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**Interoffice Memorandum**

DATE: October 17, 2016

TO: Katie Smith, Deputy Clerk
Clerk of the Board of County Commissioners

THRU: Agenda Development BCC

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

CONTACT PERSON: **Alberto A. Vargas, MArch, Manager**
Planning Division
(407) 836-5354 or Alberto.Vargas@ocfl.net

SUBJECT: Request Public Hearing on November 15, 2016 at 2:00 PM

Public Hearing for Comprehensive Plan (CP) Amendments and Where Applicable, Concurrent Rezoning or Substantial Change Requests and Ordinances

ORDINANCES PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN," AS AMENDED, BY ADOPTING AMENDMENTS PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, FOR THE 2016 CALENDAR YEAR (SECOND CYCLE); AND PROVIDING EFFECTIVE DATES.

APPLICANT / AGENT: N/A

DISTRICT #: District 1, 2, 3, 4, 5, & 6

TYPE OF HEARING: Adoption of the 2016-2 Regular Cycle and 2016-2 Small-Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP) and, where applicable, concurrent rezoning or substantial change requests;

AND

Adoption of Ordinances

ESTIMATED TIME REQUIRED FOR PUBLIC HEARING: 2 minutes

November 15, 2016
@ 2pm

HEARING CONTROVERSIAL: Yes

HEARING REQUIRED BY FL STATUTE OR CODE: S. 163.3187 (1), F.S. and Section 30-40(c)(3)c, O.C. Code

ADVERTISING REQUIREMENTS: Fiscal & Operational Support Division will publish display advertisement in local newspaper of general circulation at least fifteen (15) days prior to the public hearing.

ADVERTISING TIMEFRAMES: At least fifteen (15) days prior to public hearing

APPLICANT/ABUTTERS TO BE NOTIFIED: N/A. Fiscal & Operational Support Division will send notices to all affected property owners.

SPANISH CONTACT PERSON: Para más información en español acerca de estas reuniones públicas o de cambios por ser efectuados, favor de llamar a la División de Planificación, al 407-836-5600.

MATERIALS BEING SUBMITTED AS BACKUP FOR PUBLIC HEARING REQUEST: Fiscal & Operational Support Division will provide the Clerk's Office with proof of publication the Friday prior to the Public Hearing.

Staff report binder will be provided under separate cover seven (7) days prior to Public Hearing.

SPECIAL INSTRUCTIONS TO CLERK (IF ANY): Please verify the hearing date with the Planning Division. Attached is an itemized list of the amendments and concurrent rezoning requests or substantial change requests in the order in which they will be heard.

c: Chris Testerman, AICP, Assistant County Administrator
Joel Prinsell, Deputy County Attorney, County Attorney's Office
Jon Weiss, P.E., Director, Community, Environmental, and Development Services Department
John Smogor, Planning Administrator, Planning Division
Gregory Gologowski, AICP, Chief Planner, Planning Division
Olan Hill, Chief Planner, Planning Division

2016-2 Comprehensive Plan Adoption – Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment and Concurrent Substantial Change Request

Amendment 2016-2-A-1-2 (fka 2016-1-A-1-3) District 1	Geoffrey McNeill, AGMCi, LLC, for Orange Lake Country Club, Inc.; Walkem Development Company of Knoxville, Inc.; Carson Family II, LLC; Prudential Insurance Company of America; Roi Developers I, LLC; National Retail Properties, LP; Town Center Property Owners; Association, Inc.; Wilson Land, Inc.; and 192 Ah Investors, LLC; Growth Center-Commercial (GC-C) to Growth Center-Commercial/Medium Density Residential (GC-C/MDR)
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2016-2 Comprehensive Plan Adoption – Regular Cycle Privately-Initiated Comprehensive Plan Text Amendment and Concurrent Substantial Change Request

Amendment 2016-2-P-FLUE-2 District 4	Jim Hall, VHB, Inc., for Eastmar Commons Partnership Text amendment to Future Land Use Element Policy FLU8.1.4 amending the maximum density/intensity associated with the Eastmar Commons PD's adopted Planned Development-Commercial/Medium Density Residential (PD-C/MDR) Future Land Use Map designation
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-and-

Substantial Change CDR-16-06-210	Substantial Change Request to the Eastmar Commons PD to revise PD Parcel 3 development entitlements by decreasing commercial square footage from 45,000 to 36,000, and by using a trip equivalency matrix to convert the 9,000 square feet of excess commercial into 100,000 square feet of self-storage use. The modified PD Parcel 3 development program would also continue to provide up to 380 multi-family residential dwelling units, and be limited to a maximum of 424 PM Peak Hour trips.
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2016-2 Comprehensive Plan Adoption – Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment and Concurrent Rezoning Request

Amendment 2016-2-A-5-1 (fka 2016-1-S-5-4) District 5	Thomas Sullivan for Luk Yeung, Inc., Orlando Pickett 2, LLC, and Bonne 34567, Inc. Office/Commercial/Low-Medium Density Residential (O/C/LMDR) to Planned Development-Commercial/High Density Residential (PD-C/HDR)
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-and-

Rezoning LUPA-16-06-219	R-1 (Single-Family Dwelling District) to PD (Planned Development District) (Lake Pickett Center PD) A request to add 1.56 acres to the existing PD for a total of 45.71 acres; replace 40,000 square feet of commercial and 50,000 square feet of office with 296 multi-family units; and add multi-family as a permitted use. Also requested are six (6) waivers from Orange County Code: 1) A waiver from
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	<p>Section 38-1258(a) to allow multi-family buildings that are four (4) stories and sixty (60) feet in height to be located sixty (60) feet from single-family internal to the PD, in lieu of multi-family buildings located within one hundred (100) feet of single-family zoned property shall be restricted to single story in height; 2) A waiver from Section 38-1258(b) to allow multi-family buildings that are four (4) stories and sixty (60) feet in height from single-family internal to the PD, 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 shall vary in building height with a maximum of fifty (50) percent of the buildings being three (3) stories (not to exceed forty (40) feet) in height with the remaining building being one (1) story or two (2) stories in height; 3) A waiver from Section 38-1258(c) to allow buildings that are four (4) stories and sixty (60) feet in height to be located sixty (60) feet from single-family internal to the PD, in lieu of multi-family buildings located within one hundred and fifty (150) feet of single-family zoned property shall not exceed three (3) stories (forty (40) feet) in height; 4) A waiver from Section 38-1258(d) to allow buildings that are four (4) stories and sixty (60) feet in height, in lieu of three (3) stories (forty (40) feet) in height; 5) A waiver from Section 38-1258(e) to allow parking and other paved areas for multi-family development to be within seven (7) feet of single-family zoned property, in lieu of twenty-five (25) feet, and 6) A waiver from Section 38-1258(g) to allow an access from a right-of-way serving a single-family residential development.</p>
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2016-2 Comprehensive Plan Adoption – Regular Cycle Staff-Initiated Text and Future Land Use Map Amendments	
Amendment 2016-2-B-FLUE-2 Countywide	Text amendments to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County
Amendment 2016-2-B-CP-1 District 1	Text amendments to the Future Land Use Element, amending selected objectives and policies of Goal FLU4, Horizon West, and amendment of Map 2, Horizon West Specific Area Plan, of the Future Land Use Map Series
Amendment 2016-2-B-TRAN-1 Countywide	Text amendments to the Transportation Element to address pedestrian safety
Amendment 2016-2-B-TRAN-2 Countywide	Text and map amendments to the Transportation Element to update the Long Range Transportation Plan

Amendment 2016-2-B-CP-2 Countywide	Text amendments to the Transportation Element and Future Land Use Element to address transportation and land use coordination for freight
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2016-2 Comprehensive Plan Adoption – Regular Cycle State-Coordinated Review Comprehensive Plan Amendments Ordinance

2016-2 Comprehensive Plan Adoption – Small-Scale Development Privately-Initiated Amendments, and Where Applicable, Concurrent Rezoning Requests	
Amendment 2016-2-S-2-1 District 2	Mark Evans for Directions Fellowship, Inc. Low Density Residential (LDR) to Commercial (C)
	-and-
Rezoning RZ-16-10-020	R-1 (Single-Family Dwelling District) to C-1 (Retail Commercial District)
Amendment 2016-2-S-2-2 District 2	Kendell Keith, Oak Hill Planning Studio, for Bruce R. Fitzgerald Industrial (IND) to Commercial (C)
	-and-
Rezoning RZ-16-10-024	I-2/I-3 (Industrial District) to C-1 (Retail Commercial District)
Amendment 2016-2-S-2-4 District 2	John Rollas Low Density Residential (LDR) to Medium Density Residential (MDR)
	-and-
Rezoning RZ-16-10-022	R-2 (Residential District) to R-3 (Multiple-Family Dwelling District)
Amendment 2016-2-S-3-1 District 3	Major Stacy, B&S Engineering Consultants, LLC, for JKS Holdings of Central Florida, LLC Medium Density Residential (MDR) to Commercial (C)
Amendment 2016-2-S-4-1 District 4	Jean Abi-Aoun, P.E., Florida Engineering Group, Inc., for John R. Hefferan Jr. and Marilyn P. Hefferan, Patrick H. Dang, and Angel N. Ho Rural Settlement 1/2 (RS 1/2) to Planned Development-Office (PD-O)
	-and-
Rezoning LUP-16-06-223	R-CE (Country Estate District) to PD (Planned Development District) (Orlando Medical Office Center PD) to allow up to 24,000 square feet of medical office uses

Amendment 2016-2-S-4-2 District 4	Jerri O'Barr for Jerri C. O'Barr, Thurston W. and Shirley A. Squires Charitable Remainder Trust Low-Medium Density Residential (LMDR) to Commercial (C)
	-and-
Rezoning RZ-16-10-023	A-2 (Farmland Rural District) and C-1 (Retail Commercial District) to C-1 (Retail Commercial District)
Amendment 2016-2-S-4-3 District 4	Maxwell Spann, Land Image Consulting, for Ruben Gomez Low-Medium Density Residential (LMDR) to Commercial (C)
	-and-
Rezoning RZ-16-10-025	R-1A (Single-Family Dwelling District) to C-1 (Retail Commercial District)
Amendment 2016-2-S-4-4 District 4	Stephen Allen, P.E., Civil Corp Engineering, Inc., for Scott N. Pierson and Roxanne Pierson Rural Settlement 1/2 (RS 1/2) to Planned Development-Commercial (PD-C)
	-and-
Rezoning LUP-16-06-229	R-CE (Country Estate District) to PD (Planned Development District) (Nona Center PD) to allow up to 27,300 square feet of P-O & C-1 uses, with the following waiver requested: 1) A waiver from Section 38-1272(a)(5) to allow for a maximum height of 3-stories/45 feet in lieu of 35 feet when within a distance of 100 feet from residential property.
Amendment 2016-2-S-6-1 District 6	Stacy Banach for Central Park Shopping Plaza, LLC Industrial (IND) to High Density Residential (HDR) (Senior Housing)
	-and-
Rezoning RZ-16-10-026	I-2/I-3 (Industrial District) to R-3 (Multiple-Family Dwelling District)
Amendment 2016-2-S-6-2 District 6	Walter R. Persaud for R & A Investments of Orlando, Inc. Low Density Residential (LDR) to Commercial (C)
	-and-
Rezoning RZ-16-10-029	R-1 (Single-Family Dwelling District) to C-2 (General Commercial District)

2016-2 Comprehensive Plan Adoption – Small-Scale Staff-Initiated Text Amendments

Amendment 2016-2-S-FLUE-1 Countywide	Text amendments to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County
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Amendment 2016-2-S-FLUE-2 Countywide	Text amendment to Future Land Use Element Policy FLU1.2.4 regarding allocation of additional lands to the Urban Service Area (USA)
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2016-2 Comprehensive Plan Adoption – Small-Scale Development Ordinance

2016-1 Comprehensive Plan Adoption – Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment and Concurrent Rezoning Request	
Amendment 2016-1-A-5-1 (fka 2015-1-A-5-2 & 2014-2-A-5-2) District 5	Sean Froelich, Columnar Holdings, LLC, for Rolling R. Ranch LTD; Mary R. Lamar; Eloise A. Rybolt Revocable Trust; and Lake Pickett North, LLC Rural (R) to Lake Pickett (LP) (a proposed new Future Land Use designation)
	-and-
Rezoning LUP-16-07-246	A-2 (Farmland Rural District) and R-CE (Country Estate District) to Sustany PD-RP (Planned Development-Regulating Plan) The Sustany PD-RP is proposing a maximum of 1,999 residential dwelling units, a fire station, community parks, and an elementary or K-8 public school.

2016-2 Comprehensive Plan Adoption – Regular Cycle State-Expedited Review Comprehensive Plan Amendments Ordinance

ORDINANCE NO. 2017-_____

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

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

Section 1. Legislative Findings, Purpose, and Intent.

a. Part II of Chapter 163, Florida Statutes, sets forth procedures and requirements for
a local government in the State of Florida to adopt a comprehensive plan and amendments to a
comprehensive plan;

b. Orange County has complied with the applicable procedures and requirements of
Part II of Chapter 163, Florida Statutes, for amending Orange County’s 2010-2030
Comprehensive Plan;

c. On October 28, 2016, the Orange County Local Planning Agency (“LPA”) held a
public hearing on the adoption of the proposed amendments to the Comprehensive Plan as
described in this ordinance;

d. On November 15, 2016, the Orange County Board of County Commissioners
(“Board”) held a public hearing on the adoption of the proposed amendment as described in this
ordinance, and decided to continue the hearing on the adoption to January 24, 2017; and

e. On January 24, 2017, the Board held a public hearing on the adoption of the proposed amendment as described in this ordinance, and decided to adopt the proposed amendment.

Section 2. Authority. This ordinance is adopted in compliance with and pursuant to Chapter 163, Florida Statutes.

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

Section 4. Effective Dates for Ordinance and Amendments.

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

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

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

ADOPTED THIS 24th DAY OF JANUARY, 2017.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Teresa Jacobs
Orange County Mayor

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

By: _____
Deputy Clerk

APPENDIX “A”

FUTURE LAND USE MAP AMENDMENTS

<i>Appendix A *</i>		
<i>Privately Initiated Future Land Use Map Amendments</i>		
Amendment Number	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:
2016-2-S-6-2	Low Density Residential (LDR)	Commercial (C)
.The Future Land Use Map (FLUM) shall not depict the above designations until such time as they become effective.		