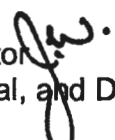




Interoffice Memorandum

March 28, 2017

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

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

CONTACT PERSON: John Smogor, Planning Administrator
PHONE NUMBER: 407-836-5616

SUBJECT: April 11, 2017- First of Two Public Hearings
Ordinance Amending Chapter 38 ("Zoning")
Public School Siting Regulations

At 5:01 p.m. on April 11, 2017, the Board of County Commissioners (BCC) will hold the first of two public hearings to consider amending Chapter 38 (Article XVIII) of the Orange County Code, relating to Public School Siting. The second public hearing is scheduled for April 25, 2017 at 2:00 p.m.

On April 5, 2016, the BCC held a work session on public school siting and gave direction to move forward with amendments. The attached amendments have been developed in coordination and consultation with the Orange County Public Schools (OCPS) staff.

In summary, the attached draft Ordinance includes the following changes:

- Modifies zoning categories where schools are permitted or are a special exception,
- Prohibits new high schools in rural settlements,
- Reduces the minimum acreage requirements for school types,
- Modifies school locations and site development criteria,
- Adds signage requirements, and
- Includes site standards for large charter schools and traditional public schools with smaller student capacity.

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April 11, 2017- First of Two Public Hearings

Ordinance Amending Chapter 38 ("Zoning") Public School Siting Regulations

On February 16, 2017, the Planning and Zoning Commission/Local Planning Agency (PZC/LPA) held a public hearing and found the proposed ordinance consistent with the Comprehensive Plan, subject to a few minor revisions and clarifications. Attached is a March 27, 2017, memorandum from the chairperson of the PZC/LPA outlining its recommended changes.

In addition, OCPS held a work session on February 23, 2017 to review the proposed ordinance. Based on this work session additional changes have been included in the draft ordinance related to locational criteria for high schools and a required five-year review of the regulations.

Attached is the draft ordinance dated 03/20/17, including Appendix "A", changes to Sec. 38-77 Use Table. The additional changes reflecting the changes recommended by the PZC/LPA at its February 16, 2017, public hearing and by OCPS at its February 23, 2017, work session are shaded in gray.

ACTION REQUESTED: No Action Required Until the Second and Final Public Hearing on April 25, 2017 at 2:00 p.m. All Districts

JVW/JS


Attachments: Draft Ordinance Dated 03/20/17, including Appendix "A"
P&Z Recommendation Memo



MEMORANDUM

March 27, 2017

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

FROM: JaJa J. Wade, Chairperson 
Planning and Zoning Commission (PZC)

SUBJECT: Public School Siting Ordinance Update

On February 16, 2017, the Planning and Zoning Commission (PZC) held a public hearing regarding an update to the Public School Siting Ordinance found in Orange County Code Chapter 38. The primary purpose of the Ordinance update is to:

- Modify zoning categories where schools may be permitted outright or through the Special Exception process;
- Prohibit high schools in rural settlements;
- Reduce the minimum acreage requirements for school categories;
- Modify school locations and site development criteria;
- Add signage requirements; and
- Include site standards for charter schools and public schools with similar student capacity

Following lengthy public testimony and discussion regarding the proposed ordinance, the PZC made a finding of consistency with the Comprehensive Plan, and recommended **APPROVAL** of the ordinance, subject to the following revisions:

- 1) Striking the word "solely" from the second sentence of subsection 38-1751(g), which previously stated that *"A PD that is comprised solely of a school shall not be required to be platted as a condition of development or otherwise but may be platted at the option of the School Board."*

- 2) Striking the words "arterial roads" from the types of roads that middle schools, K-8 schools, and free-standing ninth grade centers should be located on, as described in subsection 38-1753(c) (School Site Guidelines);
- 3) Adding language to subsection 38-1755(g)(3) (School Site Standards / Access Requirements) to clarify that pursuant to Section 1006.23, Florida Statutes ("Gabby's Law for Student Safety"), the County will contact the State to ask that funds be allocated to correct any hazardous walking condition affecting any public elementary school student, whenever the condition is determined to exist along a road over which the County has jurisdiction, and after the district school superintendent or his/her designee requests a position statement from the County with respect to correction of such condition. Such funds may be used on an interim basis until such time that the correction is included in the next annual 5-year transportation work program and, if so, when the correction of the condition is completed.
- 4) Adding language to allow roundabouts as an acceptable alternative to traffic signals and turn lane improvements, when used to ensure the safety and security of students and school facilities.

c: Planning and Zoning Commission
Jon V. Weiss, P.E., Director, CEDS Department
Alberto V. Vargas, Manager, Planning Division