & 28 \\
\hline  & \({ }^{4}\) &  & 5ay & |catan \({ }^{\text {a }}\) & andestay &  &  &  & Patax \(x^{2}\) \\
\hline & 79 & AMUSEMENT \& RECREATION SERVICES & & & & & & & \\
\hline Dance schools \& studios & 7911 & Dance studios, schools and halls & & & P & P & & & 4A \\
\hline Playhouses & & Theatrical producers & & & P & P & & & 4 A \\
\hline Radio \& television studios & 7922 & Theatrical producers & & & P & P & & & 4 A \\
\hline Bowling centers & 7922 & Bowling centers & & & P & P & & & 4A \\
\hline Stadiums \& arenas & 7941 & Sports clubs (franchise sports) & & & & & & & \\
\hline Stadiums in conjunction with schools & 7941 & Sports clubs (non-franchise sports) & & & & & & & \\
\hline Dog racing, horse racing, race car racing & 7948 & Racing, including track operation & & & & & & & \\
\hline Recreational facilities provided by the employer of the district for exclusive use of employees, their families \& guests & 7991 & Recreational facilities provided by the employer of the district for exclusive use of employees, their families \& guests & & & & & & & \\
\hline Health spas, exercising centers, aerobic classes & 7991 & Physical fitness facilities & \[
\begin{aligned}
& \text { P(UNP) } \\
& (162)
\end{aligned}
\] & P & P & P & \(\mathrm{P}(163)\) & & 5A \\
\hline Golf courses & 7992 & Golf courses & & & & & & P(UNP) & \\
\hline Arcades, video game & 7993 & Coin-operated amusement centers & & & & & & & \\
\hline Simulated gambling establishments & & Simulated gambling establishments & & & & & & & \\
\hline
\end{tabular}
town center land use table
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & \begin{tabular}{l}
SIC \\
Group
\end{tabular} & Land Use &  &  &  &  &  &  & \[
\begin{aligned}
& \text { Z } \\
& 0 . \\
& 0 \\
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& 0 \\
& 0 \\
& 0
\end{aligned}
\] \\
\hline Amusement parks & 7996 & Amusement parks & & & & & & & \\
\hline Indoor clubs, bowling clubs, private indoor clubs, bridge clubs, indoor recreational uses & 7997 & Membership sports \& recreation clubs (indoor uses) & & A & P & P & \(\mathrm{P}(163)\) & P(UNP) & 3B \\
\hline Indoor gun ranges, shooting galleries and ranges & 7997 & Membership sports \& recreation clubs (indoor uses) & & & & & & & \\
\hline Outdoor clubs, golf and country clubs, private outdoor clubs, tennis clubs, swimming clubs, nonprofit parks and recreation areas, outdoor recreation uses, private recreation areas for a single-family development & 7997 & Membership sports \& recreation clubs (outdoor uses) & & P & P & . & P (UNP) & P (UNP) & 3 C \\
\hline Outdoor gun ranges/private clubs, shooting galleries and ranges & 7997 & Membership sports \& recreation clubs (outdoor uses) & & & & & & & \\
\hline Fortune tellers, billiard parlors, bingo parlors, indoor skating rinks, karate instruction & 7999 & Amusement \& recreation (indoor uses) & & & & & & & \\
\hline Golf driving ranges, golf cart rentals, ski instruction, swimming pools, tennis courts, little league and softball fields, outdoor skating rinks, amusement rides, paintbail operations, day camps, rodeos, and go-cart raceway & 7999 & Amusement \& recreation (outdoor uses) & & & & & P (UNP) & P (UNP) & 3 C \\
\hline Ticket booths (See sec. 38-1424 & & Ticket booths (See Sec. 38-1424) & & & & & & & \\
\hline  & \% \({ }^{\text {a }}\) & 4, & xay & \(*\) & 208 & 20: &  & \% & \\
\hline & 80 & HEALTH SERVICES & & & & & & & \\
\hline Office and clinics of doctors of medicine & 8011 & Offices \& clinics of medical doctors & \[
\begin{aligned}
& \mathrm{P}(\text { UNP }) \\
& (162)
\end{aligned}
\] & P & P & P & \(\mathrm{P}(170)\) & & 5A \\
\hline Ophthalmologists \& optometrists, emergency clinics & 8011 & Offices \& clinics of medical doctors & \[
\begin{gathered}
\mathrm{P}(\mathrm{UNP}) \\
(162)
\end{gathered}
\] & P & P & P & \(\mathrm{P}(170)\) & & 5A \\
\hline
\end{tabular}
town Center land use table
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  &  & 7
0
0
\#
U
Un \\
\hline Dentists \& dental labs & 8021 & Offices \& clinics of dentists & \[
\begin{gathered}
\hline \text { P(UNP) } \\
(162)
\end{gathered}
\] & P & P & P & \(\mathrm{P}(170)\) & & 5A \\
\hline Osteopathic physicians & 8031 & Offices of osteopathic physicians & \[
\begin{aligned}
& \text { P(UNP) } \\
& (162)
\end{aligned}
\] & P & P & P & \(\mathrm{P}(170)\) & & 5A \\
\hline Offices and clinics of chiropractors, optometrists, podiatrists, etc. & 804 & Office of clinics of other health practitioners & \[
\begin{aligned}
& \hline \text { P(UNP) } \\
& (162)
\end{aligned}
\] & P & P & P & \(\mathrm{P}(170)\) & & 5A \\
\hline Nursing homes, sanitariums, and convalescent homes & 805 & Skilled nursing care facilities & & P & P & P & & & 5B \\
\hline Ambulatory surgical facilities & 8062 & General, medical \& surgical & & P & P & P & & & 5B \\
\hline Hospitals & 8062 & Hospitals & & P & P & P & & & 5B \\
\hline Psychiatric treatment & 8063 & Psychiatric hospitals & & P & P & P & & & 5B \\
\hline Cancer hospitals, children's hospitals, maternity, ear, eyes, throat, rehabilitation hospitals, etc. & 8069 & Specialty hospitals, except psychiatric & & P & P & P & & & 5B \\
\hline Medical laboratories, imaging \& testing facilities, etc. & 8071 & Medical and dental laboratories & & P & P & P & & & 58 \\
\hline Dental laboratories & 8072 & Medical and dental laboratories & & P & P & P & & & 5B \\
\hline Birthing facilities, alcohol and drug treatment, aids treatment, outpatient clinics, birth control centers & 8093 & Specialty outpatient facilities & & & & . & & & \\
\hline  & \[
\frac{81}{2 y+3}
\] & \(\qquad\) &  &  & \(5{ }^{2}\) &  &  &  &  \\
\hline Attorneys services \& offices & 8111 & Legal services & \[
\begin{aligned}
& \text { P(UNP) } \\
& \text { (162) }
\end{aligned}
\] & P & P & P & \(\mathrm{P}(170)\) & & 6A \\
\hline Tr \({ }^{\text {r }}\) & \% &  &  & \(\ldots\) & \(\cdots\) &  & \% \% - \% & 为 & \% \\
\hline & 82 & EDUCATIONAL SERVICES & & & & & & & \\
\hline Private kindergarten, elementary, junior high, middle and high schools & 8211 & Elementary \& middle schools & & & & & & & \\
\hline Charter schools & & Charter schools & & P & P & & & & 98 \\
\hline Colleges \& universities & 8221 & College, universities \& high schools & & P & P & & & & 9 B \\
\hline
\end{tabular}

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town center land use table
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  &  & \[
\begin{aligned}
& \text { Z } \\
& \text { o } \\
& 0 \\
& 0 \\
& 0 \\
& 0
\end{aligned}
\] \\
\hline Kindergarten schools (see condition \#139) & 8211 & Schools (public)(see condition \#139) & \[
\begin{aligned}
& \mathrm{P}(\text { UNP }) \\
& (173)
\end{aligned}
\] & P & P & & & & 9A \\
\hline Elementary schools (see condition \#139) & & Schools (public)(see condition \#139) & \[
\begin{aligned}
& \hline \text { P(UNP) } \\
& (173)
\end{aligned}
\] & P & P & & & & 9A \\
\hline Middle schools (see condition \#139) & 8211 & Schools (public)(see condition \#139) & & P & P & & & & 9B \\
\hline Libraries & 8231 & Libraries & & P & P & & \(\mathrm{P}(174)\) & & 98 \\
\hline Technical \& trade schools, vocational schools, computer software schools, aviation schools (excluding flying instruction) & 824 & Vocational schools & & P & P & P & P & & \\
\hline Auto driving instruction, music and drama schools, vocational counseling, exam preparatory schools, ceramics schools, modeling schools, personal development schools, tutoring & 8299 & Auto driving instruction & & P & P & P & P & & 9B \\
\hline  & \% &  & \%-9\% & atay & * & \({ }^{5}\) & 5 & \% & \% \\
\hline & 83 & SOCIAL SERVICES & & & & & & & \\
\hline Marriage counselors, diet counseling, human services, social services, youth counselors & 8322 & Individual \& family services (except adult day care centers) & \[
\begin{aligned}
& \text { P(UNP) } \\
& (162) \\
& \hline
\end{aligned}
\] & P & P & P & \(\mathrm{P}(174)\) & & 6A \\
\hline Community centers & & Community centers & & P & P & & & & 9 B \\
\hline Job counseling, job training, skill training workshops, vocational rehabilitation agencies & 8331 & Job training \& related services & & P & P & P & \(\mathrm{P}(170)\) & & 6 B \\
\hline Crisis center, juvenile correction home, training schools for delinquents, drug rehab center and juvenile group homes, children's homes, alcohol rehab centers, halfway homes for delinquents & 8361 & Residential care & & & & & & & \\
\hline
\end{tabular}

\section*{TOWN CENTER LAND USE TABLE}
\begin{tabular}{|c|c|c|c|c|c|c|c|c|c|}
\hline Uses Per Zoning Code & SIC Group & Land Use &  &  &  &  &  &  &  \\
\hline Community correction centers; juvenile correction homes & 8361 & Community correction centers; juvenile correction homes & & & & & & & \\
\hline Privately run adult correctional facilities and prisons & 8744 & Facilities support management services & & & & & & & \\
\hline  & - \({ }^{80}\) &  & (2) &  & - \({ }^{2}\) & Exater &  & +6mtat & 5axay \\
\hline & 84 & MUSEUMS, BOTANICAL, ZOOLOGICAL & & & & & & & \\
\hline Museums \& art galleries & 8412 & Museums, art galleries & \begin{tabular}{l}
P(UNP) \\
(162)
\end{tabular} & P & P & & \(\mathrm{P}(174)\) & & 9A \\
\hline Botanical zoological gardens \& facilities & 8422 & Botanical zoological gardens & & P & \(P\) & & & & 9B \\
\hline  & - &  &  & "ex \({ }^{2}\) &  & \(2{ }^{2+4}\) & \(5{ }^{2}\) &  &  \\
\hline & 86 & MEMBERSHIP ORGANIZATIONS & & & & & & & \\
\hline Dorms, frats, sorority houses & 8641 & Civic, social, fraternal associations & & P & P & P (UNP) & & & \\
\hline Churches, mosques, synagogues, temples and other religious institutions with or without attendant schools, educational buildings and/or recreational facilities & 8661 & Religious institutions & \[
\begin{aligned}
& \mathrm{P}(162) \\
& (\mathrm{UNP})
\end{aligned}
\] & P & P & & \[
\begin{aligned}
& \mathrm{P}(170) \\
& \text { (UNP) }
\end{aligned}
\] & & 9A or 9B \\
\hline  & - &  &  &  & \(x^{4}+5\) & 81-9\% & , \({ }^{\text {a }}\) &  & \% \({ }^{\text {a }}\) \\
\hline & 87 & ENGINEERING \& MANAGEMENT SERVICES & & & & & & & \\
\hline Engineering offices, surveyors & 871 & Engineering \& architectural services & \[
\begin{aligned}
& \mathrm{P}(162) \\
& \text { (UNP) }
\end{aligned}
\] & P & P & P & \(\mathrm{P}(170)\) & & 6A \\
\hline Architects & 8712 & Architectural services & \[
\begin{aligned}
& \mathrm{P}(162) \\
& \text { (UNP) }
\end{aligned}
\] & P & P & P & \(\mathrm{P}(170)\) & & 6A \\
\hline Accountants offices and tax consultants, bookkeeping & 8721 & Accounting, auditing, bookkeeping & \[
\begin{aligned}
& \mathrm{P}(162) \\
& \text { (UNP) }
\end{aligned}
\] & P & P & P & \(\mathrm{P}(170)\) & & 6A \\
\hline Research services, public relations councils & 873 & Research \& development, testing services & & P & P & P & \(\mathrm{P}(170)\) & & \\
\hline Biotechnology research, design, laboratories \& testing facilities & & & & \(\mathrm{P}(171)\) & \(\mathrm{P}(171)\) & \(\mathrm{P}(171)\) & . & & 4B \\
\hline
\end{tabular}

\section*{TOWN CENTER LAND USE TABLE}


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\section*{town Center land use table}


\section*{TOWN CENTER LAND USE TABLE}
(UNP) Permitted only if shown/identified on the UNP (Unified Neighborhood Plan). The UNP is the Town Center's version of a tand Use plan (LUP)
(A) Ancillary Use Only
(S) Specia! Exception (BZA) required

156 Category 1-8 Standards: Attached residential limited to 8 units per building. Non-residential uses must front on the following road types: Collector, Parkway or Avenue
157 Category 1-C Standards: MF in a Retail/Wholesale District limited to 225 units, and only one MF development (regardless of units) allowed in the R/W District.

158 Garage apartments permitted per Town Center development standards.
159 Live-Work Units Requirements:
1. No more than two employees, in addition to the resident owner or employee of the business, shall be permitted to work or report to work on-site.
2. A minimum of 80 percent of a structure's street front façade at street level shall be occupied by nonresidential uses.
3. Live/work units that exceed \((2,000)\) square feet must have at least two exists.
4. Loading or unloading associated with a business occupying a live/work unit shall be from the rear of the unit.
5. A residential use will be permitted within the nonresidential portion of the building for a maximum period of three (3) years from the date of issuance of the certificate of occupancy. No extension of the three-year period shall be permitted.
6. Signage intended to promote on-site nonresidential uses shall be restricted to one (1) two square foot sign permanently affixed to door or wall of the business component of each live/work unit.
7. Required parking will be based on the applicable parking standard for the nonresidential use or the closest similar use, plus one space for the residential use.
8. The external access for the nonresidential component shall be oriented to the street and should have at least one external entrance/exit separate from the living space. The entrance to the business component shall be located on the ground level. Access to the nonresidential component of each live/work unit shall be clearly separate from the common walkways or entrances to the other residential units within the development, or other residential units in adjacent developments.
9. The live/work unit shall have a minimum ground floor height of thirteen (13) feet

\section*{TOWN CENTER LAND USE TABLE}

s: \VMonaco\ORDRES\Exhbibit A - Town Center Land Use Table 10-30-12 - PZC-LPA adv.doc```


[^0]:    **With respect to informational items, Board action is neither required nor necessary, and Board approval (or disapproval) is not to be implied.

[^1]:    **With respect to informational items, Board action is neither required nor necessary, and Board approval (or disapproval) is not to be implied.

[^2]:    Assistant Deputy Clerk

[^3]:    Chapter 435, F.S., requires background screening of owners, operators, and directors. Social security numbers are also used for identification purposes when performing the background screening required by 402.305 , F.S.
    CF-FSP 5017, Application For A License to Operate a Child Care Facility, March 2009, 65C-22.001(1), F.A.C.

[^4]:    Chapter 435, F.S., requires background screening of owners, operators, and directors. Social security numbers are also used for identification purposes when performing the background screening required by $402.305, F . S$.
    CF-FSP 5017, Application For A License to Operate a Child Care Facility, March 2009, 65C-22.001(1), F.A.C.

[^5]:    * Disabilities Management must approve section "C"
    ** Family Crisis / At-Risk factor must be approved by Family and Community Partnership Management (Family Crisis / At-Risk inciudes but not limited to social needs, incarcerated parent, alcohol/drug abuse, domestic violence or mental illness in household).

[^6]:    c: Antwan Nelson, Neighborhood Preservation and Revitalization Division Eric Lasso, Chairperson, Neighborhood Grants Advisory Board

[^7]:    cc: Contract File

[^8]:    *These regulations may not reflect all the requirements for this PD; refer to the Approved PD

[^9]:    * These regulations may not reflect all the requirements for this PD; refer to the Approved PD Land Use Plan for required information, requirements, and regulations.

