



***Board of County Commissioners***

**2012-1 Regular Cycle  
Adoption Public Hearing**

*June 19, 2012*



# **Land Planning Agency Comments**

## **Florida Department of Economic Opportunity (DEO)**

**The 2012-1 Regular Cycle Amendments have been reviewed by state and regional reviewing agencies. DEO issued a comment letter on April 13, 2012 that did not contain any concerns about the proposed amendments.**



# Today's Amendments

## 2012-1 Regular Cycle

- Privately-Initiated FLUM Amendments
- Staff-Initiated FLUM and Text Amendments



# Today's Amendments

## 2012-1 Regular Cycle

- Privately-Initiated FLUM Amendments
- Staff-Initiated FLUM and Text Amendments





# **Board of County Commissioners**

## ***2012-1 Regular Cycle Privately Initiated Amendment***

---

**Case:** 2012-1-A-1-1

**Agent:** Kendell Keith, Planning Design Group, LLC

**Owner:** Susan D. Shaw & David H. Daniels

**From:** Village of Bridgewater SAP– Estate District (ED)/Greenbelt (GB)

**To:** Village of Bridgewater SAP– Apartment/Townhome (TH/APT) District /Greenbelt (GB)

**Acreage:** 63.11 gross / 56.62 net

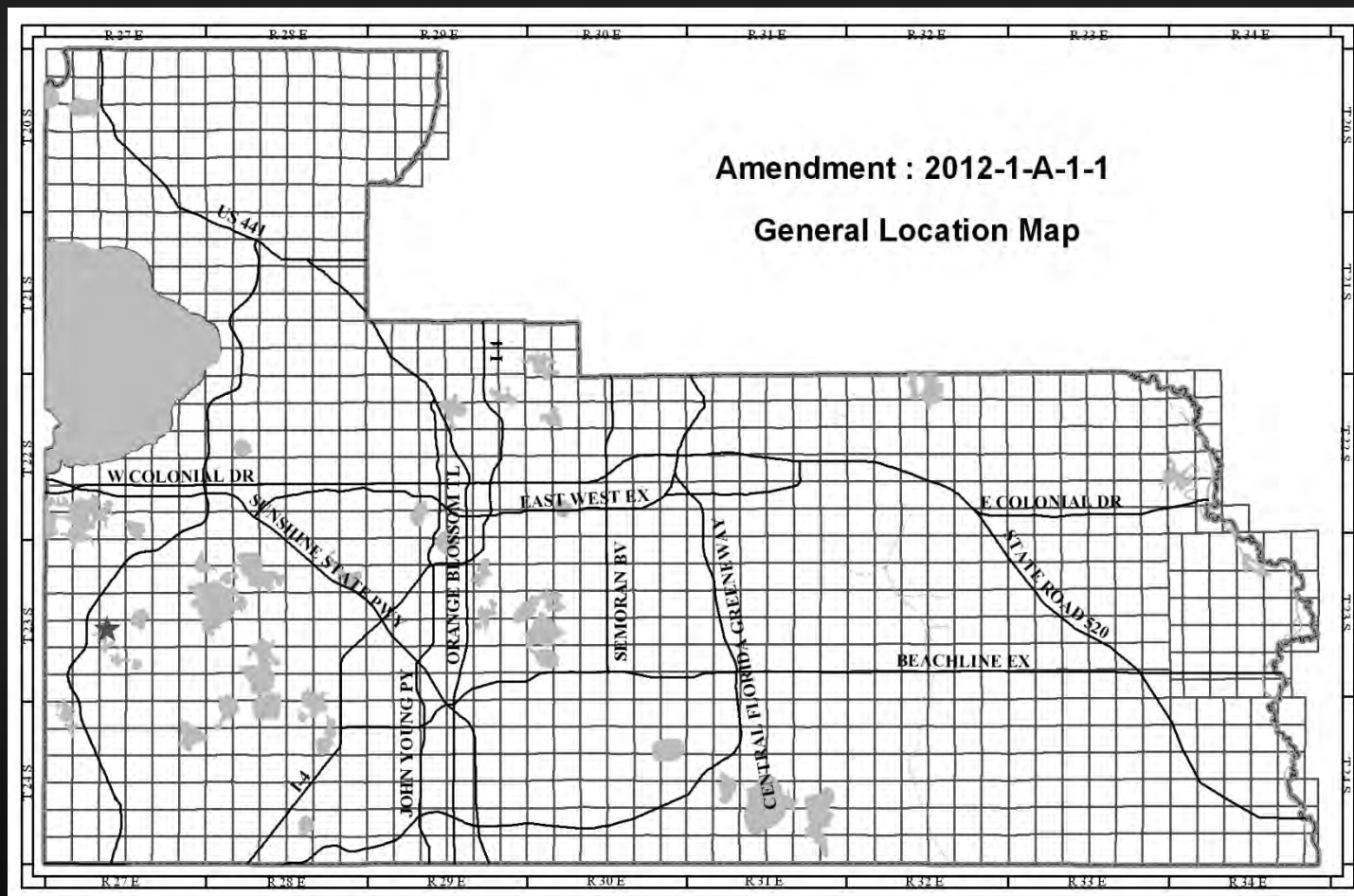
**Proposed use:** Multi-family: up to 396 dwelling units [including up to 113 dwelling units via transfer of development rights (TDR)]

---



# 2012-1-A-1-1

## Location

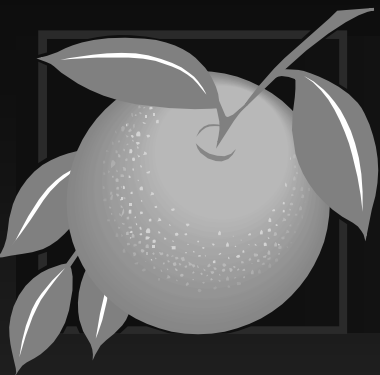




# 2012-1-A-1-1

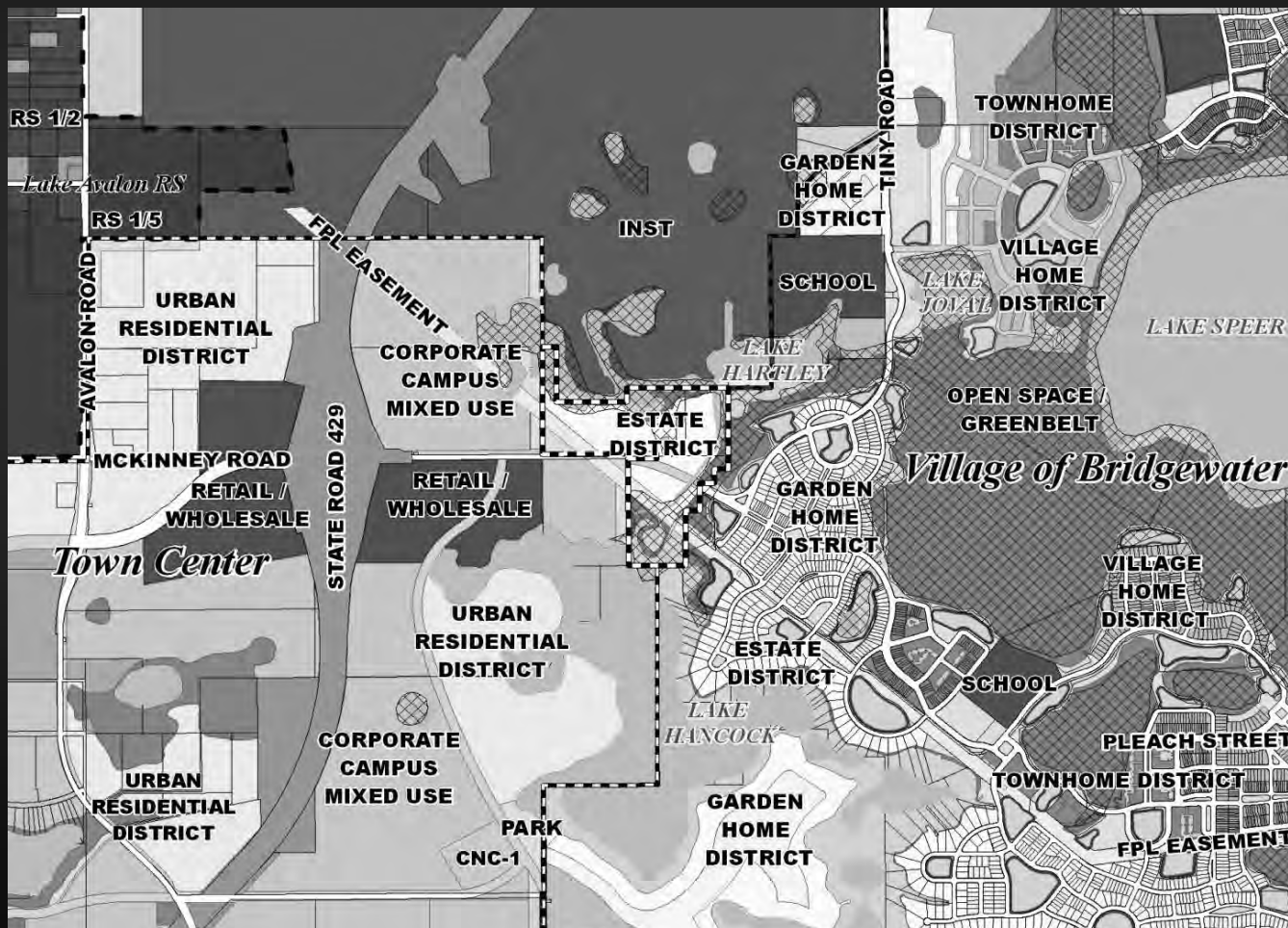
## Aerial

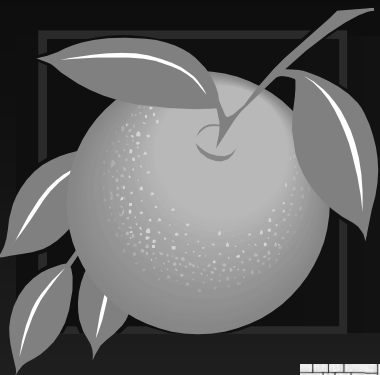




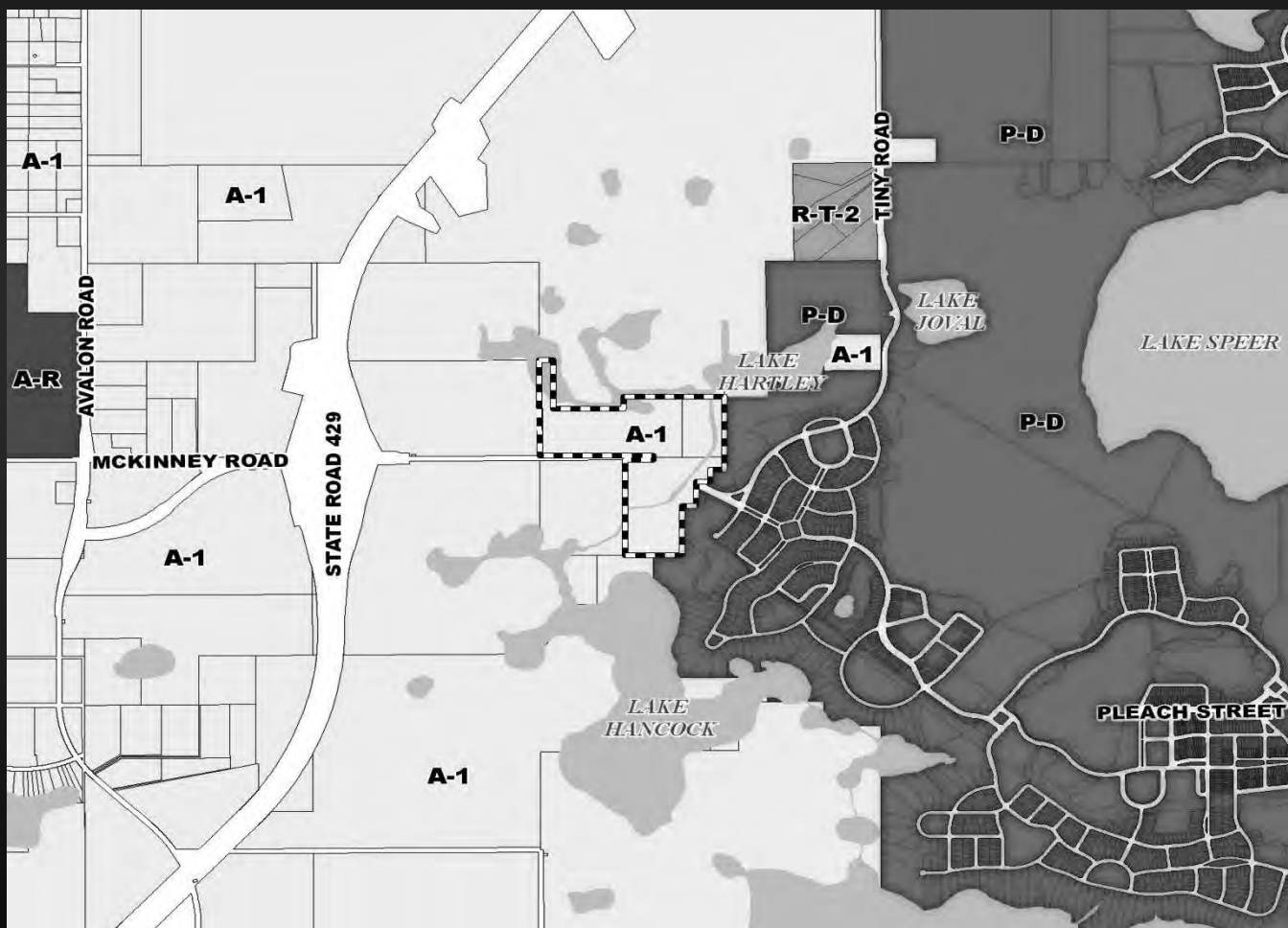
# 2012-1-A-1-1

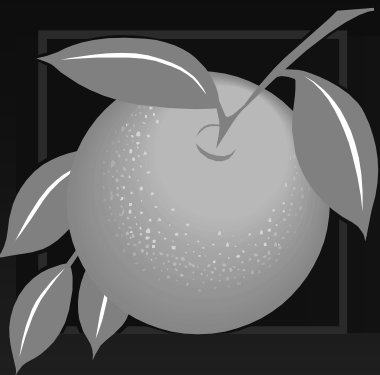
## Future Land Use





# 2012-1-A-1-1 Zoning





# **2012-1-A-1-1**

## **Analysis and Recommendations**

### **Staff Analysis**

- **Multifamily housing serves as transition between single family residential and Town Center**
- **Uses TDR mechanism to achieve higher densities**
- **Locates higher density housing next to commercial and employment (in Town Center)**
- **Helps County meet goal of providing for a broad range of housing types and price levels**
- **Increased density supports public transit and alternative modes of transportation**



# **2012-1-A-1-1**

## **Analysis and Recommendations**

**Staff Recommendation: Adopt**

**LPA Recommendation: Adopt**

- **Make a finding of consistency with the Comprehensive Plan (see Objectives FLU4.7 and FLU8.2, and Policies FLU4.1.1, FLU4.1.5.1, FLU4.1.13, FLU4.5.4, FLU4.5.5, FLU4.7.2, FLU4.7.3, and FLU8.1.1);**
- **Determine that the proposed amendment is in compliance; and**
- **Adopt Amendment 2012-1-A-1-1, Village of Bridgewater Estate District/Greenbelt to Apartment/Townhome District/Greenbelt.**



# **Board of County Commissioners**

## ***2012-1 Regular Cycle Privately Initiated Amendment***

---

**Case:** 2012-1-A-5-1

**Agent:** Professional Design Associates, Inc.

**Owner:** Arbour Apartments, LLC

**From:** Medium Density Residential (MDR)

**To:** Planned Development-High Density Residential (Student Housing)  
(PD-HDR) (Student Housing)

**Acreage:** 25.5 gross

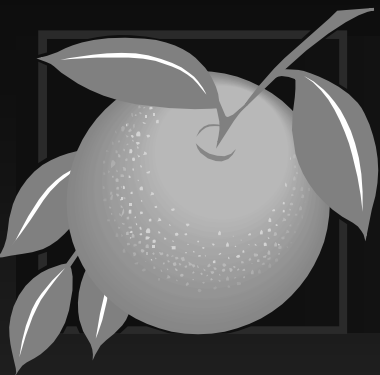
**Proposed use:** Development Program 1: 400 multi-family units and 1,600 student housing beds

- OR -

Development Program 2: 2,400 student housing beds

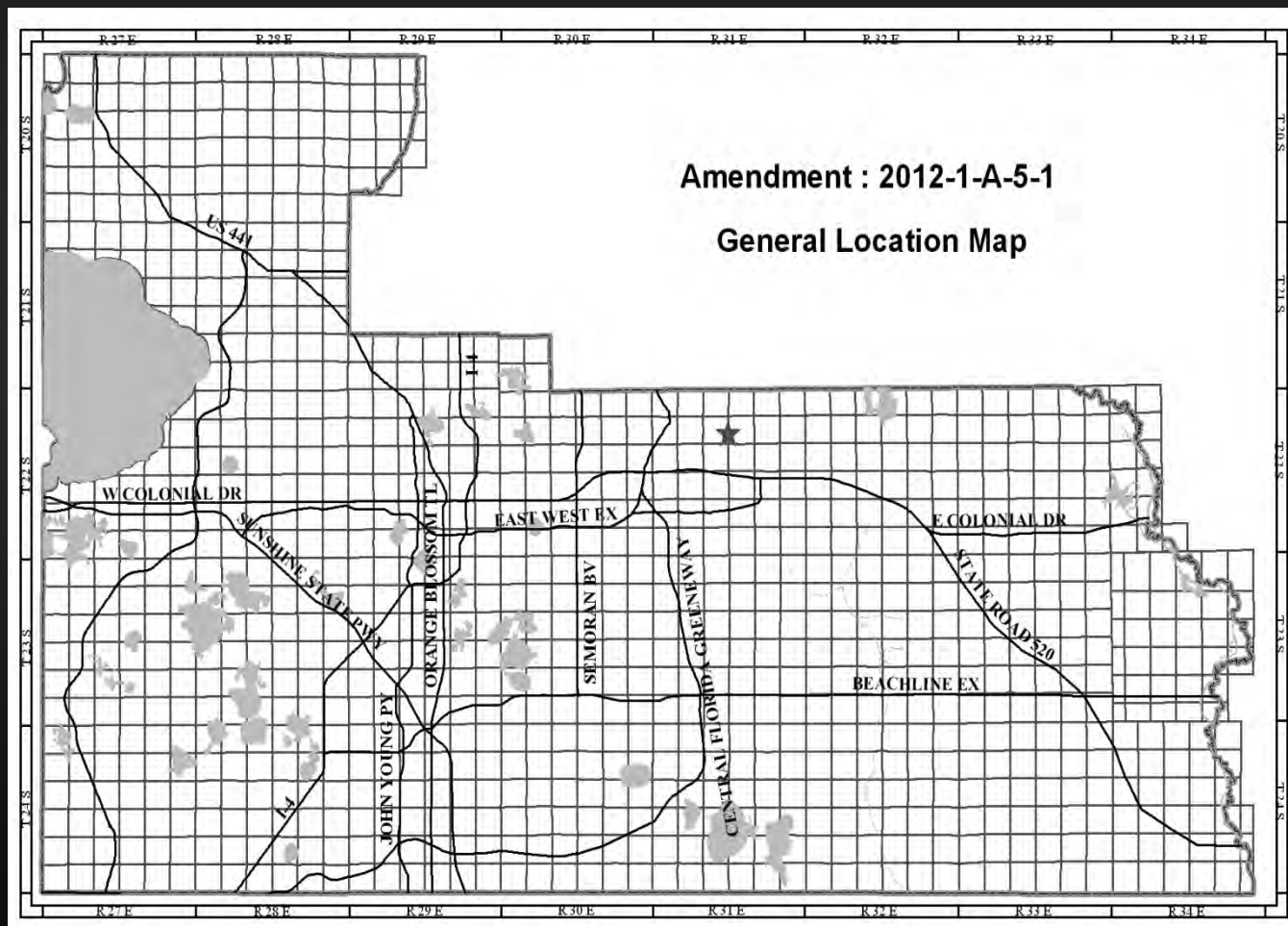
---

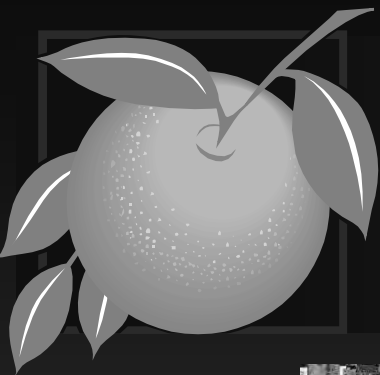




# 2012-1-A-5-1

## Location





# 2012-1-A-5-1

## Aerial





# 2012-1-A-5-1

## Future Land Use





# 2012-1-A-5-1 Zoning



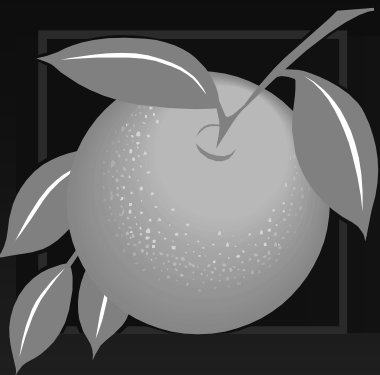


# **2012-1-A-5-1**

## **Analysis and Recommendations**

### **Staff Analysis**

- **Property is adjacent to student housing projects to the north and south**
- **Redevelopment project would efficiently use land and infrastructure within the Urban Service Area**
- **Increased density supports public transit and alternative modes of transportation**
- **A waiver would be required to develop more than 750 total bedrooms**



# **2012-1-A-5-1**

## **Analysis and Recommendations**

**Staff Recommendation: Adopt**

**LPA Recommendation: Adopt**

- **Make a finding of consistency with the Comprehensive Plan (see Goal FLU2 and Policies FLU1.1.5, FLU1.4.1, FLU1.4.2, FLU8.1.3, FLU8.2.1, H1.8.1, T2.2.9 and T3.1.1);**
- **Determine that the amendment is in compliance; and**
- **Adopt Amendment 2012-1-A-5-1, Medium Density Residential (MDR) to Planned Development-High Density Residential (PD-HDR)(Student Housing).**



# **Concurrent Plan Amendment and Rezoning**

- **At applicant's request, local government is now required to consider applications for zoning changes required to effectuate proposed comprehensive plan amendment concurrently with the comprehensive plan amendment (HB 7207)**
- **2012-1 adoption is first cycle with concurrent comprehensive plan amendments and PD rezonings / substantial changes**

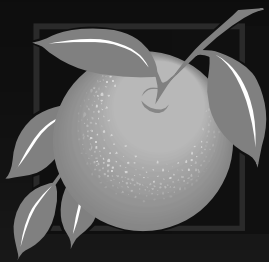


# **Concurrent Plan Amendment and Rezoning**

## **Comprehensive Plan Amendments are legislative decisions**

- **Policy-making**
- **Legislative standard of review is “fairly debatable.” (If reasonable minds could differ, local government decision will be upheld.)**
- **Board of County Commissioners now determines whether plan amendment is “in compliance.” (Prior to HB 7207, DCA made compliance determination.)**
- **Compliance determination will be upheld if it is fairly debatable.**





# Concurrent Plan Amendment and Rezoning

**Rezoning (including Planned Development decisions) are quasi-judicial decisions**

- Subject to “strict scrutiny” under *Snyder*. (Applicant must demonstrate consistency with Comp Plan, then burden shifts to local government to show that maintaining existing zoning serves legitimate public purpose.)
- Require procedural due process (afford parties notice and an opportunity to be heard)
- Essential requirements of law must be observed (correct law followed)
- Decision based on competent substantial evidence



# **Concurrent Plan Amendment and Rezoning**

- **Combined staff report for plan amendment and rezoning/substantial change**
- **Combined staff presentation**
- **Mayor will open both public hearings simultaneously**
- **Applicant will speak on both applications**
- **Public comment on both applications**
- **Mayor will close both public hearings**
- **BCC discussion and motion on comprehensive plan amendment**
- **BCC discussion and motion on PD rezoning/substantial change**



# **Board of County Commissioners**

## ***2012-1 Regular Cycle Privately Initiated Amendment***

---

**Case:** 2012-1-A-3-1

**Agent:** Professional Design Associates, Inc.

**Owner:** Econ Landing, LLP and Curry Ford Road Storage, LLC

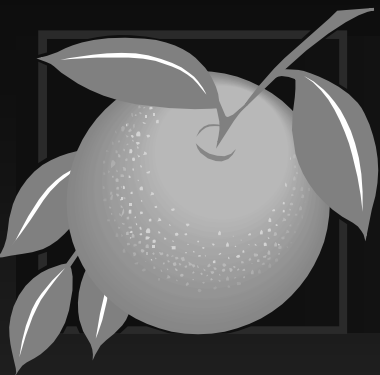
**From:** Medium Density Residential (MDR) and Planned Development-Commercial / Low-Medium Density Residential / Conservation (PD-C/LMDR/CONS) (Senior Adult Housing)

**To:** Planned Development-Commercial / Low-Medium Density Residential / Conservation (PD-C/LMDR/CONS)

**Acreage:** 61.55 gross / 34.78 net

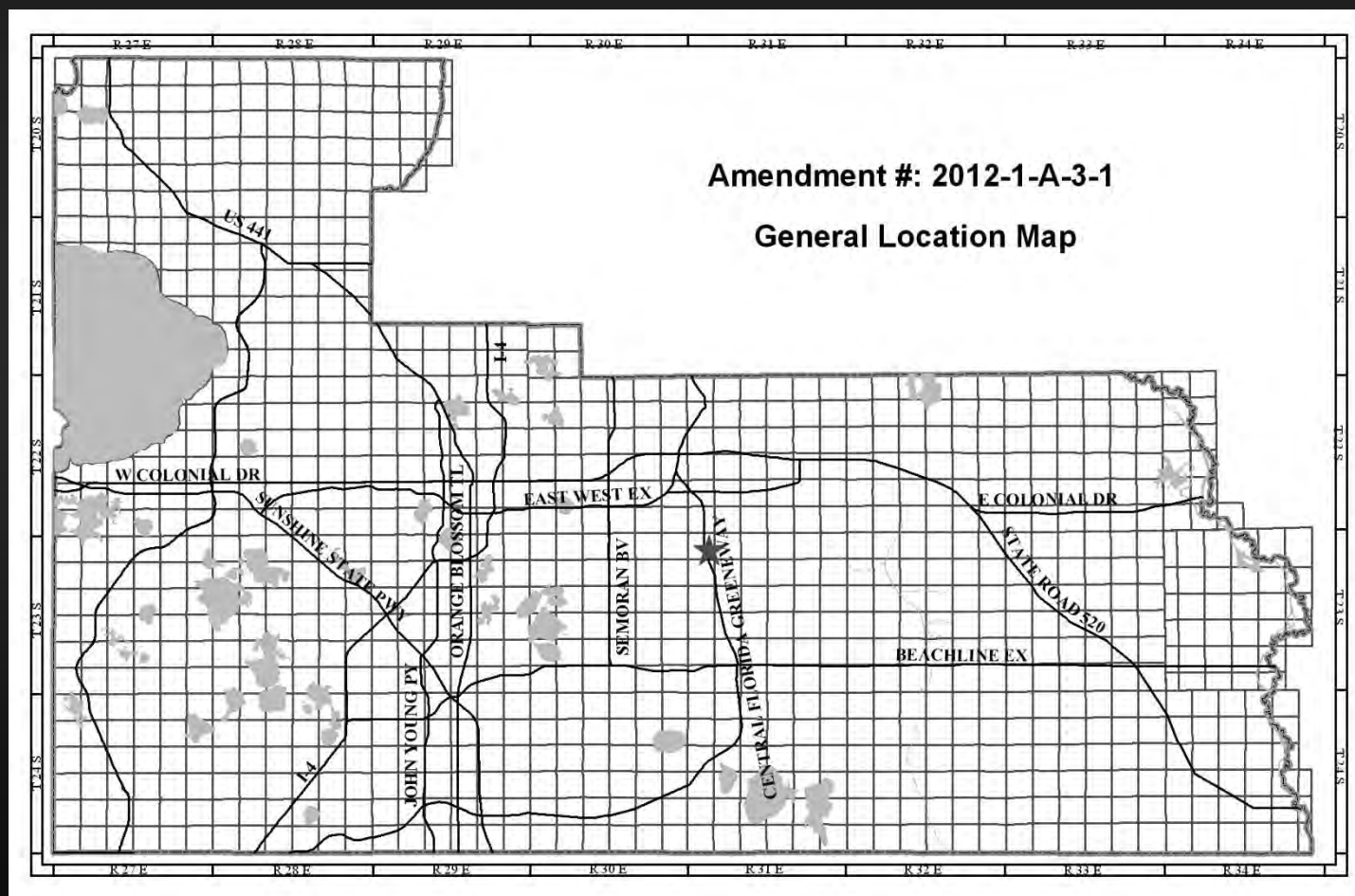
**Proposed Use:** Multi-family – 300 apartment units  
Commercial – 96,000 square feet of self-storage space or 20,000 square feet of commercial uses

---



# 2012-1-A-3-1 & CDR-12-03-055

## Location

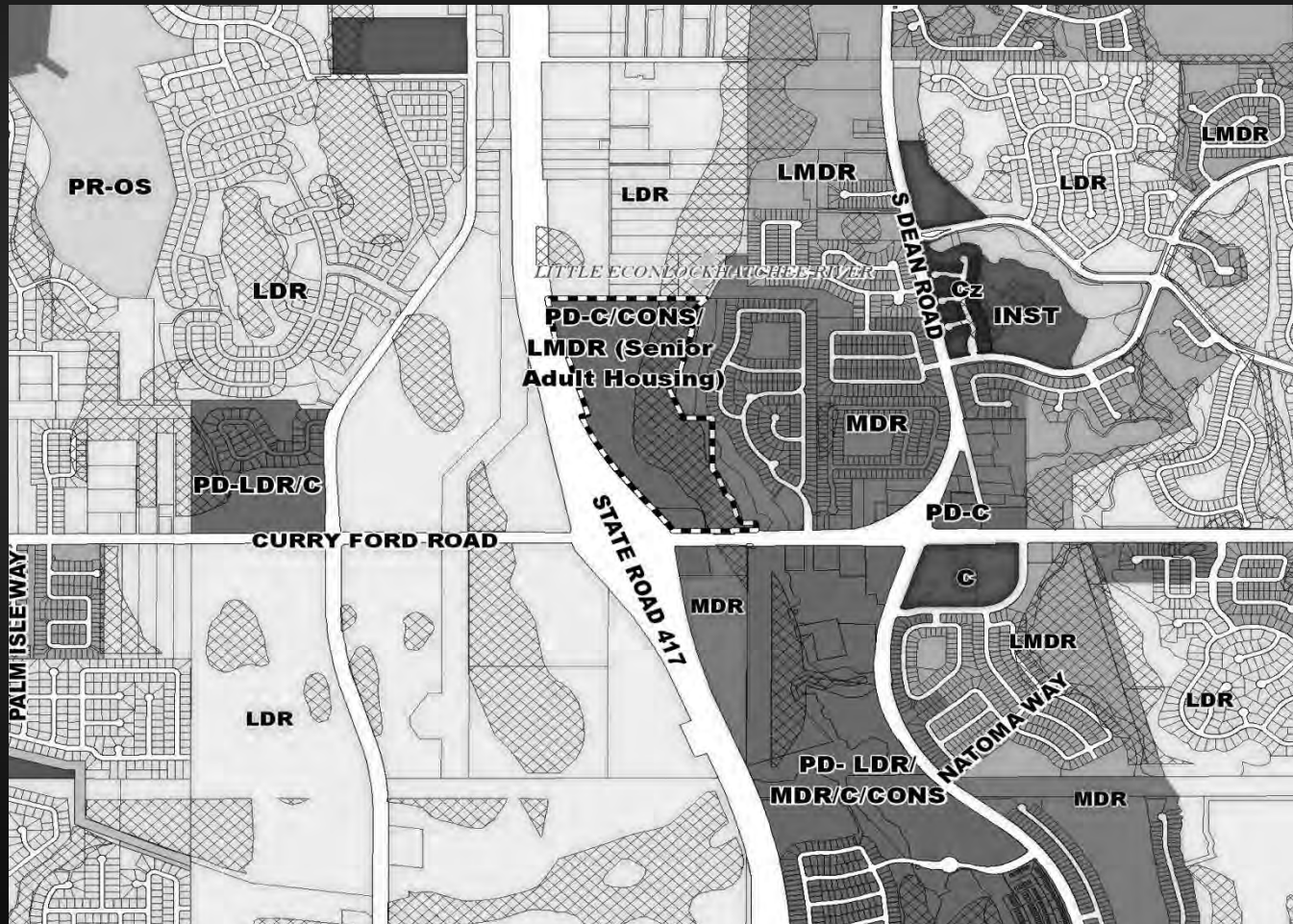


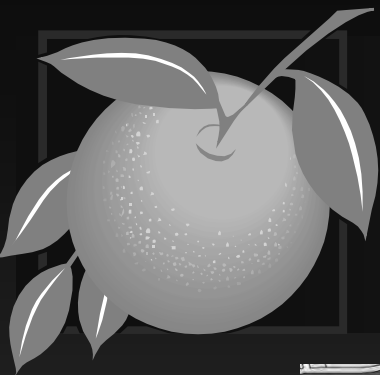


# 2012-1-A-3-1 & CDR-12-03-055

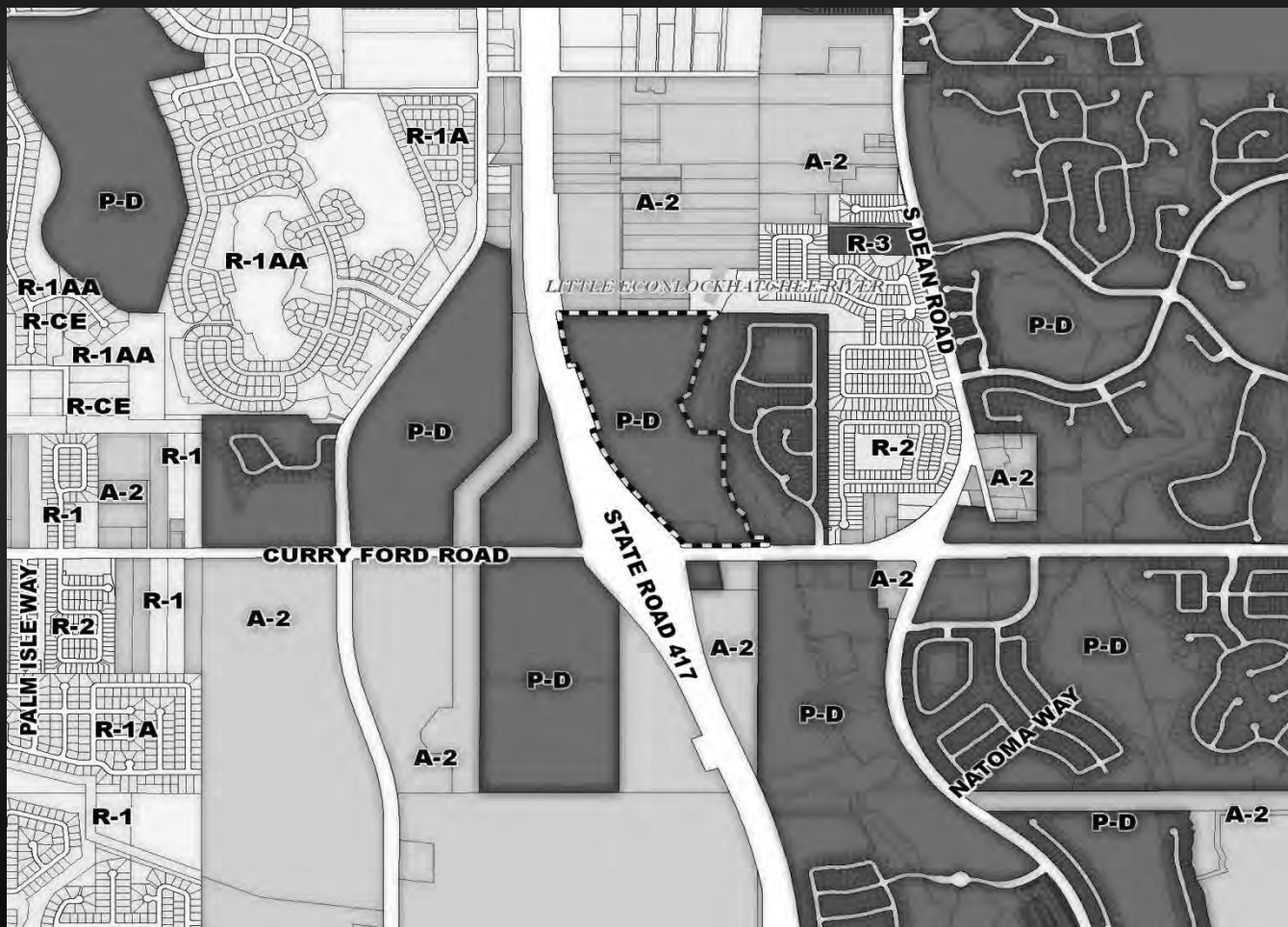
## Aerial

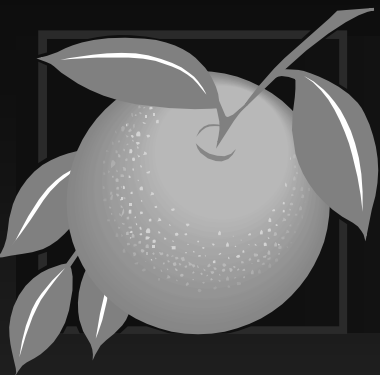






# 2012-1-A-3-1 & CDR-12-03-055 Zoning





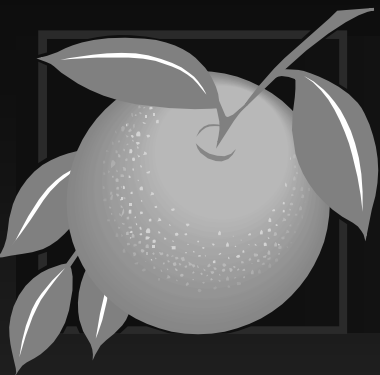
# **2012-1-A-3-1**

## **Analysis and Recommendations**

### **Staff Analysis**

- **Property located in an area characterized by a variety of housing types and a mix of commercial, office, and institutional uses.**
- **Mixed-use infill project will efficiently use land and infrastructure within the Urban Service Area.**
- **Project will help the County meet its goal of providing for a broad range of housing types and price levels.**





# **2012-1-A-3-1**

## **Analysis and Recommendations**

### **Staff Recommendation: Adopt**

- **Make a finding of consistency with the Comprehensive Plan (see Housing Element Goal H1; Housing Element Objective H1.1; Future Land Use Element Objectives FLU2.2 and FLU8.2; Future Land Use Element Policies FLU1.1.5, FLU8.1.2, FLU8.1.3, FLU8.2.1, FLU8.2.2, and FLU8.2.11; and Conservation Element Policies C1.4.1 and C1.4.5);**
- **Determine that the amendment is in compliance; and**
- **Adopt Amendment 2012-1-A-3-1, Medium Density Residential (MDR) and Planned Development-Commercial/Low-Medium Density Residential/Conservation (PD-C/LMDR/CONS) (Senior Adult Housing) to Planned Development-Commercial/Low-Medium Density Residential/Conservation (PD-C/LMDR/CONS).**

### **LPA Recommendation: Do not adopt**



# **CDR-12-03-055**

## **Econ Landing PD-LUP**

---

**Project:** Econ Landing Planned Development Land Use Plan

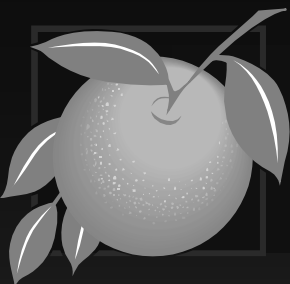
**Case:** CDR-12-03-055

**Agent:** Professional Design Associates, Inc.

**Owner:** Econ Landing, LLP and Curry Ford Road Storage, LLC

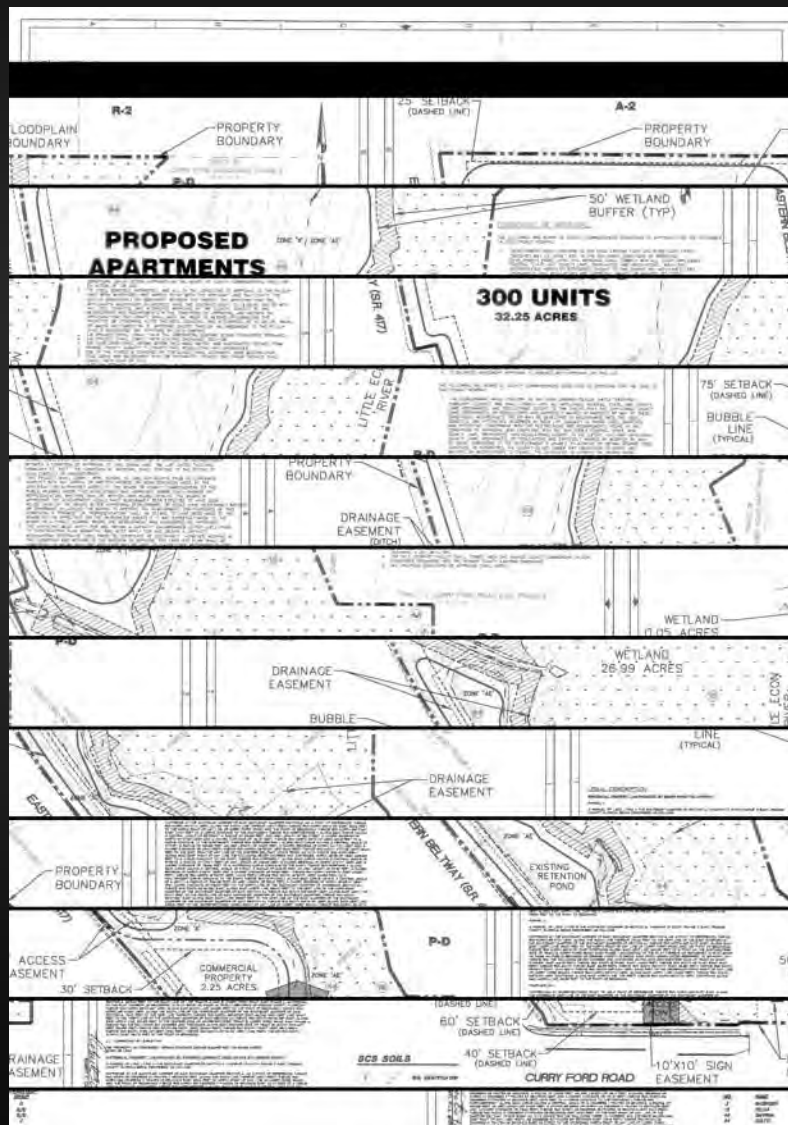
**Request** Substantial change request to:

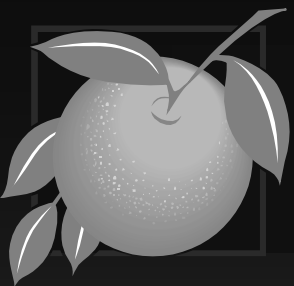
- Increase density from 250 age-restricted single family attached units (townhomes) to 300 multi-family market rate housing units
- Waiver from Section 38-1258(d) to allow building heights of fifty (50) feet and three (3) stories in lieu of forty (40) feet and three (3) stories. The additional ten (10) feet are for architectural purposes only.



# CDR-12-03-055

## Econ Landing PD-LUP





**CDR-12-03-055**

**Econ Landing PD-LUP**

## **DRC Recommendation**

**Make a finding of consistency with the Comprehensive Plan and approve the substantial change to the currently approved Econ Landing PD Land Use Plan subject to the following eleven (11) conditions**



# **CDR-12-03-055**

## **Econ Landing PD-LUP**

### **DRC Conditions of Approval**

- 1. Development shall conform to the Econ Landing PD Land Use Plan dated "Received April 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 April 26, 2012," the condition of approval shall control to the extent of such conflict or inconsistency.**

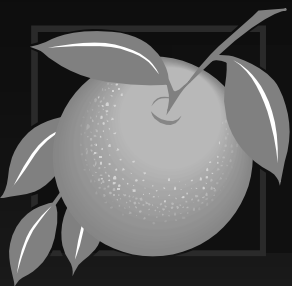


# **CDR-12-03-055**

## **Econ Landing PD-LUP**

### **DRC Conditions of Approval**

- 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.**



# **CDR-12-03-055**

## **Econ Landing PD-LUP**

### **DRC Conditions of Approval**

- 4. This project shall incorporate Crime Prevention Through Environmental Design (CPTED) design principles.**
- 5. There shall be no access permitted along the northern boundary of the site.**
- 6. A Master Utility Plan (MUP) shall be submitted to Orange County Utilities prior to approval of the first Preliminary Subdivision and/or Development Plan. The MUP must be approved prior to Construction Plan approval.**
- 7. The Developer shall obtain water, wastewater, and reclaimed water service from Orange County Utilities.**
- 8. Billboards and pole signs shall be prohibited. Ground and fascia signs shall comply with Ch. 31.5.**
- 9. Outdoor sales, storage and display shall be prohibited.**



**CDR-12-03-055**

**Econ Landing PD-LUP**

## **DRC Conditions of Approval**

- 10. 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.**
- 11. A waiver is granted from Section 38-1258(d) to allow building heights of fifty (50) feet and three (3) stories in lieu of forty (40) feet and three (3) stories. The additional ten (10) feet are for architectural purposes only.**





# **CDR-12-03-055**

## **Econ Landing PD-LUP**

### **Action Requested**

**Find the request consistent with the Comprehensive Plan and approve the substantial change to the Econ Landing PD Land Use Plan dated “Received April 26, 2012,” subject to the eleven (11) conditions as stated in the Board of County Commissioners staff report**



# **Board of County Commissioners**

## ***2012-1 Regular Cycle Privately Initiated Amendment***

---

**Case:** 2012-1-A-4-1

**Agent:** Scott Stuart, Kelly, Collins & Gentry (KCG), Inc.

**Owner:** Multiple Owners

**From:** Rural Settlement 1/2 (RS 1/2)

**To:** Planned Development - Commercial/Office/Medium Density Residential/ Townhome/Rural Settlement 1/2 (PD-C/O/MDR/TH/RS 1/2) Urban Service Area (USA) expansion (removal of a portion of the property from the Lake Hart/Lake Whippoorwill Rural Settlement)

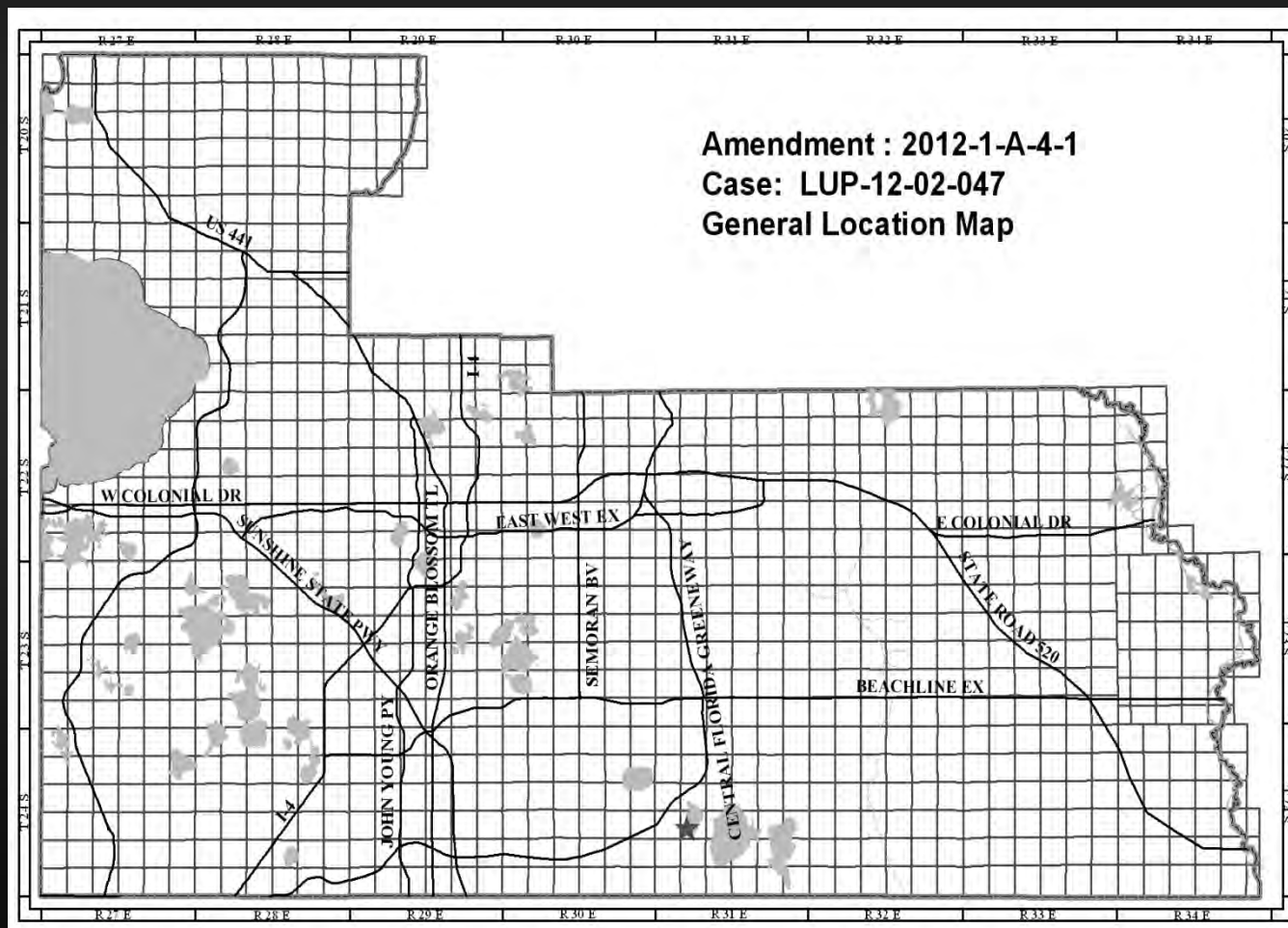
**Acreage:** 26.5 gross / 18.82 net  
(9.68 acres Rural Settlement / 16.82 acres removed from Rural Settlement)

**Proposed use:** Commercial/Office – 50,000 square feet  
Residential – 275 multi-family, 1 single family

---



# 2012-1-A-4-1 & LUP-12-02-047 Location





# 2012-1-A-4-1 & LUP-12-02-047

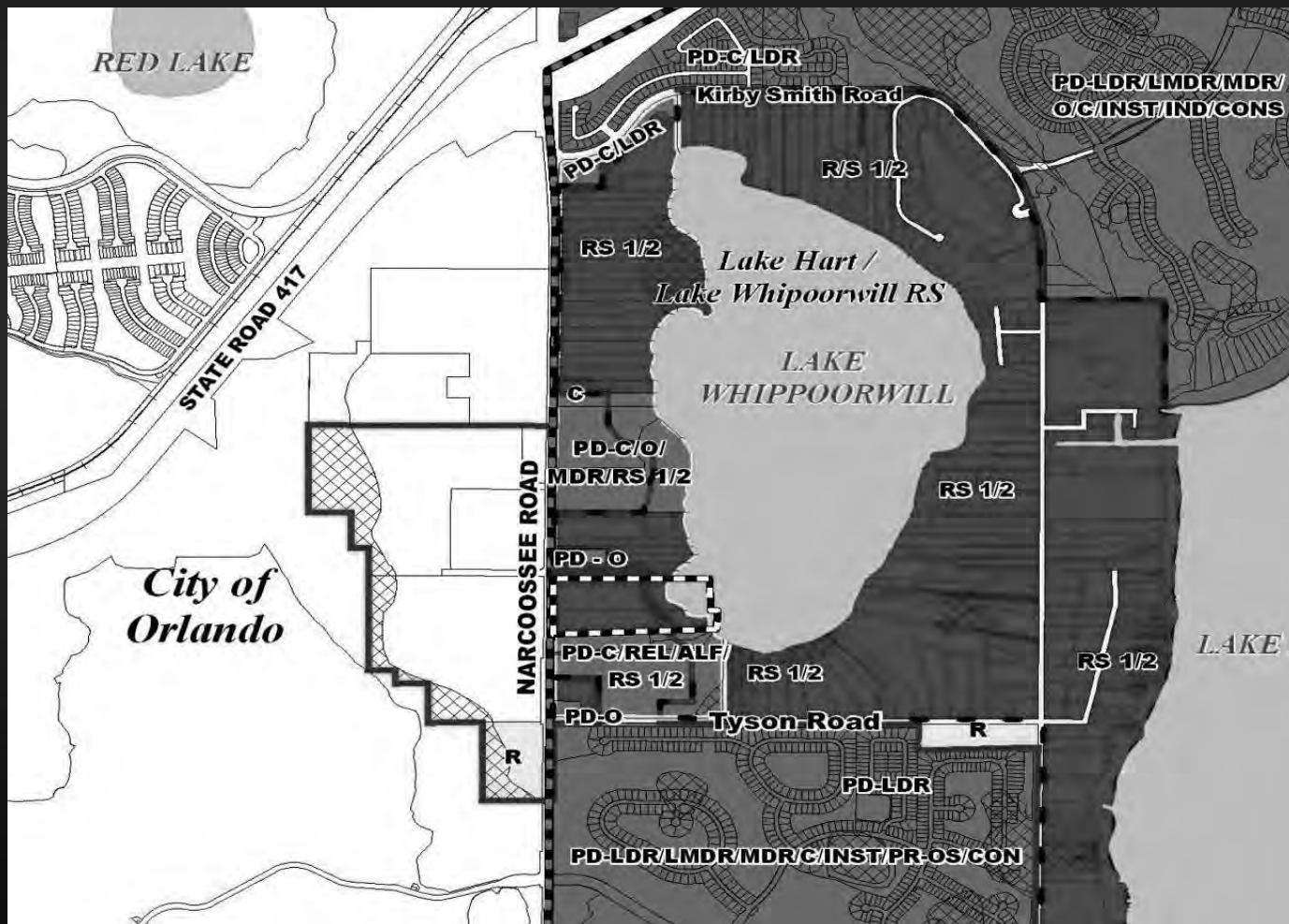
## Aerial





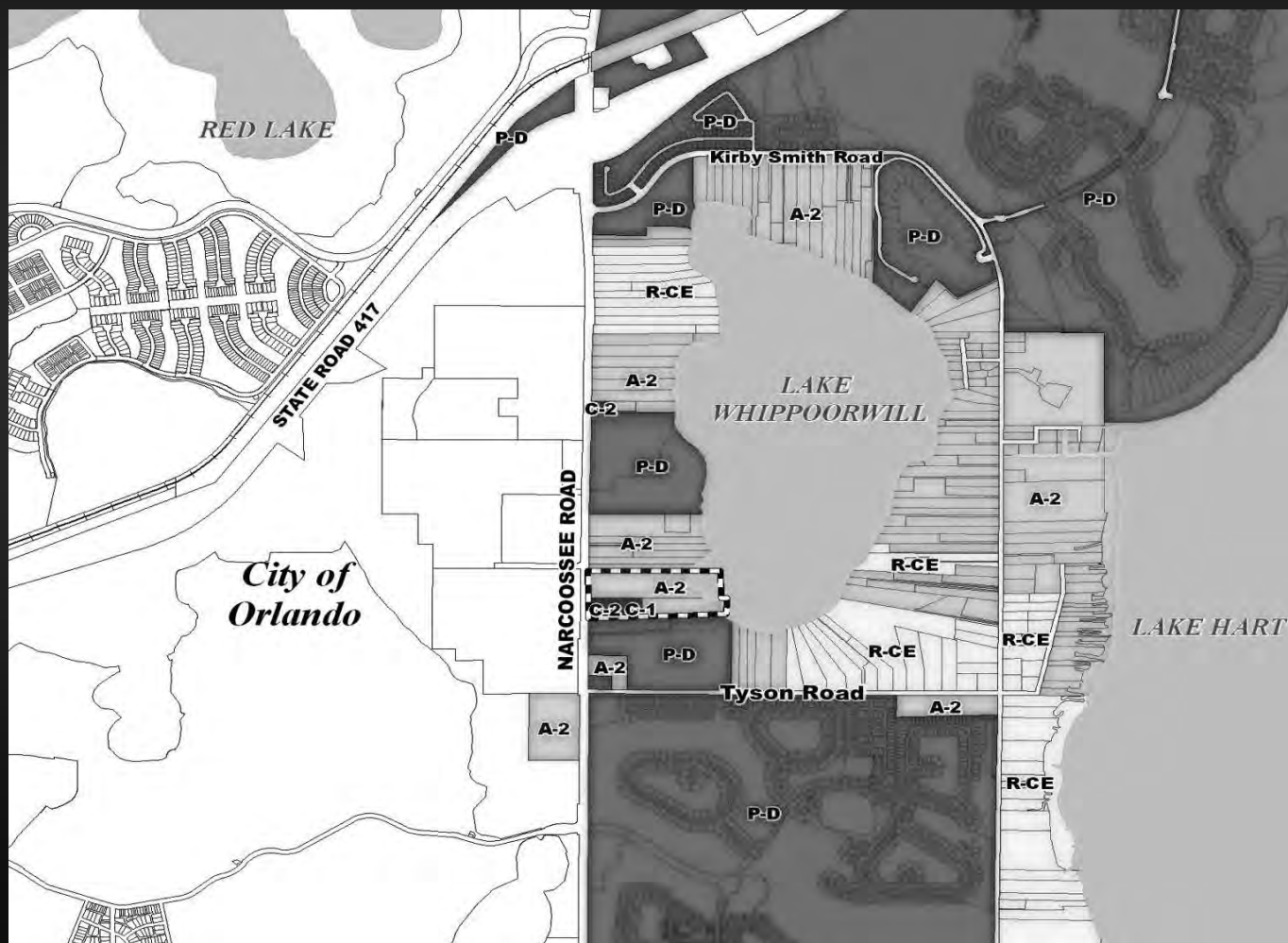
# 2012-1-A-4-1 & LUP-12-02-047

## Future Land Use





# 2012-1-A-4-1 & LUP-12-02-047 Zoning

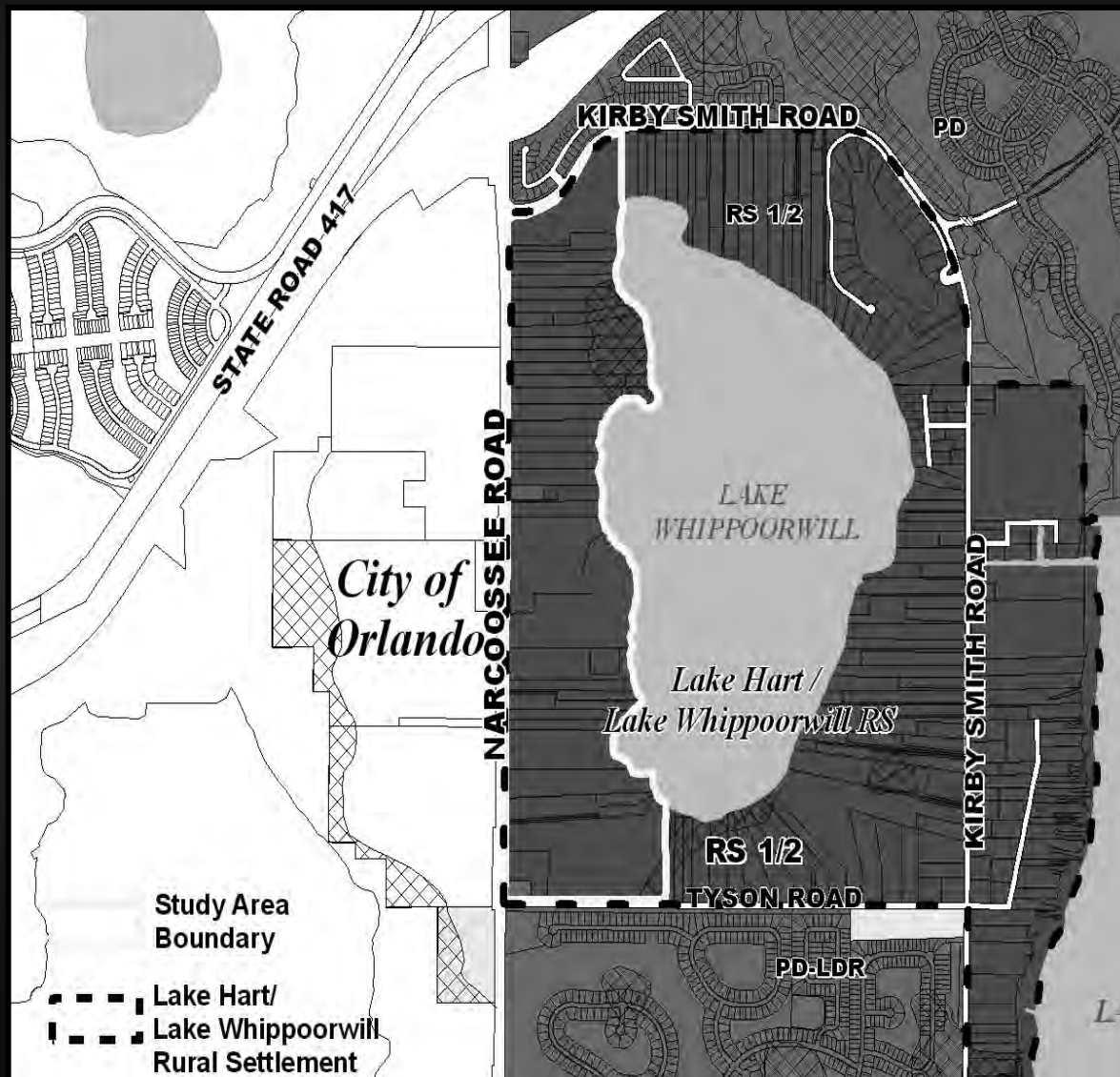


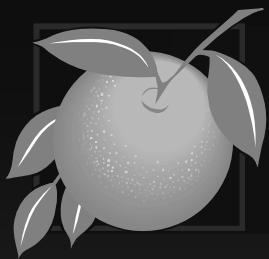


# Narcoossee Area Amendments

## Background

- Development pressure on RS
  - 6-laning Narcoossee Road
  - City of Orlando
- Staff held series of meetings with residents
- Lake Hart/Lake Whippoorwill Rural Settlement Study



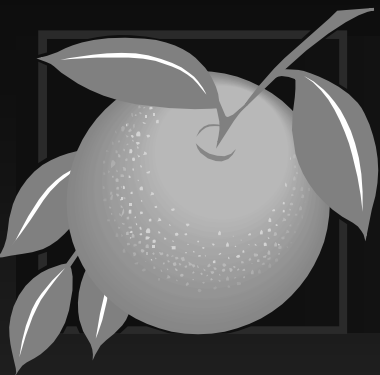


# Narcoossee Area Amendments

## Staff-initiated Plan Amendment – 2009

- Established policies for:
  - Development along Narcoossee between Kirby Smith and Tyson
  - Protection of Rural Settlement and Lake Whippoorwill
- Higher density and intensity along Narcoossee frontage – height transition downward to lake
- Eastern side of property must remain in Rural Settlement





# 2012-1-A-4-1

## Analysis and Recommendations

### Lake Whippoorwill Landing – Conceptual Land Use Plan

- 50,000 square feet commercial/office
- 275 multifamily dwelling units
- 1 single family dwelling unit (in the portion remaining Rural Settlement)





# **2012-1-A-4-1**

## **Analysis and Recommendations**

### **Staff Analysis**

### **Consistency with the Comprehensive Plan**

#### **1. Commercial/office**

- **Located on Narcoossee Road at intersection**

#### **2. Residential**

- **Transitions from west to east – 4-story apartments to 2-story townhomes**

#### **3. Cross access to be provided to adjoining properties**

#### **4. Land adjacent to the lake will remain in the Rural Settlement**

#### **5. Being processed as a Planned Development**



# **2012-1-A-4-1**

## **Analysis and Recommendations**

**Staff Recommendation: Adopt**

**LPA Recommendation: Adopt**

- **Make a finding of consistency with the Comprehensive Plan (see Objectives FLU6.3 and FLU8.2, and Policies FLU1.1.5, FLU1.4.3, FLU1.4.6, FLU1.4.10, FLU6.3.2, FLU6.3.2.1, FLU6.3.2.2, FLU6.3.2.4, FLU6.2.14, FLU6.3.4, and FLU8.2.1);**
- **Determine that the amendment is in compliance; and**
- **ADOPT Amendment 2012-1-A-4-1, Rural Settlement 1/2 (RS 1/2) to Planned Development-Commercial/Office/Medium Density Residential/Rural Settlement 1/2 (PD-C/O/MDR/RS1/2) USA expansion (removal of a portion of the property from the Lake Hart/Lake Whippoorwill Rural Settlement).**



# **LUP-12-02-047**

## **Lake Whippoorwill Landing PD-LUP**

---

<b>Project:</b>	<b>Lake Whippoorwill Landing Planned Development Land Use Plan</b>
<b>Case:</b>	<b>LUP-12-02-047</b>
<b>Agent:</b>	<b>Scott Stuart, Kelly, Collins &amp; Gentry (KCG), Inc.</b>
<b>Owner:</b>	<b>Multiple Owners</b>
<b>From:</b>	<b>C-1 (Retail Commercial District), C-2 (General Commercial District) and A-2 (Farmland Rural District)</b>
<b>To:</b>	<b>PD (Planned Development District)</b>
<b>Proposed use:</b>	<ul style="list-style-type: none"><li>• <b>50,000 square feet of limited C-1 (Retail Commercial District) or PO (Professional Office) uses</b></li><li>• <b>263 multifamily apartments / 12 townhouse-type units</b></li><li>• <b>7.68 acres of wetlands, open space, observation deck, passive recreation including a dog park, and submerged lands that will remain in the Rural Settlement</b></li></ul>





# **LUP-12-02-047**

## **Lake Whippoorwill Landing PD-LUP**

### **DRC Recommendation**

- **Make a finding of consistency with the Comprehensive Plan and Approve the PD zoning subject to seventeen (17) conditions**

### **Planning and Zoning Commission Recommendation**

- **Make a finding of consistency with the Comprehensive Plan and Approve the PD zoning subject to eighteen (18) revised conditions**



# **LUP-12-02-047**

## **Lake Whippoorwill Landing PD-LUP**

### **DRC Conditions of Approval**

- 1. Development shall conform to the Lake Whippoorwill Landing PD Land Use Plan dated "Received April 25, 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 dates "received April 25, 2012," the condition of approval shall control to the extent of such conflict or inconsistency.**



# **LUP-12-02-047**

## **Lake Whippoorwill Landing PD-LUP**

### **DRC Conditions of Approval Cont.**

- 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 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 certificate of occupancy. Nothing in this condition and nothing in the decision to approve this development plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.**





# **LUP-12-02-047**

## **Lake Whippoorwill Landing PD-LUP**

### **DRC Conditions of Approval Cont.**

- 4. 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.**
- 5. A Master Utility Plan (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.**
- 6. The Developer shall obtain wastewater and reclaimed water service from Orange County Utilities.**
- 7. Outdoor sales, storage and display shall be prohibited**
- 8. 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.**



# LUP-12-02-047

## Lake Whippoorwill Landing PD-LUP

### DRC Conditions of Approval Cont.

9. The following Education Condition of Approval shall apply:

- a) Developer shall comply with all provisions of Capacity Enhancement Agreement (CEA OC-11-005), ~~entered into with~~ approved by the Orange County School Board as of on December 13, 2011.
- 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 ~~1 single family and 24 multi-family~~ 5 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.



# **LUP-12-02-047**

## **Lake Whippoorwill Landing PD-LUP**

### **DRC Conditions of Approval Cont.**

- 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.**



# **LUP-12-02-047**

## **Lake Whippoorwill Landing PD-LUP**

### **DRC Conditions of Approval Cont.**

- 10. In recognition of the urbanizing development trend along the east side of Narcoossee Road and in order to achieve an appropriate transition from the proposed commercial / multi-family uses to the east (towards the lake), the following waivers are granted in order to address the adjacent A-1 zoned property to the north and the approved Tyson's Corner PD to the south. In addition, other waivers shall be granted in order to achieve the proposed internal compact and mixed use nature of the project, as well as to accommodate more efficient onsite parking and vehicular circulation.**
  - A. A waiver from Section 24-5(a)(3) is granted to allow for a 10-foot wide buffer along the north and east property line of Parcel 2 in lieu of 15 feet and to eliminate the buffer along the south property line of Parcel 2 in lieu of a 15-foot wide, Type C buffer.**
  - B. A waiver from Section 38-830(13) is granted to allow for entrances and exits directing traffic between the commercial / office uses and the adjacent residential uses within the project (internal to Parcel 1 and Parcel 2).**



# **LUP-12-02-047**

## **Lake Whippoorwill Landing PD-LUP**

### **DRC Conditions of Approval Cont.**

**C. The following waivers from Section 38-1258 are granted to address multi-story residential apartment and townhome-style unit development in Parcel 1 adjacent to single family residential property:**

- 1) A waiver from Section 38-1258(a) to allow multi-family residential building heights within a distance of between 50-100 feet from single family residential property, to be a maximum of 2 story / 35 feet and 3 story / 40 feet, in lieu of one story within 100 feet;**
- 2) A waiver from Section 38-1258(b) to allow multi-family residential building heights within a distance of 100 feet and 150 feet from single family residential property to vary in height with a maximum of 75%, in lieu of 50%, of the buildings being 3 story / 40 feet and the remaining buildings 2 story / 35 feet;**
- 3) A waiver from Section 38-1258(d) to allow a maximum multi-family residential building height of 4 story / 45 feet, in lieu of 3 story / 40 feet;**

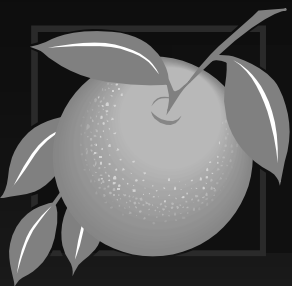


# **LUP-12-02-047**

## **Lake Whippoorwill Landing PD-LUP**

### **DRC Conditions of Approval Cont.**

- 4) A waiver from Section 38-1258(e) to allow parking and other paved areas for multi-family residential to be located 10 feet from the north property line of Parcel 1, in lieu of 25 feet;**
- 5) A waiver from Section 38-1258(f) to allow PVC-type fencing for multi-family development located adjacent to single family residential property in lieu of a masonry or block wall and to exclude the fence requirement at cross access points, except as provided in Condition of Approval 18; and**
- 6) A waiver from Section 38-1258(j) to allow for a minimum separation of 30 feet between buildings where doors, windows or other openings in the wall of a living unit back up to a wall of another building with doors, windows or other openings, in lieu of a 40-foot separation.**



# LUP-12-02-047

## Lake Whippoorwill Landing PD-LUP

### DRC Conditions of Approval Cont.

D. The following waivers from Section 38-1272 are granted to address multi-story commercial / office uses and the internal access drive separation from an arterial roadway in Parcel 2, where adjacent to single family residential property:

- 1) A waiver from Section 38-1272(a)(3) to allow for a zero foot setback along the south property line of Parcel 2 (internal) in lieu of 25 feet where abutting a residential use; and
- 2) A waiver from Section 38-1272(a)(5) to allow for a maximum building height of 4-story / 45 feet in lieu of 35 feet when within a distance of 100 feet from residential property.

11. There shall be no boat docks/ramps which would allow for direct boat access. No motorized watercraft shall be permitted on Lake Whippoorwill for this property. One (1) observation deck may be allowed subject to the issuance of a “Construction of Dock Ordinance” permit.



# LUP-12-02-047

## Lake Whippoorwill Landing PD-LUP

### DRC Conditions of Approval Cont.

12. Parking shall be limited to one (1) row of parking and one (1) drive-aisle adjacent to Narcoossee Road for Parcel 2. For Parcel 1, Zone 1, if the proposed multi-family residential fronts the main entrance driveway, parking may be placed behind the building(s) subject to a knee wall buffering the parking.
13. One year after the Certificate of Occupancy for the commercial development within Parcel 2, the developer shall pay for a warrant study to be conducted. The developer shall pay a proportional share of the cost of the signalization based on this Planned Development's average daily trip distribution through the intersection.
14. No portion of the residential development shall be gated. Fencing or walls may be permitted in so long as ~~it is~~ they are designed to create an edge/buffer to the adjacent properties or parcels.
15. In order to minimize the potential visual impact on properties across Lake Whippoorwill, not less than 50% of the buildings shall be oriented such that the narrower end of the building will be facing directly or tangentially toward the lake.





# LUP-12-02-047

## Lake Whippoorwill Landing PD-LUP

### DRC Conditions of Approval Cont.

16. The following uses shall be prohibited:

- Warehousing (indoor storage of products)
- Lumber yard
- Portable foods and drink vendors (including hot dog stands)
- Coin-operated laundries
- Disinfecting and pest control
- Automobile parking as a principal use
- Auto, exhaust repair shops
- Automotive services, exhaust repair shops
- Bowling centers
- Coin-operated amusement centers
- Auto driving instruction
- Auto supply stores
- Parking rental, sales, and leasing
- Gasoline stations
- Convenience stores with associated gasoline sales
- Automotive shops
- Truck stops
- Tattoo shops
- Body piercing
- Same-day payday loans
- Strip commercial
- Boarding, lodging, and rooming houses
- Single-family unit in conjunction with a commercial use
- General warehousing and storage (self-storage)
- Airports, flying fields, and services
- Pipelines (except natural gas)
- Radio telephone communications
- Radio broadcasting stations (lattice, guyed, and monopole)



# LUP-12-02-047

## Lake Whippoorwill Landing PD-LUP

### DRC Conditions of Approval Cont.

16. The following uses shall be prohibited cont.:

- Substations, telephone switch stations, and water plants
- Electric, gas, and sanitary services
- Drinking places (cocktail lounges / bars) not directly associated with a sit-down restaurant
- Used merchandise stores (pawn shops / thrift stores)
- Fuel dealers (oil / propane)
- Cemetery, sub-dividers, and developers (cemetery)
- Power laundries
- Funeral service, crematories, embalming
- Miscellaneous personal services (escort services)
- Equipment rental and leasing
- Motion picture theaters
- Theatrical producers (TV studios)
- Sports clubs (franchise / non-franchise sports, stadiums)
- Golf courses
- Membership sports and recreation clubs (indoor and outdoor uses)
- Amusement and recreation (indoor and outdoor uses)
- Elementary, middle, and charter schools
- Colleges, universities, and high schools
- Residential care (juvenile delinquent center)
- Civic, social, and fraternal associations (fraternity houses)
- Tobacco stores



# **LUP-12-02-047**

## **Lake Whippoorwill Landing PD-LUP**

### **DRC Conditions of Approval Cont.**

**16. The following uses shall be prohibited cont.:**

- Lounges and packaged sales of alcoholic beverages that are subject to 4COP licensing (per Section 38-1414)**
- Big Box developments**
- Drive-through restaurants**
- Employment and day labor agencies**
- Hotels/motels**

**17. Hardware stores shall be permitted. However, outdoor storage, display, and sales shall be prohibited.**



# LUP-12-02-047

## Lake Whippoorwill Landing PD-LUP

### DRC Conditions of Approval Cont.

18. In order to provide a visual and sound buffer for the existing single-family residence on the adjoining property to the north, the Developer shall construct an 8-foot-high block wall with stucco finish (the "Wall") along that portion of the northern PD boundary that is parallel to the existing single-family residence and any existing ancillary structures. At such time as the owner of the adjoining property to the north proceeds with redevelopment of his property, the County shall determine whether the Wall can remain in place or whether all or a portion of it must be removed to promote cross access between the two properties. If the County determines that all or a portion of the Wall must be removed, the Developer shall have 45 days following receipt of written notice from the County in which to remove, without cost to the County, the entire Wall or such portion of it that is described in the notice.



**LUP-12-02-047**

**Lake Whippoorwill Landing PD-LUP**

**DRC Conditions of Approval Cont.**

**19. NEW CONDITION**



# **LUP-12-02-047**

## **Lake Whippoorwill Landing PD-LUP**

### **Action Requested**

**Find the request consistent with the Comprehensive Plan and approve the Lake Whippoorwill Landing PD Land Use Plan dated “Received April 25, 2012,” subject to the eighteen (18) conditions as stated in the Board of County Commissioners staff report plus the 19<sup>th</sup> condition presented today.**



# Today's Amendments

## 2012-1 Regular Cycle

- Privately-Initiated FLUM Amendments
- **Staff-Initiated FLUM and Text Amendments**



# **Board of County Commissioners**

***2012-1 Regular Cycle Staff Initiated Amendment***

---

**Case: 2012-1-B-FLUE-1**

**Request: Text amendment to Policy FLU1.2.4, including additional lands within the Urban Service Area**

**District: Countywide**

---





# Board of County Commissioners

## *2012-1 Regular Cycle Staff Initiated Amendment*

Proposed revision to Policy FLU1.2.4 adding this amendment to include it in the Urban Service Area (USA).

Amendment #	Name	Acreage	Ordinance #
<u>2012-1-A-4-1</u>	<u>Lake</u> <u>Whippoorwill</u> <u>Landing</u>	<u>16.82</u>	<u>2012-__</u>



# **Board of County Commissioners**

***2012-1 Regular Cycle Staff Initiated Amendment***

**Staff Recommendation: Adopt**

**LPA Recommendation: Adopt**

**Make a finding of consistency with the Comprehensive Plan;**

**Determine that the amendment is in compliance; and**

**ADOPT Amendment 2012-1-B-FLUE-1, text amendment to Policy FLU1.2.4 including additional lands in the Urban Service Area for Amendment 2012-1-A-4-1, Lake Whippoorwill Landing.**



# **Board of County Commissioners**

***2012-1 Regular Cycle Staff Initiated Amendment***

---

**Case: 2012-1-B-FLUE-2**

**Request: Text amendments to Future Land Use Element Policy FLU8.1.4 establishing maximum densities and intensities for proposed Planned Developments within Orange County**

**District: Countywide**

---



# Board of County Commissioners

## *2012-1 Regular Cycle Staff Initiated Amendment*

Proposed revision to Policy FLU8.1.4, adding these amendments to establish the maximum densities and intensities for the subject properties and correcting scribes errors.

Amendment	FLUM Designation	Maximum Intensity and Density	Ordinance
<u>2012-1-A-3-1</u> <u>Econ Landing</u>	<u>Planned Development –</u> <u>Commercial/Low Medium</u> <u>Density Residential/</u> <u>Conservation</u> <u>(PD-C/LMDR/CONS)</u>	<u>Multi-Family – 300 dwelling units</u> <u>Commercial – 96,000 square feet of self-</u> <u>storage or 20,000 square feet of</u> <u>commercial uses</u>	<u>2012-</u>
<u>2012-1-A-4-1</u> <u>Lake</u> <u>Whippoorwill</u> <u>Landing</u>	<u>Planned Development</u> <u>Commercial/Office/ Medium</u> <u>Density Residential/</u> <u>Townhome/ Rural</u> <u>Settlement 1/2</u> <u>(PD-C/O/MDR/TH/RS 1/2)</u>	<u>Commercial/Office – 50, 000 square feet</u> <u>Multi-Family – 275 dwelling units</u> <u>Single Family – 1 dwelling unit</u>	<u>2012-</u>



# Board of County Commissioners

## *2012-1 Regular Cycle Staff Initiated Amendment*

Proposed revision to Policy FLU8.1.4, adding these amendments to establish the maximum densities and intensities for the subject properties.

Amendment	FLUM Designation	Maximum Intensity and Density	Ordinance
<u>2012-1-A-5-1</u> <u>Arbour</u> <u>Apartments</u>	<u>Planned Development –</u> <u>High Density Residential</u> <u>(PD-HDR) (Student Housing)</u>	<u>*Development Program 1:</u> <u>Multi-Family – 400 dwelling units</u> <u>Student Housing Beds – 1,600</u> <u>-or-</u> <u>*Development Program 2:</u> <u>Student Housing Beds – 2,400</u>  <u>Maximum trip generation for the project</u> <u>is 458 pm peak hour</u> <u>* The maximum trip generation may be</u> <u>achieved by a mix of multi-family units</u> <u>and student housing beds or as a</u> <u>student housing project. The number of</u> <u>multi-family units shall not exceed 400</u> <u>units under any development scenario.</u>	<u>2012-</u>



# **Board of County Commissioners**

## ***2012-1 Regular Cycle Staff Initiated Amendment***

**Staff Recommendation: Adopt**

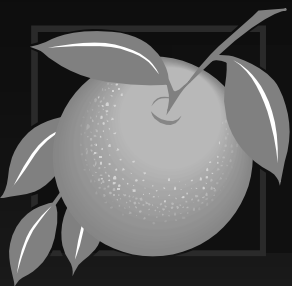
**LPA Recommendation: Adopt**

**Make a finding of consistency with the Comprehensive Plan;**

**Determine that the amendment is in compliance; and**

**ADOPT Amendment 2012-1-B-FLUE-2, text amendment to Policy FLU8.1.4 to establish the maximum densities and intensities for:**

- **2012-1-A-3-1, Econ Landing;**
- **2012-1-A-4-1, Lake Whippoorwill Landing; and**
- **2012-1-A-5-1, Arbour Apartments.**



# **Board of County Commissioners**

***2012-1 Regular Cycle Staff Initiated Amendment***

---

**Case: 2012-1-B-FLUE-4**

**Request: Text amendments to Future Land Use Element Policy FLU2.3.6 related to the conversion of residential uses to nonresidential uses**

**District: Countywide**

---



# **Board of County Commissioners**

*2012-1 Regular Cycle Staff Initiated Amendment*

**Case: 2012-1-B-FLUE-4**

**Policy FLU2.3.6**

- **Policy addresses residential to non-residential conversions**
- **Does not allow conversion unless subject property is on a major road**
- **Revisions are proposed to allow flexibility that would encourage infill and redevelopment**





# **Board of County Commissioners**

*2012-1 Regular Cycle Staff Initiated Amendment*

## **Case: 2012-1-B-FLUE-4**

### **Revisions to Policy FLU2.3.6**

- **Allows conversion if:**
  - **Street provides access to an existing mix of uses or would support a compatible mix of uses**
  - **Property is adjacent to commercial or office, at an intersection, or adjacent to a buffer from residential uses (such as stormwater facilities or wetlands)**
  - **Outside traffic would not adversely affect the residential neighborhood**



# **Board of County Commissioners**

***2012-1 Regular Cycle Staff Initiated Amendment***

**Staff Recommendation: Adopt**

**LPA Recommendation: Adopt**

**Make a finding of consistency with the Comprehensive Plan;**

**Determine that the amendment is in compliance; and**

**Adopt Amendment 2012-1-B-FLUE-4, text amendments to Policy FLU2.3.6 related to the conversion of residential uses to nonresidential uses.**



# Board of County Commissioners

*2012-1 Regular Cycle Staff Initiated Amendment*

## Alternative introductory language

**FLU2.3.6 The County shall consider the following criteria when evaluating, on a case-by-case basis, whether Gconversion of residential to non-residential use may be permitted only under the following criteria:**



# **Board of County Commissioners**

*2012-1 Regular Cycle Staff Initiated Amendment*

---

**Case: 2012-1-B-FLUE-5**

**Request: Text amendments to Future Land Use Element Policies FLU8.1.1(a) and (c) and FLU8.2.5**

**New policies FLU8.2.5.1 and FLU8.2.5.2**

**Related to inconsistent FLUM and zoning designations and associated requirements for rezonings and special exceptions**

**District: Countywide**

---



# **Board of County Commissioners**

*2012-1 Regular Cycle Staff Initiated Amendment*

---

**Case: 2012-1-B-FLUE-5**

**FLU8.1.1(a) Addition to Future Land Use/Zoning Correlation Table, Note Section – adding a reference to policies FLU8.2.5, FLU8.2.5.1 and FLU8.2.5.2**

**FLU8.1.1(c) Adding a reference to FLU8.2.5, FLU8.2.5.1 and FLU8.2.5.2**

---



# Board of County Commissioners

*2012-1 Regular Cycle Staff Initiated Amendment*

---

**Case: 2012-1-B-FLUE-5**

**FLU8.2.5** Subject to the compatibility measures outlined in policies FLU8.1.1 and FLU8.2.1, ~~land~~ uses permitted by the existing zoning district or uses allowed through the special exception permitting process as ~~and~~ described in the Orange County Code may be considered when a property's zoning district is inconsistent with the Future Land Use Map/Zoning Correlation Table listed in Policy FLU8.1.1, subject to policies FLU8.2.5.1 and FLU8.2.5.2. On a case by case basis, such uses may be considered only when the County has determined the use is consistent with the intent of the CP.

---



# Board of County Commissioners

## *2012-1 Regular Cycle Staff Initiated Amendment*

### Case: 2012-1-B-FLUE-5

FLU8.2.5.1 A rezoning may not be required for properties with inconsistent zoning and future land use map (FLUM) designations when:

- A. The proposed use is permitted in the existing zoning district, and the same use is permitted in a zoning district that is consistent with the adopted FLUM designation; or
- B. The proposed use is permitted in the existing zoning district, but the use would require a special exception if the property is rezoned to be consistent with the adopted FLUM designation. In this case, only a special exception would be required.

Any development of such properties shall meet the minimum site and building requirements of the existing zoning district. Subsequent requests for expansions and changes in the permitted uses on the property must conform to this policy. Requests not conforming to this policy shall be subject to a rezoning, special exception, or FLUM amendment.



# Board of County Commissioners

## *2012-1 Regular Cycle Staff Initiated Amendment*

---

### Case: 2012-1-B-FLUE-5

FLU8.2.5.2 If a proposed use is ~~property~~ subject to a special exception and has inconsistent zoning and future land use map (FLUM) designations, a rezoning may not be required before applying for a special exception, provided each of the following criteria is met:

- A. The proposed use is permitted only through the special exception process, and;
- B. The zoning district required to correct the inconsistency between the FLUM and zoning designations also requires a special exception for the same use.

Any development of such properties shall meet the minimum site and building requirements of the existing zoning district. Subsequent requests for expansions and changes in the permitted uses on the property must conform to this policy. Requests not conforming to this policy shall be subject to a rezoning, special exception, or FLUM amendment.

---





# **Board of County Commissioners**

***2012-1 Regular Cycle Staff Initiated Amendment***

**Case: 2012-1-B-FLUE-5**

---

<b>Scenario 1</b>	<b>FLU8.2.5.1A</b>
-------------------	--------------------

---

<b>Future Land Use/Zoning</b>	<b>Future Land Use: Industrial Zoning: C-3</b>
-------------------------------	--

---

<b>Requested Use</b>	<b>Warehousing</b>
----------------------	--------------------

---

<b>Issues</b>	<ul style="list-style-type: none"><li>▪ Requested use is allowed in both Industrial and C-3 zoning</li><li>▪ Applicant is required to rezone</li></ul>
---------------	--

---

<b>Effect of policy revision</b>	<b>Applicant would not be required to rezone</b>
----------------------------------	--



# **Board of County Commissioners**

***2012-1 Regular Cycle Staff Initiated Amendment***

**Case: 2012-1-B-FLUE-5**

---

**Scenario 2                      FLU8.2.5.1B**

---

**Future Land                      Future Land Use: Low Density Residential  
Use/Zoning                      Zoning: R-3**

---

**Requested Use      Daycare**

---

**Issues**

- Requested use is allowed in R-3
- Requested use requires a special exception in any residential zoning consistent with LDR
- Applicant is required to rezone and then get a special exception

---

**Effect of policy      Applicant would not be required to rezone, but would  
revision                      be required to get a special exception**



# **Board of County Commissioners**

***2012-1 Regular Cycle Staff Initiated Amendment***

**Case: 2012-1-B-FLUE-5**

---

<b>Scenario 3</b>	<b>FLU8.2.5.2</b>
-------------------	-------------------

---

<b>Future Land Use/Zoning</b>	<b>Future Land Use: Low Density Residential Zoning: R-CE</b>
-------------------------------	--

---

<b>Requested Use</b>	<b>Private school or church</b>
----------------------	---------------------------------

---

<b>Issues</b>	<ul style="list-style-type: none"><li>▪ The requested use requires a special exception in R-CE, as well as any residential zoning consistent with LDR</li><li>▪ Applicant is required to rezone, and then get a special exception</li></ul>
---------------	---

---

<b>Effect of policy revision</b>	<b>Applicant would not be required to rezone Applicant would be required to apply for special exception</b>
----------------------------------	---



# **Board of County Commissioners**

## ***2012-1 Regular Cycle Staff Initiated Amendment***

**Staff Recommendation: Adopt**

**LPA Recommendation: Adopt**

**Make a finding of consistency with the Comprehensive Plan;**

**Determine that the amendment is in compliance; and**

**ADOPT Amendment 2012-1-B-FLUE-5, text amendments to Policies FLU8.1.1(a) and (c) and FLU8.2.5, and new policies FLU8.2.5.1 and FLU8.2.5.2; related to inconsistent FLUM and zoning designations and the associated requirements for rezonings and special exceptions**



# **Board of County Commissioners**

## ***2012-1 Regular Cycle Staff Initiated Amendment***

---

**Case:** 2012-1-B-FLUE-6

**Request:** Text amendments to Future Land Use Element policies, and corresponding amendments to Specific Area Plan (SAP) policies for Horizon West Town Center.

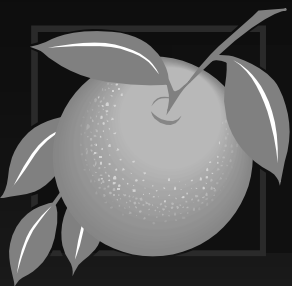
**Comprehensive Plan Policies:** FLU4.1.2, FLU4.1.3, FLU4.1.16, FLU4.8.2, FLU4.8.3, FLU4.8.4, FLU4.9.1, FLU4.9.2, FLU4.9.3, FLU4.9.4, FLU4.9.9, and Objective FLU4.13.

**Town Center SAP Policies:** 6.1.2, 6.1.3, 6.8.4, 6.9.1, 6.9.2, 6.9.5, and 6.9.9.

**District:** 1

---

[illegible]



# **Board of County Commissioners**

*2012-1 Regular Cycle Staff Initiated Amendment*

**Case: 2012-1-B-FLUE-6 – Horizon West Town Center**

---

**Proposed amendments address four issues**

- **School site identification and conveyance**
- **Planning for transportation facilities**
- **Adoption of land development regulations**
- **Development entitlements and design standards**



# **Board of County Commissioners**

*2012-1 Regular Cycle Staff Initiated Amendment*

**Case: 2012-1-B-FLUE-6 – Horizon West Town Center**

---

**Amendment 1 – FLU4.1.2 (SAP Policy 6.1.2)**

**Amendment 7 – FLU4.9.3 (SAP Policy 6.9.3)**

**Amendment 9 – FLU4.9.9 (SAP Policy 6.9.9)**

---

**Language added to these policies to reflect that a high school site has been provided, and the site has been rezoned to PD, as required by these and other policies.**





# **Board of County Commissioners**

*2012-1 Regular Cycle Staff Initiated Amendment*

**Case: 2012-1-B-FLUE-6 – Horizon West Town Center**

---

**Amendment 2 – FLU4.1.3 (SAP Policy 6.1.3)**

---

**Policy requires that a Master Utility and Transportation Network for Town Center be adopted before PD approval.**

## **Revisions:**

- **Institutes a Unified Neighborhood Plan (UNP) requirement for Town Center properties**
- **Requires that public utilities and major transportation facilities be addressed in the UNP**
- **Requires these UNPs be adopted prior to (or in conjunction with) approval of Planned Development applications**



# **Board of County Commissioners**

*2012-1 Regular Cycle Staff Initiated Amendment*

**Case: 2012-1-B-FLUE-6 – Horizon West Town Center**

---

**Amendment 3 – FLU4.1.16**

---

**Policy references development of a Code for Horizon West. A Village Code has already been adopted, but Town Center will have its own code.**

## **Revisions:**

- **FLU4.1.6 has been renumbered to FLU4.1.16.1, and references to Town Center are removed from the policy.**
- **New Policy FLU4.1.16.2 addresses a code for Town Center. Policy requires that the code be adopted before Unified Neighborhood Plans or PD-LUPs are approved. (The code is currently under development.)**



# **Board of County Commissioners**

***2012-1 Regular Cycle Staff Initiated Amendment***

**Case: 2012-1-B-FLUE-6 – Horizon West Town Center**

---

**Amendment 4 – FLU4.8.2 (SAP Policy 6.8.2)**

---

**Policy describes Town Center Land Use Districts: *Urban Residential, Corporate Campus Mixed Use, Corporate Neighborhood Center, Retail/Wholesale, and Traditional Town Center.***

## **Revisions:**

- **Clarifies uses allowed in certain districts.**
- **Adds an *Open Space* district to facilitate coordinated master stormwater management / low impact design (LID) solutions.**



# **Board of County Commissioners**

*2012-1 Regular Cycle Staff Initiated Amendment*

**Case: 2012-1-B-FLUE-6 – Horizon West Town Center**

---

**Amendment 5 – FLU4.8.3 (SAP Policy 6.8.3)**

**Amendment 6 – FLU4.8.4 (SAP Policy 6.8.4)**

---

**Policy revisions clarify that projects will submit a Unified Neighborhood Plan (UNP) and will adhere to the UNP and the Town Center Code.**



# **Board of County Commissioners**

*2012-1 Regular Cycle Staff Initiated Amendment*

**Case: 2012-1-B-FLUE-6 – Horizon West Town Center**

---

**Amendment 8 – FLU4.9.4 (SAP Policy 6.9.4)**

---

**Policy addresses conveyance of an elementary school site for Town Center**

## **Revisions:**

- **Acknowledges Policy FLU4.6.3 (excess capacity in Bridgewater schools will serve Town Center Neighborhoods 1 and 2), which provides for an alternative means of satisfying the requirement for these Town Center neighborhoods.**
- **Neighborhood 1 and 2 property owners must still meet the Adequate Public Facilities requirement for an elementary school within the Town Center.**



# **Board of County Commissioners**

*2012-1 Regular Cycle Staff Initiated Amendment*

**Case: 2012-1-B-FLUE-6 – Horizon West Town Center**

---

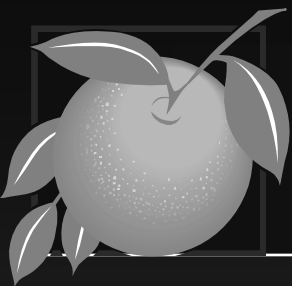
**Amendment 10 – Objective FLU4.8.3**

---

**Objective addresses required transportation improvements for Town Center.**

## **Revisions:**

- **Correlate roadway improvements to specific Town Center neighborhoods.**
- **Update the level of service reference for CR 545 from D to E. (Rural LOS in the County is D, while urban LOS is E, according to Policy T2.1.1. CR 545 is now reflected as an urban road in the concurrency database.)**



# Board of County Commissioners

## 2012-1 Regular Cycle Staff Initiated Amendment

Case #: 2012-1-B-FLUE-6

FLU4.8.2

F. Civic, Open Space and Recreation. Although “Open space” cannot be classified as a land use district, it shall be interspersed throughout Town Center as a common thread that, when sited and designed properly, can tie serves to link adjacent land use Ddistricts, neighborhoods, land uses and residents together, creating community character, image, and identity. Open Sspaces Districts may serve include passive uses and should feature a combination be in the form of publicly accessible squares, greens, formally designed parks, and small but intensely used civic activity and special event areas, and elements of the master stormwater system. 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. However, lands associated with non-public types of civic uses that may be permitted in an Open Space District shall not count toward satisfying the non-APF requirement for civic, recreational and passive use open space. Particularly in expansive commercial sites, landscaped pedestrian plazas can provide access from public streets, through parking lots, and to individual buildings.



# **Board of County Commissioners**

***2012-1 Regular Cycle Staff Initiated Amendment***

**Staff Recommendation: Adopt**

**LPA Recommendation: Adopt**

**Make a finding of consistency with the Comprehensive Plan;**

**Determine that the amendment is in compliance; and**

**ADOPT Amendment 2012-1-B-FLUE-6, text amendments to Future Land Use Element policies and corresponding amendments to Specific Area Plan (SAP) policies for Horizon West Town Center.**





# **Board of County Commissioners**

***2012-1 Regular Cycle Staff Initiated Amendment***

---

**Case: 2012-1-B-CP-1**

**Request: Text amendment to Future Land Use Element  
Policy FLU8.8.1 (related to House Bill 7207)**

**District: Countywide**

---



# **Board of County Commissioners**

*2012-1 Regular Cycle Staff Initiated Amendment*

**Case: 2012-1-B-CP-1**

---

**Policy states that large-scale Comprehensive Plan amendments shall be considered no more than twice per year**

---

**Revisions – certain amendments can be processed more often:**

- **Staff initiated amendments**
- **Privately initiated FLUM amendments continued to a date certain at the request of the Board**



# **Board of County Commissioners**

## ***2012-1 Regular Cycle Staff Initiated Amendment***

**Staff Recommendation: Adopt**

**LPA Recommendation: Adopt**

**Make a finding of consistency with the Comprehensive Plan;**

**Determine that the amendment is in compliance; and**

**ADOPT Amendment 2012-1-B-CP-1, text amendments to Future Land Use Element Policy FLU8.8.1 regarding frequency of processing large-scale Comprehensive Plan amendments.**



# **Action Requested**

## **Regular Cycle – Ordinance**

**Make of finding of consistency with the Comprehensive Plan, determine that the amendments are in compliance, and adopt an Ordinance – consistent with today's actions – approving the proposed Comprehensive Plan Future Land Use Map and Text Amendments.**



***Board of County Commissioners***

**2012-1 Regular Cycle  
Adoption Public Hearing**

*June 19, 2012*