



ORANGE COUNTY

PLANNING DIVISION

2018-2-C-FLUE-1

RURAL RESIDENTIAL ENCLAVES

BOARD OF COUNTY COMMISSIONERS

JULY 10, 2018

ADOPTION PUBLIC HEARING

PREPARED BY:

ORANGE COUNTY COMMUNITY, ENVIRONMENTAL
AND DEVELOPMENT SERVICES

PLANNING DIVISION
COMPREHENSIVE PLANNING SECTION





DATE: July 10, 2018

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners (BCC)

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

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

SUBJECT: 2018-2-C-FLUE-1 Regular Cycle Out-of-Cycle Staff-Initiated Rural Residential Enclaves Comprehensive Plan Amendment
Board of County Commissioners (BCC) Adoption Public Hearing

Please find attached a binder containing the staff report and associated back-up materials for the proposed 2018-2 Regular Cycle Out-of-Cycle Comprehensive Plan Amendment (Rural Residential Enclaves). The adoption public hearing for this amendment was conducted before the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) on June 21, 2018, and is scheduled before the Board of County Commissioners (BCC) on July 10, 2018. One staff-initiated map and text amendment to the Comprehensive Plan will be considered at the July 10 meeting.

Amendment Summary

The 2018-2 **Regular Cycle-State-Expedited** Review amendment scheduled for consideration on July 10 is a staff-initiated map and text amendment. The amendment may include changes to the Goals, Objectives, and/or Policies of the Comprehensive Plan.

The 2018-2 **Regular Cycle-State-Expedited** Review Amendment was heard by the PZC/LPA at a transmittal public hearing on February 10, 2018, and by the BCC at a transmittal public hearing on April 10, 2018. This Amendment has been reviewed by the Department of Economic Opportunity (DEO), as well as other state and regional agencies. On June 15, 2018, DEO issued a comment letter, which did not contain any concerns about the amendment undergoing the State-Expedited Review process. Pursuant to 163.3184, F.S., the proposed amendment must be adopted within 180 days of the comment letter. The Regular Cycle Amendment undergoing the State-Expedited Review process will become effective 31 days after DEO notifies the County that the plan amendment package is complete. This amendment is expected to become effective in August 2018, provided no challenges are brought forth for the amendment.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch, Manager, Planning Division, at (407) 836-5802 or Alberto.Vargas@ocfl.net or Greg Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or Gregory.Golgowski@ocfl.net.

AAV/sw

- Enc: 2018-2 Regular Cycle Out-of-Cycle Comprehensive Plan Amendment – Rural
Residential Enclaves – BCC Adoption Binder
- c: Christopher R. Testerman, AICP, Assistant County Administrator
Joel Prinsell, Deputy County Attorney
Roberta Alfonso, Assistant County Attorney
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John Smogor, Planning Administrator, Planning Division
Gregory Gologowski, AICP, Chief Planner, Planning Division
Olan D. Hill, AICP, Assistant Manager, Planning Division
Read File

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2018-2-C-FLUE-1 Out of Cycle Comprehensive Plan Amendment						
Staff Initiated Comprehensive Plan Text and Map Amendment						
Amendment Number	Sponsor	Description of Proposed Changes to the 2010-2030 Comprehensive Plan (CP)	Project Planner	Staff Rec	LPA Rec	BCC Rec
2018-2-C-FLUE-1	Planning Division	Text and map amendments to adopt Future Land Use Element Policies pertaining to Rural Residential Enclaves; designate boundaries of Rural Residential Enclaves in the Future Land Use Map Series; establish minimum lot sizes and other development guidelines within Rural Residential Enclaves; update the Zoning and Future Land Use Correlation Table; and amend Future Land Use Element policies associated with the Village Future Land Use designation.	Olan Hill	Adopt	Adopt (9-0)	
ABBREVIATIONS INDEX: IND-Industrial; C-Commercial; O-Office; LDR-Low Density Residential; LMDR-Low-Medium Density Residential; MDR-Medium Density Residential; HDR-High Density Residential; PD-Planned Development; CONS-Wetland/Conservation; PR/OS-Parks/Recreation/Open Space; OS-Open Space; R-Rural /Agricultural; RS-Rural Settlement; GC-Growth Center; V-Village; USA-Urban Service Area; WB-Water Body; CP-Comprehensive Plan; FLUM-Future Land Use Map; FLUE-Future Land Use Element; GOPS-Goals, Objectives, and Policies; OBJ-Objective; RRE-Rural Residential Enclaves; SR-State Road; AC-Acres						

2018 SECOND REGULAR CYCLE OUT-OF-CYCLE AMENDMENT RURAL RESIDENTIAL ENCLAVES

AMENDMENTS TO THE 2010-2030 COMPREHENSIVE PLAN BOARD OF COUNTY COMMISSIONERS ADOPTION BOOK

INTRODUCTION

This is the Board of County Commissioners (BCC) adoption public hearing book for the proposed Out-of-Cycle Second Regular Cycle Amendment (2018-2) to the Future Land Use Map (FLUM) and Comprehensive Plan (CP). The adoption public hearing for this amendment was conducted before the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) on June 21, 2018, and is scheduled before the BCC on July 10, 2018.

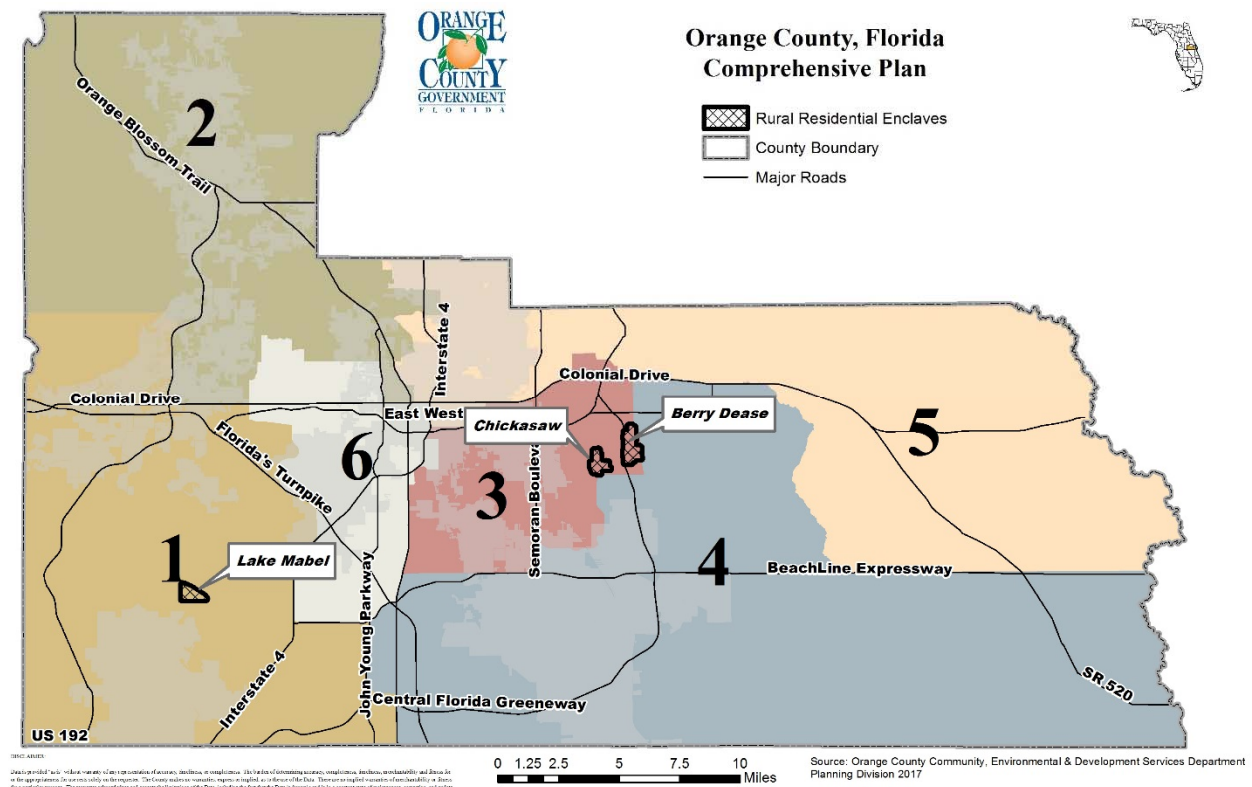
This Out-of-Cycle Regular Cycle Staff-Initiated Map and Text Amendment scheduled for BCC consideration on July 10 was heard by the PZC/LPA at a transmittal public hearing on February 15, 2018, and by the BCC at a transmittal public hearing on April 10, 2018.

The 2018-2 ***Regular Cycle-State-Expedited*** Review amendment scheduled for consideration on May 9 is a staff-initiated map and text amendment. The amendment may include changes to the Goals, Objectives, and/or Policies of the Comprehensive Plan.

The ***Regular Cycle-State-Expedited*** Review Amendment has been reviewed by the Department of Economic Opportunity (DEO), as well as other state and regional agencies. On June 15, 2018, DEO issued a comment letter, which did not contain any concerns about the amendment undergoing the State-Expedited Review process. Pursuant to 163.3184, F.S., the proposed amendment must be adopted within 180 days of the comment letter. The Regular Cycle Amendment undergoing the State-Expedited Review process will become effective 31 days after DEO notifies the County that the plan amendment package is complete. This amendment is expected to become effective in August 2018, provided no challenges are brought forth for the amendment.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch, Manager, Planning Division, at (407) 836-5802 or Alberto.Vargas@ocfl.net or Greg Gologowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or Gregory.Gologowski@ocfl.net.

2018-2-C-FLUE-1 Out of Cycle Comprehensive Plan Amendment						
Staff Initiated Comprehensive Plan Text and Map Amendment						
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2018-2-C-FLUE-1	Planning Division	Text and map amendments to adopt Future Land Use Element Policies pertaining to Rural Residential Enclaves; designate boundaries of Rural Residential Enclaves in the Future Land Use Map Series; establish minimum lot sizes and other development guidelines within Rural Residential Enclaves; update the Zoning and Future Land Use Correlation Table; and amend Future Land Use Element policies associated with the Village Future Land Use designation.	Olan Hill	Adopt	Adopt (9-0)	
ABBREVIATIONS INDEX: IND-Industrial; C-Commercial; O-Office; LDR-Low Density Residential; LMDR-Low-Medium Density Residential; MDR-Medium Density Residential; HDR-High Density Residential; PD-Planned Development; CONS-Wetland/Conservation; PR/OS-Parks/Recreation/Open Space; OS-Open Space; R-Rural /Agricultural; RS-Rural Settlement; GC-Growth Center; V-Village; USA-Urban Service Area; WB-Water Body; CP-Comprehensive Plan; FLUM-Future Land Use Map; FLUE-Future Land Use Element; GOPS-Goals, Objectives, and Policies; OBJ-Objective; RRE-Rural Residential Enclaves; SR-State Road; AC-Acres						



Schedule and outcome of public meetings and hearings:		
Report/Public Hearing		Outcome
✓	Staff Report	Recommend Transmittal
✓	LPA Transmittal (02/15/2018)	Recommend Transmittal (5-0)
✓	BCC Transmittal (04/10/2018)	Transmit (6-0)
✓	State Agency Comments (06/18/2018)	No Comments or Concerns
✓	LPA Adoption (06/21/2018)	Recommend Adoption (9-0)
	BCC Adoption (07/10/2018)	To Be Determined

Project/Legal Notice Information	
Title:	Amendment 2018-2-C-FLUE-1
Division:	Planning
Request:	Text and map amendments to adopt Future Land Use Element policies that recognize and protect existing rural neighborhoods within or in close proximity to the Urban Service Area from suburban development pressure. The amendment would designate boundaries for three Rural Residential Enclaves (<i>Lake Mabel, Berry Dease, and Chickasaw</i>), establish minimum lot sizes and other development guidelines; update the Zoning and Future Land Use Correlation Table; and amend policies associated with the Village Future Land Use designation.
Revisions:	Prior to the LPA adoption hearing, Policy FLU2.5.4 was revised to address the ability to develop single-family homes on existing legally-created parcels with less than the minimum acreage required by the Policy. In addition, three (3) parcels and approximately 10 acres located south of Lake Underhill Road and west of Dean Road with no vehicular access to Sunderson or Berry Dease Roads, were removed from the proposed Berry Dease Rural Residential Enclave boundary.

Local Planning Agency (LPA) Recommendation

Make a finding of consistency with the Comprehensive Plan; determine that the proposed text and map amendments are in compliance, and recommend **ADOPTION** of proposed amendment 2018-2-C-FLUE-1 related to ***Rural Residential Enclaves***.

A. Background Information

Orange County is at the center of a highly dynamic region that has become one of the world's leading destinations since the 1970s. Over that period, many rural or semi-rural neighborhoods have transitioned into urban or suburban neighborhoods, while others have maintained their historic rural development patterns.

Some of these rural neighborhoods are located within or in close proximity to the Orange County Urban Service Area (USA) boundary and can be considered as ***"Rural Residential Enclaves"***. They are characterized as single-family neighborhoods with a homogenous and stable pattern of development, fairly defined geographic boundaries, and very low residential densities that are commonly associated with rural settings. The intent of the proposed amendment is to recognize and protect these existing rural neighborhoods from suburban development pressure that is otherwise encouraged by the County's existing development framework and urban infill policies.

B. Summary of Proposed Change

Through this amendment, certain areas or neighborhoods within unincorporated Orange County would be designated ***Rural Residential Enclaves***, and a set of supporting Comprehensive Plan policies would be adopted. More specifically, ten (10) Future Land Use Element (FLUE) Objectives and Policies (OBJ FLU2.5; FLU2.5.1 - FLU2.5.7; FLU4.1.9, and FLU8.1.1) that support and preserve the character of designated Rural Residential Enclaves are proposed. The Board of County Commissioners (BCC) previously transmitted the amendment to the Florida Department of Economic Opportunity (DEO) for further review on April 10, 2018. Some of the proposed Comprehensive Plan (CP) provisions specifically address new minimum lot size requirements within the designated Lake Mable Enclave in District 1, and the Berry Dease and Chickasaw Enclaves in District 3.

These proposed policies also establish a definition for Rural Residential Enclaves, thus providing guidance on to elected officials, staff, and residents. They also outline the requirements of the designation and state that the creation of new Rural Residential Enclaves must be initiated by the Board of County Commissioners (BCC), or by County Staff in coordination with the BCC, with notice to and participation from property owners and local residents.

The standard development pattern within Rural Residential Enclaves consists of single-family residential dwelling units with minimum lot sizes as defined in individual neighborhood maps set forth in **Future Land Use Map Series, Maps 25(a) through 25(c)**. Proposed policy language also prohibits the clustering of residential units in order to create smaller lots than what is prescribed by the policies.

Policy FLU2.5.6 provides clarifying language regarding consistency between the Low-Density Residential Future Land Use Designation (LDR), and uses permitted under the R-CE, A-1, and A-2 Districts.

Policy FLU2.5.7 outlines additional guidance regarding certain critical elements that define “rural character”, including fencing and frontages, local corridors, and compatibility with established agricultural uses or activities. This policy also prohibits the establishment of new gated developments within Rural Residential Enclaves.

Modifications to **Policy FLU4.1.9** are proposed to allow R-CE (Rural County Estate) development standards within the Lake Mabel Rural Residential Enclave, as opposed to the one dwelling unit per 10-acre development provisions of areas designated “Village” on the Future Land Use Map (FLUM) and located within the Horizon West Study Area.

Finally, the Zoning and Future Land Use Correlation table of **Policy FLU8.1.1** is being amended to establish consistency between existing Rural Residential Enclave zoning districts and underlying Future Land Use Map (FLUM) designations. The proposed Zoning and Future Land Use Correlation Table also directs the reader to the appropriate Maps and Policies for supplemental information.

Since the Board of County Commissioners (BCC) transmittal public hearing on April 10, 2018, two additional changes have been incorporated into the amendment. The first change involves added language to Policy FLU2.5.4 to clarify that an undeveloped parcel of property that was legally created and recorded in the Public Records of Orange County prior to the effective date of this amendment, and which meets all other applicable laws and regulations, shall be entitled to develop a single family residential structure. The second change involves the proposed Berry Dease Rural Residential Enclave boundary, where 3 parcels and approximately 10 acres located south of Lake Underhill Road and west of Dean Road have been removed due to their isolation from the core enclave area, and because of no existing vehicular access to Sunderson or Berry Dease Roads.

C. Proposed Policy Amendments

Listed below are the new or revised policies proposed through this amendment. Affected language is shown in underline/strikethrough format, with asterisks (***) representing breaks between unchanged policies. Policy revisions by the LPA or staff since the April 10, 2018 BCC transmittal public hearing are shown in double underline format.

Future Land Use Element Goals, Objectives and Policies

OBJ FLU2.5 **RURAL RESIDENTIAL ENCLAVES play a critical role in supplying a variety of lifestyles and housing choices that foster rich, diverse and vibrant places. The County shall continue to support these rural residential neighborhoods by addressing local compatibility challenges while promoting context-sensitive community planning solutions.**

FLU2.5.1 **Rural Residential Enclaves** are generally described as established neighborhoods with a homogeneous and stable ~~rural low density~~ residential development pattern; well-defined or fairly defined geographic boundaries; and the presence of historic, physical, environmental, regulatory, or other site-specific constraints. Rural Residential Enclaves may also reflect other rural characteristics, despite being located in the Urban Service Area (USA), or in close proximity to designated urban growth areas.

FLU2.5.2 The following Rural Residential Enclaves are hereby established, with boundaries defined on Maps 25(a) through 25(c) of the Future Land Use Map Series:

- a) Lake Mabel Rural Residential Enclave
- b) Berry Dease Rural Residential Enclave
- c) Chickasaw Rural Residential Enclave

FLU2.5.3 Rural Residential Enclave designations must be initiated by the Board of County Commissioners (BCC), or by County staff, in coordination with the BCC. Comprehensive Plan Amendment(s) shall be required for all new designations, or changes to existing enclaves, with boundaries incorporated into the Future Land Use Map Series.

FLU2.5.4 Properties within Rural Residential Enclaves shall be subject to the minimum net developable land area* requirements and corridor guidelines as specified below, and as depicted on Maps 25(a) through 25(c) of the Future Land Use Map Series.

<u>Rural Residential Enclave</u>	<u>Min. Net Developable Land Area Requirement*</u>	<u>Identified Rural Residential Corridors</u>	<u>FLU Map Reference</u>
<u>Lake Mabel</u>	<u>1.0 Ac. Min.</u>	<u>None</u>	<u>25(a)</u>
<u>Berry Dease</u>	<u>2.0 Ac. Min.</u>	<u>Berry Dease Road</u> <u>Sunderson Road</u> <u>Gregory Road</u>	<u>25(b)</u>
<u>Chickasaw</u>	<u>1.0 Ac. Min.</u>	<u>S. Chickasaw Trail</u> <u>Chickasaw Farms Lane</u>	<u>25(c)</u>

* Minimum Net Developable Land Area As defined in Policy FLU1.1.2(c).

An undeveloped parcel of property that was legally created and recorded in the Public Records of Orange County prior to [insert effective date here], and which meets all other applicable laws and regulations, shall be entitled to develop a single family residential structure on such parcel without further board action regardless of whether such parcel meets the minimum net developable land area requirements of this Policy.

FLU2.5.5 Clustering of residential units to accommodate smaller lot sizes than as prescribed by Policy FLU2.5.4 shall be prohibited.

FLU2.5.6 Pursuant to and ~~Consistent with~~ Policy FLU8.1.1(a) and Section 38-77, Orange County Code, ~~any uses permitted by right or by Special Exception in the respective zoning district of a property within a Rural Residential Enclave shall be permitted by right or Special Exception, permitted with conditions, or prohibited, in accordance with the zoning district in which the property is located may be considered.~~

FLU2.5.7 To protect and enhance existing rural character, the following requirements and guidelines shall apply to all new development or redevelopment within Rural Residential

Enclaves:

- a) Gated subdivisions shall be prohibited within Rural Residential Enclaves, except where those rights have been vested.
- b) Built forms commonly associated with suburban development, such as ‘themed’ subdivisions, entryway monuments, geometric or layered landscaping forms, or similar design elements shall be prohibited.
- c) Continuous masonry walls shall be prohibited along frontages of Identified Rural Residential Corridors, as specified by Policy FLU2.5.4.
- d) The existing character of Identified Rural Residential Corridors should be preserved and/or enhanced. Examples of character-defining elements include, but are not limited to:
 - i. Agriculture, croplands, pastures, rural open spaces, thickets of trees and bushes, hedgerows, natural topography, and other natural elements.
 - ii. Rural fencing, such as split-rail, paddock, picket, rustic timber, barbed wire, wire meshes or panels, livestock fences, or similar styles and materials.
 - iii. Narrow streets, often containing no more than two vehicular lanes, grass shoulders, and limited or absent lane striping.
 - iv. Drainage swales or other open stormwater systems, and the absence of curb-and-gutter systems.
 - v. Shared use of Right-of-Way by motorists, pedestrians, cyclists, and horses.
 - vi. Single-family residential frontages, often characterized by an organic distribution of homes and auxiliary structures, with large front setbacks, narrow residential driveways, and alternative paving materials.
 - vii. Shade trees, continuous street canopy, and scattered clusters of natural landscaping.

FLU4.1.9 Beyond the approved boundaries of the six Villages, ~~the property in the properties with the Village~~ Land Use Classification shall maintain the future land use designation existing prior to the Village Land Use Classification Amendment (i.e., Rural: 1 dwelling unit per 10 acres, Conservation, Rural Settlement), except for those projects that are vested, or properties within designated Rural Residential Enclaves (FLU2.5.2), where a property’s existing zoning district standards may be applied. All applications for development approval (i.e. lot splits, special exceptions, variances, etc.) on any property within the Village Land Use Classification shall be reviewed on a case-by-case basis ~~for~~ to determine

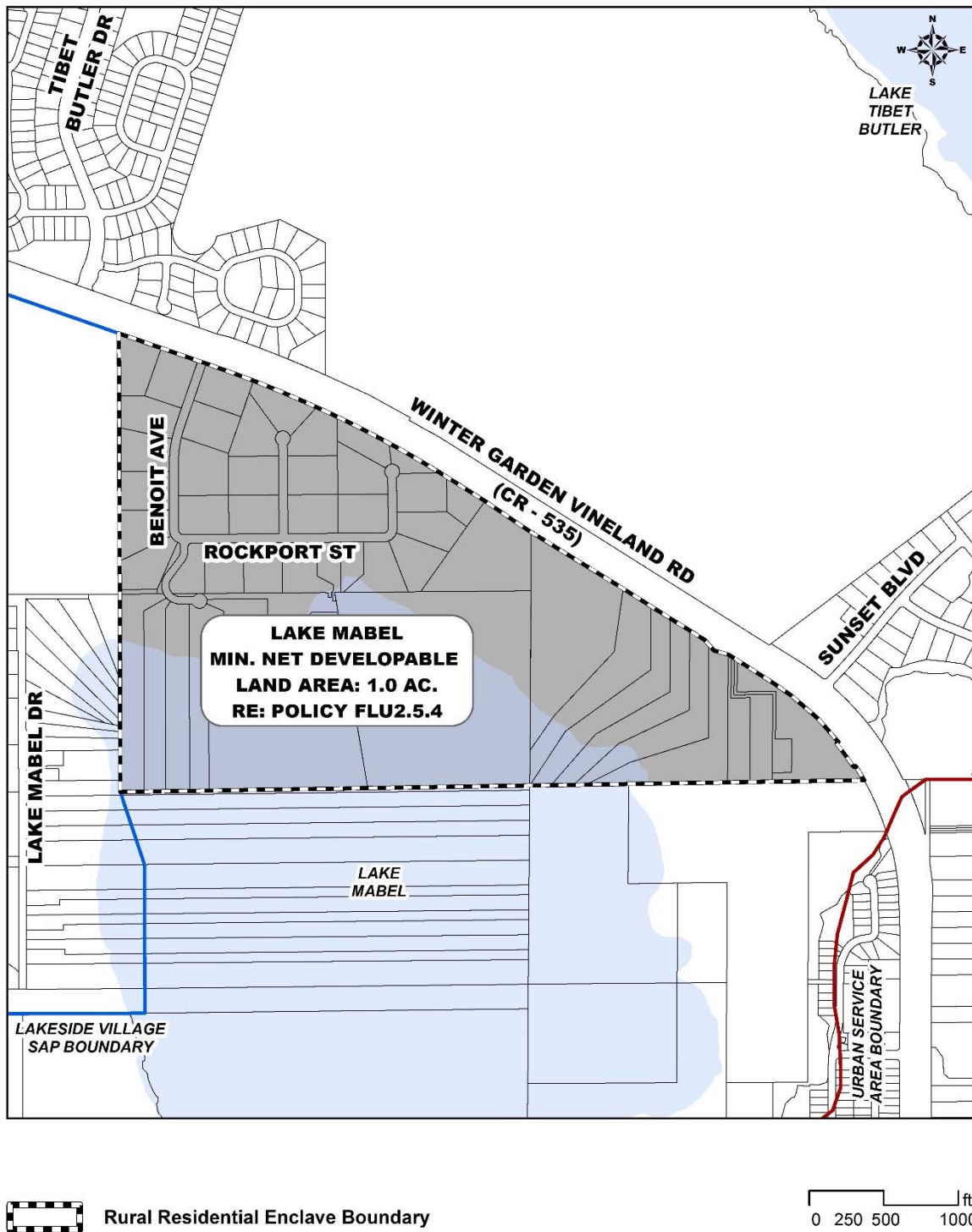
the effects of such development approval on adopted Villages.

FLU8.1.1 (a) The following 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 and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(C). Orange County's **Zoning and Future Land Use Correlation** is referenced herein as follows:

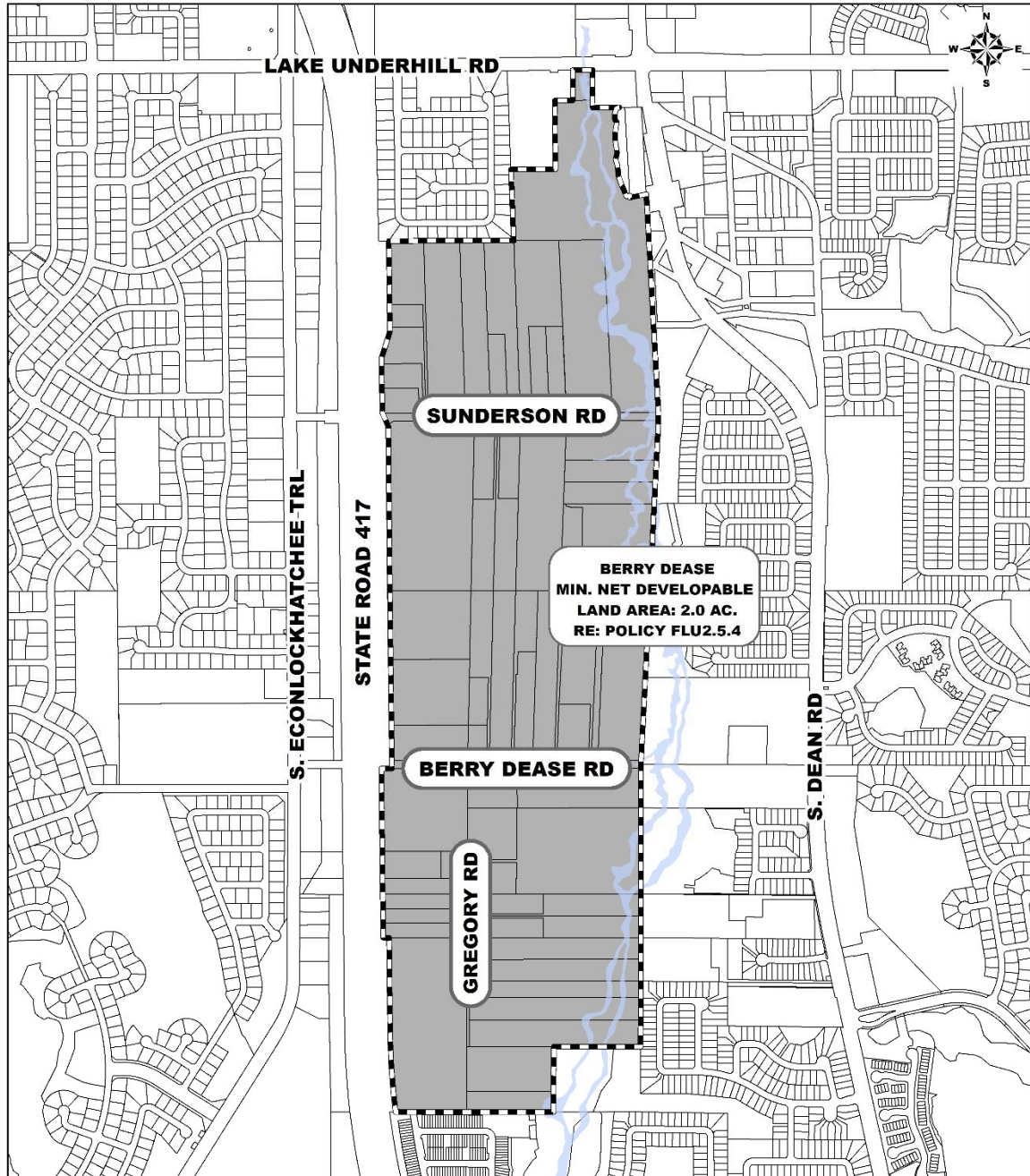
Zoning and Future Land Use Correlation		
<i>FLUM Designation</i>	<i>Density/Intensity</i>	<i>Zoning Districts</i>
Urban Residential		
Low Density Residential (LDR)	(0 to 4 du/ac)	A-1*, A-2*, R-CE*, R-1, R-2**, R-1A, R-1AA, R-1AAA, R-1AAAA, R-T-1, R-T-2, R-L-D, PD, U-V * R-CE is not available as a rezoning request in USA.
***	***	***
Area Specific		
***	***	***
Village Classification (V) (Horizon West)	See: SAP See: Policy FLU4.1.9	PD within adopted <u>Village Boundary or conventional zoning districts within a Rural Residential Enclave. (See below) Specific Area Plan (SAP)</u> Densities and Intensities determined at PD based on the adopted SAP.
***	***	***
<u>Rural Residential Enclave (FLUM designation varies)</u>	<u>See Objective OBJ2.5, related sub-policies, and Maps 25(a) through 25(c) of the Future Land Use Map Series</u>	<u>PD, R-CE, A-1, A-2, A-R, R-1A, R-1AA (see: Maps 25(a) through 25(c) of the Future Land Use Map Series for minimum area requirements and location of Identified Rural Residential Corridors)</u>
***	***	***
Rural		
***	***	***

Zoning and Future Land Use Correlation		
FLUM Designation	Density/Intensity	Zoning Districts
* Rural Settlement only. * <u>(1) R-CE districts are consistent with the LDR designation only when located in a Rural Settlement or Rural Residential Enclave. (2) A-1 and A-2 districts are also consistent with the LDR designation only when located in a Rural Residential Enclave. (3) Within the Urban Service Area (USA), rezoning requests to R-CE, A-1, and A-2 shall only be allowed for properties located in a Rural Residential Enclave.</u> ** Limited to 4 dwelling units per acre. *** Consistent with FLU6.2.3. General Notes: a) Note: As of adoption of the 2030 update, the CVC FLUM designation no longer will be available as a FLUM request. Existing CVC-designated properties shall not be considered inconsistent as a result of this change. See FLU8.5.8. b) Note: Please see Refer to FLU8.2.5, FLU8.2.5.1, and FLU8.2.5.2 to determine whether a rezoning is required prior to a special exception, or to determine whether a rezoning is required in specific cases of inconsistent zoning and future land use. c) Note: Consistency of A-1, A-2 and A-R zoning districts with a Rural Settlement FLUM designation is limited to: residential uses permitted by right or by special exception approval; and, non-residential uses requiring approval by special exception and which are common to all zoning districts consistent with a Rural Settlement FLUM designation. A use that is not common to all listed districts is not consistent with a Rural Settlement designation. d) Note: Uses that may be permitted in a Planned Development zoning district are limited to those uses permitted by right or by special exception approval for districts consistent with the specific FLUM designation.		

Map 25(a) of Future Land Use Map Series
Lake Mabel Rural Residential Enclave



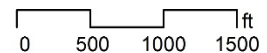
Map 25(b) of Future Land Use Map Series
Berry Dease Rural Residential Enclave



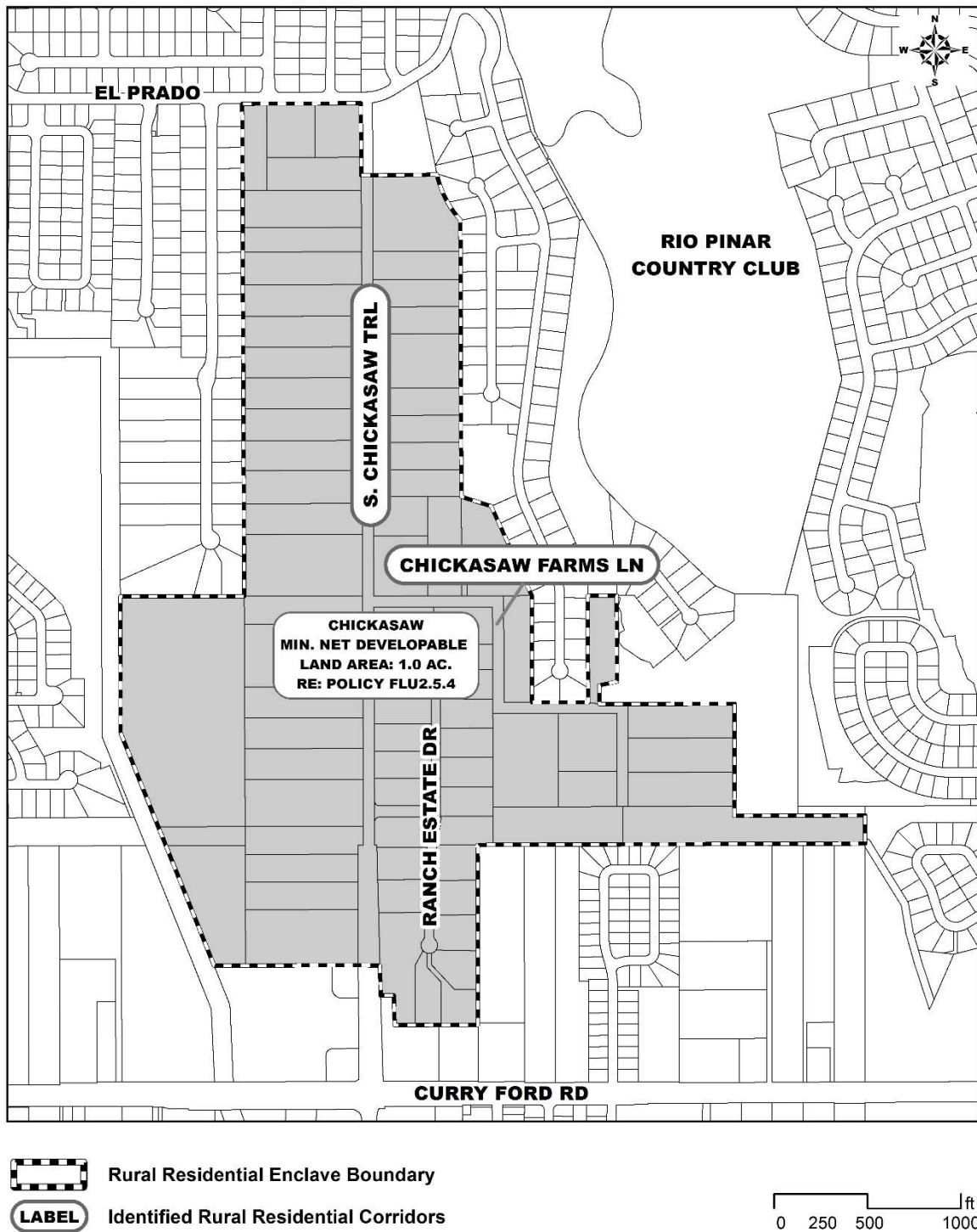
Rural Residential Enclave Boundary



Identified Rural Residential Corridors - Re: Policy FLUE2.5.7 (c)



Map 25(c) of Future Land Use Map Series
Chickasaw Rural Residential Enclave



ORDINANCE NO. 2018-_____

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
AMENDMENTS PURSUANT TO SECTION 163.3184(3),
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 February 15, 2018, the Orange County Local Planning Agency (“LPA”) held a
public hearing on the transmittal of the proposed amendments to the Comprehensive Plan, as
described in this ordinance; and

d. On April 10, 2018, the Orange County Board of County Commissioners (“Board”) held a public hearing on the transmittal of the proposed amendments to the Comprehensive Plan,
as described in this ordinance; and

e. On June 15, 2018, the Florida Department of Economic Opportunity (“DEO”) issued a letter to the County relating to the DEO’s review of the proposed amendments to the Comprehensive Plan, as described in this ordinance; and

f. On June 21, 2018, the LPA held a public hearing at which it reviewed and made recommendations regarding the adoption of the proposed amendments to the Comprehensive Plan as described in this ordinance; and

g. On July 10, 2018, the Board held a public hearing on the adoption of the proposed amendments to the Comprehensive Plan as described in this ordinance, and decided to adopt them.

Section 2. Authority. This ordinance is adopted in compliance with and pursuant to Part II of 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 designations as described at **Appendix “A,”** attached hereto and incorporated herein.

Section 4. Amendments to the Text of the Future Land Use Element. The Comprehensive Plan is hereby further amended by amending the text of the Future Land Use Element to read as follows, with underlines showing new numbers and words, and strike-throughs indicating repealed numbers and words. (Words, numbers, and letters within brackets identify the amendment number and editorial notes, and shall not be codified.)

* * *

[Amendment 2018-2-C-FLUE-1:]

OBJ FLU2.5 RURAL RESIDENTIAL ENCLAVES play a critical role in supplying a variety of lifestyles and housing choices that foster rich, diverse and vibrant places. The County shall continue to support these rural residential neighborhoods by addressing local compatibility challenges while promoting context-sensitive community planning solutions.

POLICIES

FLU2.5.1 **Rural Residential Enclaves** are generally described as established neighborhoods with a homogeneous and stable rural residential development pattern; well-defined or fairly defined geographic boundaries; and the presence of historic, physical, environmental, regulatory, or other site-specific constraints. Rural Residential Enclaves may also reflect other rural characteristics, despite being located in the Urban Service Area (USA), or in close proximity to designated urban growth areas.

FLU2.5.2 The following Rural Residential Enclaves are hereby established, with boundaries defined on Maps 25(a) through 25(c) of the Future Land Use Map Series:

- a) Lake Mabel Rural Residential Enclave
- b) Berry Dease Rural Residential Enclave
- c) Chickasaw Rural Residential Enclave.

FLU2.5.3 Rural Residential Enclave designations must be initiated by the Board of County Commissioners (BCC), or by County staff, in coordination with the BCC. Comprehensive Plan Amendment(s) shall be required for all new designations, or changes to existing enclaves, with boundaries incorporated into the Future Land Use Map Series.

FLU2.5.4 Properties within Rural Residential Enclaves shall be subject to the minimum net developable land area* requirements and corridor guidelines as specified below, and as depicted on Maps 25(a) through 25(c) of the Future Land Use Map Series.

<u>Rural Residential Enclave</u>	<u>Minimum Net Developable Land Area Requirement*</u>	<u>Identified Rural Residential Corridors</u>	<u>FLU Map Reference</u>
<u>Lake Mabel</u>	<u>1.0 Ac. Min.</u>	<u>None</u>	<u>25(a)</u>
<u>Berry Dease</u>	<u>2.0 Ac. Min.</u>	<u>Berry Dease Road Sunderson Road Gregory Road</u>	<u>25(b)</u>
<u>Chickasaw</u>	<u>1.0 Ac. Min.</u>	<u>S. Chickasaw Trail Chickasaw Farms Lane</u>	<u>25(c)</u>

*Minimum Net Developable Land Area as defined by Policy FLU1.1.2(c).

An undeveloped parcel of property that was legally created and recorded in the Public Records of Orange County prior to [insert effective date here], and which meets all other applicable laws and regulations, shall be entitled to develop a single family residential structure on such parcel without further board action regardless of whether such parcel meets the minimum net developable land area requirements of this Policy.

FLU2.5.5 Clustering of residential units to accommodate smaller lot sizes than as prescribed

by Policy FLU2.5.4 shall be prohibited.

FLU2.5.6 Pursuant to and consistent with Policy FLU8.1.1(a) and Section 38-77, Orange County Code, uses district of property within a Rural Residential Enclave shall be permitted by right or Special Exception, permitted with conditions or prohibited, in accordance with the zoning district in which the property is.

FLU2.5.7 To protect and enhance existing rural character, the following requirements and guidelines shall apply to all new development or redevelopment within Rural Residential Enclaves:

- a) Gated subdivisions shall be prohibited within Rural Residential Enclaves, except where those rights have been vested.
- b) Built forms commonly associated with suburban development, such as 'themed' subdivisions, entryway monuments, geometric or layered landscaping forms, or similar design elements shall be prohibited.
- c) Continuous masonry walls shall be prohibited along frontages of Identified Rural Residential Corridors, as specified by Policy FLU2.5.4.
- d) The existing character of Identified Rural Residential Corridors should be preserved and/or enhanced. Examples of character-defining elements include, but are not limited to:
 - i. Agriculture, croplands, pastures, rural open spaces, thickets of trees and bushes, hedgerows, natural topography, and other natural elements.
 - ii. Rural fencing, such as split-rail, paddock, picket, rustic timber, barbed wire, wire meshes or panels, livestock fences, or similar styles and materials.
 - iii. Narrow streets, often containing no more than two vehicular lanes, grass shoulders, and limited or absent lane striping.
 - iv. Drainage swales or other open stormwater systems, and the absence of curb-and-gutter systems.
 - v. Shared use of Right-of-Way by motorists, pedestrians, cyclists, and horses.
 - vi. Single-family residential frontages, often characterized by an organic distribution of homes and auxiliary structures, with large front setbacks, narrow residential driveways, and alternative paving materials.
 - vii. Shade trees, continuous street canopy, and scattered clusters of natural landscaping.

FLU4.1.9

Beyond the approved boundaries of the six Villages, ~~the property in the properties~~ with the Village Land Use Classification shall maintain the future land use designation existing prior to the Village Land Use Classification Amendment (i.e., Rural: 1 dwelling unit per 10 acres, Conservation, Rural Settlement), except for those projects that are vested, or properties within designated Rural Residential Enclaves (FLU2.5.2), where a property's existing zoning district standards may be applied. All applications for development approval (i.e. lot splits, special exceptions, variances, etc.) on any property within the Village Land Use Classification shall be reviewed on a case-by-case basis ~~for~~ to determine the effects of such development approval on adopted Villages.

FLU8.1.1

(a) The following 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 and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(C). Orange County's **Zoning and Future Land Use Correlation** is referenced herein as follows:

Zoning and Future Land Use Correlation		
<i>FLUM Designation</i>	<i>Density/Intensity</i>	<i>Zoning Districts</i>
Urban Residential		
Low Density Residential (LDR)	(0 to 4 du/ac)	<u>A-1*, A-2*, R-CE*, R-1, R-2**, R-1A, R-1AA, R-1AAA, R-1AAAA, R-T-1, R-T-2, R-L-D, PD, U-V</u> * R-CE is not available as a rezoning request in USA.
***	***	***
Area Specific		
***	***	***
Village Classification (V) (Horizon West)	See: SAP <u>See: Policy FLU4.1.9</u>	PD within adopted Village Boundary or <u>conventional zoning districts within a Rural Residential Enclave. (See below) Specific Area Plan (SAP)</u> Densities and Intensities determined at PD based on the adopted SAP.
***	***	***
<u>Rural Residential Enclave (FLUM designation varies)</u>	<u>See Objective OBJ2.5, related sub-policies, and Maps 25(a) through 25(c) of the Future Land Use Map Series</u>	<u>PD, R-CE, A-1, A-2, A-R, R-1A, R-1AA (see: Maps 25(a) through 25(c) of the Future Land Use Map Series for minimum area requirements and location of Identified Rural Residential Corridors)</u>
***	***	***

Zoning and Future Land Use Correlation		
<i>FLUM Designation</i>	<i>Density/Intensity</i>	<i>Zoning Districts</i>
Rural		
***	***	***
* Rural Settlement only. * <u>(1) R-CE districts are consistent with the LDR designation only when located in a Rural Settlement or Rural Residential Enclave. (2) A-1 and A-2 districts are also consistent with the LDR designation only when located in a Rural Residential Enclave. (3) Within the Urban Service Area (USA), rezoning requests to R-CE, A-1, and A-2 shall only be allowed for properties located in a Rural Residential Enclave.</u> ** Limited to 4 dwelling units per acre. *** Consistent with FLU6.2.3. General Notes: a) Note: As of adoption of the 2030 update, the CVC FLUM designation no longer will be available as a FLUM request. Existing CVC-designated properties shall not be considered inconsistent as a result of this change. See FLU8.5.8. b) Note: Please see Refer to FLU8.2.5, FLU8.2.5.1, and FLU8.2.5.2 to determine whether a rezoning is required prior to a special exception, or to determine whether a rezoning is required in specific cases of inconsistent zoning and future land use. c) Note: Consistency of A-1, A-2 and A-R zoning districts with a Rural Settlement FLUM designation is limited to: residential uses permitted by right or by special exception approval; and, non-residential uses requiring approval by special exception and which are common to all zoning districts consistent with a Rural Settlement FLUM designation. A use that is not common to all listed districts is not consistent with a Rural Settlement designation. d) Note: Uses that may be permitted in a Planned Development zoning district are limited to those uses permitted by right or by special exception approval for districts consistent with the specific FLUM designation.		

* * *

Section 5. Effective Dates for Ordinance and Amendments.

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

(b) In accordance with Section 163.3184(3)(c)4., Florida Statutes, no plan amendment adopted under this ordinance becomes effective until 31 days after the DEO notifies the County that the plan amendment package is complete. However, if an amendment is timely challenged, the amendment shall not become effective until the DEO or the Administration Commission issues a final order determining the challenged amendment to be in compliance.

(c) No development orders, development permits, or land uses dependent on any of these amendments may be issued or commence before the amendments have become effective.

179 ADOPTED THIS 10th DAY OF JULY, 2018.

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ORANGE COUNTY, FLORIDA

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By: Board of County Commissioners

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By:_____

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Teresa Jacobs

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Orange County Mayor

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190 ATTEST: Phil Diamond, CPA, County Comptroller

191 As Clerk to the Board of County Commissioners

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195 By:_____

196 Deputy Clerk

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211 S:\EHartigan\2018\ORDINANCES\Comp Plan Amendments\2018 Second Cycle\2018-2-C-FLUE-1 Lake Mabel Berry Dease and Chickasaw

212 Rural Residential Enclaves Ordinance CAO review 6.27.18

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214

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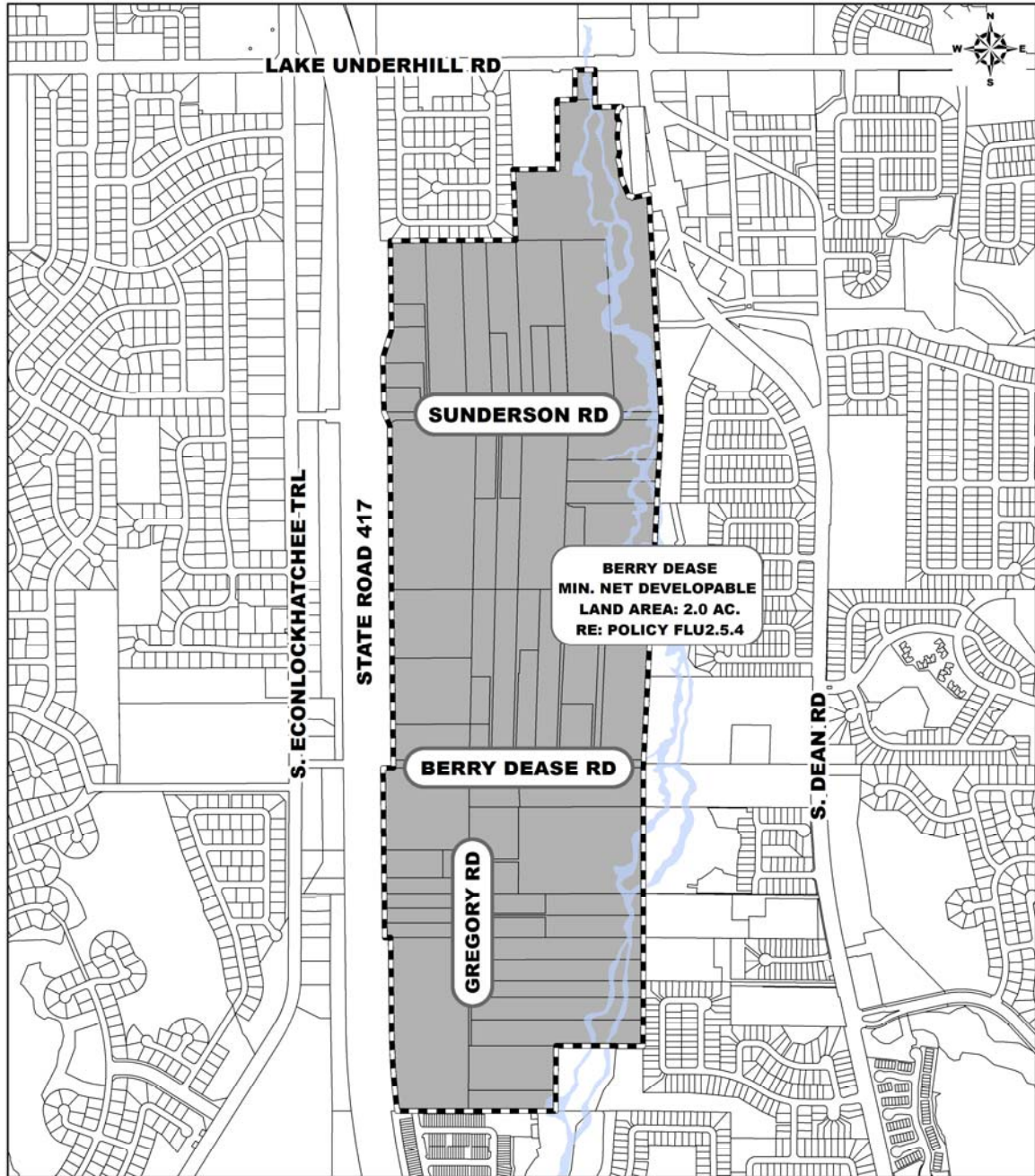
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[illegible]

APPENDIX “B”

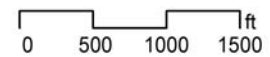
Map 25(b) of Future Land Use Map Series
Berry Dease Rural Residential Enclave



Rural Residential Enclave Boundary

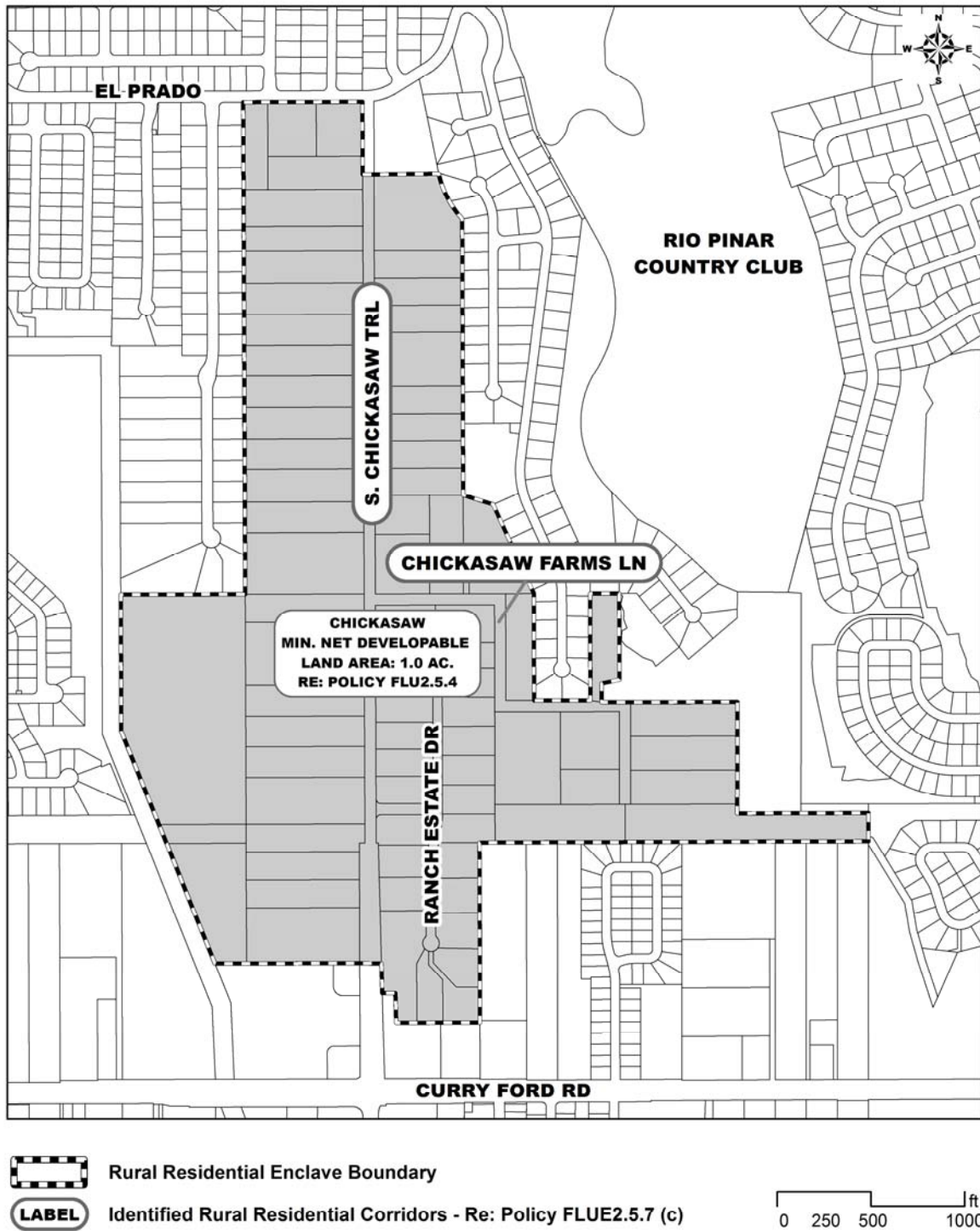


Identified Rural Residential Corridors - Re: Policy FLUE2.5.7 (c)



APPENDIX “C”

**Map 25(c) of Future Land Use Map Series
Chickasaw Rural Residential Enclave**





Community Meeting Memorandum

DATE: December 7, 2017
TO: Alberto A. Vargas, MArch., Planning Manager
FROM: Marcos Bastian, AICP, Chief Planner
SUBJECT: Rural Residential Enclaves – Lake Mabel Community Meeting
CC: Project File

Project Location The area of study is generally described as the properties between Winter Garden Vineland Rd. (SR 535) and Lake Mabel, bound by First Baptist Church Windermere to the west.

Meeting Date Tuesday, December 5 - 6:30 PM – Sunset Park Elementary School
12050 Overstreet Road, Windermere, Florida 34786

Meeting Attendance:

District Commissioner District 1 Commissioner Betsy VanderLey
Diana Dethlefs, Aide to Commissioner VanderLey

Orange County Staff Marcos Bastian, Stephen Conschafter, Sharon DeAndrade -
Planning Division

Attendees Approximately 48 attendees

Overview of Project:

Orange County is at the center of a highly dynamic region that has become one of the world's leading destinations since the 1970s. Over that period, many rural or semi-rural neighborhoods have transitioned into urban or suburban neighborhoods, while others have maintained their historic rural development patterns.

Some of these neighborhoods have been characterized as "Rural Residential Enclaves." More specifically: Rural Residential Enclaves are single-family neighborhoods with a homogenous and stable pattern of development, well-defined geographic boundaries, and very low residential densities characteristic of rural settings. In most cases, rural enclaves are located within the USA, where infill and redevelopment is actively encouraged through intensification and diversification of land uses.

Stable neighborhoods play a critical role in supplying a variety of lifestyles and housing choices that foster rich, diverse and vibrant places. They are at the core of Orange County's enduring desirability.

This study will recommend new Comprehensive Plan Policies that support and preserve the local character of designated Rural Residential Enclaves, while addressing compatibility



challenges, and maintaining the necessary consistency with the County's goal of a more compact and efficient urban fabric that promotes a wide range of living environments.

Meeting Summary:

Marcos Bastian opened the meeting, introducing the public officials and staff in attendance, followed by the Commissioner providing an overview of the process. Staff provided a brief explanation about the current zoning entitlements, followed by a summary of the amendments establishing four Rural Residential Enclaves in Orange County: Rocking Horse, Berry Dease, Chickasaw South, and Lake Mabel. After reviewing the proposed amendments, staff provided an overview of the current process and presented an implementation timeline to bring this project to completion in mid-2018.

Questions from the public focused on the effects of the Rural Residential Enclaves designations on future development in the study area, and on additional details regarding the Rural Enclave designation, its impacts on the community, and also the project implementation process.

Overall, attendees expressed support to staff's recommendations, with a minority voicing concern about the impact of any proposed policies on their development rights.

The meeting was adjourned approximately at 8:00 p.m.



Community Meeting Memorandum

DATE: December 7, 2017
TO: Alberto A. Vargas, MArch., Planning Manager
FROM: Marcos Bastian, AICP, Chief Planner
SUBJECT: Rural Residential Enclaves – Berry Dease Community Meeting
CC: Project File

Project Location The study area is generally located between Curry Ford Road, Lake Underhill Road, SR 417 (West), and the Little Econlockhatchee River (East).

Meeting Date Wednesday, December 6, 2017 - 6:30 PM - Deerwood Elementary School. 10401 Cypress Springs Parkway, Orlando, FL 32825

Meeting Attendance:

District Commissioner District 3 Commissioner Pete Clarke
Mercedes Fonseca, Senior Aide to Commissioner Clarke;
Marya Labrador, Aide to Commissioner Clarke

PZC Commissioner Tina Demostene

Orange County Staff Alberto Vargas, Olan Hill, Marcos Bastian, Stephen Conschafter,
Sharon DeAndrade - Planning Division

Attendees Approximately 43 attendees

Overview of Project:

Orange County is at the center of a highly dynamic region that has become one of the world's leading destinations since the 1970s. Over that period, many rural or semi-rural neighborhoods have transitioned into urban or suburban neighborhoods, while others have maintained their historic rural development patterns.

Some of these neighborhoods have been characterized as "Rural Residential Enclaves." More specifically: Rural Residential Enclaves are single-family neighborhoods with a homogenous and stable pattern of development, well-defined geographic boundaries, and very low residential densities characteristic of rural settings. In most cases, rural enclaves are located within the USA, where infill and redevelopment is actively encouraged through intensification and diversification of land uses.



Stable neighborhoods play a critical role in supplying a variety of lifestyles and housing choices that foster rich, diverse and vibrant places. They are at the core of Orange County's enduring desirability.

This study will recommend new Comprehensive Plan Policies that support and preserve the local character of designated Rural Residential Enclaves, while addressing compatibility challenges, and maintaining the necessary consistency with the County's goal of a more compact and efficient urban fabric that promotes a wide range of living environments.

Meeting Summary:

Marcos Bastian opened the meeting, introducing the public officials and staff in attendance. Staff provided an overview of existing conditions and entitlements in the area, followed by a review of the proposed amendments to designate a Rural Residential Enclave in the study area. After reviewing the proposed recommendations, the staff provided an overview of the implementation process and presented a timeline to bring this project to completion in 2018.

Comments from attendees were generally positive and appreciative of the County's work incorporating the community's input into the study. Many of the comments from the community revolved around minor clarifications of how the proposed changes would affect development options within the study area. Staff encouraged attendees to participate in future public meetings and hearings as the project proceeds towards adoption in mid-2018.

Overall, attendees expressed support to staff's recommendations, and there was positive feedback regarding future development opportunities.

The meeting was adjourned approximately at 8:00 p.m.



Community Meeting Memorandum

DATE: December 14, 2017
TO: Alberto A. Vargas, MArch., Planning Manager
FROM: Marcos Bastian, AICP, Chief Planner
SUBJECT: Rural Residential Enclaves – Chickasaw Community Meeting
CC: Project File

Project Location The area of study is generally described as the properties directly east and west of S Chickasaw Trail, bound by Curry Ford Rd to the south and El Prado to the north.

Meeting Date Wednesday, December 13 - 6:30 PM – Andover Elementary School
3100 Sanctuary Point Blvd, Orlando, FL 32825

Attendance:

District Commissioner Mercedes Fonseca, Senior Aide to Commissioner Pete Clarke
Marya Labrador, Aide to Commissioner Pete Clarke

Orange County Staff Marcos Bastian, Stephen Conschafter, Sharon DeAndrade -
Planning Division
Pedro Medina, Public Works

Attendees Approximately 30 attendees

Overview of Project:

Orange County is at the center of a highly dynamic region that has become one of the world's leading destinations since the 1970s. Over that period, many rural or semi-rural neighborhoods have transitioned into urban or suburban neighborhoods, while others have maintained their historic rural development patterns.

Some of these neighborhoods have been characterized as "Rural Residential Enclaves." More specifically: Rural Residential Enclaves are single-family neighborhoods with a homogenous and stable pattern of development, well-defined geographic boundaries, and very low residential densities characteristic of rural settings. In most cases, rural enclaves are located within the USA, where infill and redevelopment is actively encouraged through intensification and diversification of land uses.

Stable neighborhoods play a critical role in supplying a variety of lifestyles and housing choices that foster rich, diverse and vibrant places. They are at the core of Orange County's enduring desirability.

This study will recommend new Comprehensive Plan Policies that support and preserve the



local character of designated Rural Residential Enclaves, while addressing compatibility challenges, and maintaining the necessary consistency with the County's goal of a more compact and efficient urban fabric that promotes a wide range of living environments.

Meeting Summary:

Marcos Bastian opened the meeting, introducing the public officials and staff in attendance. Staff provided a brief explanation about the current zoning entitlements, followed by a summary of the amendments establishing four Rural Residential Enclaves in Orange County: Rocking Horse, Berry Dease, Chickasaw South, and Lake Mabel. After reviewing the proposed amendments, staff provided an overview of the current process and presented an implementation timeline to bring this project to completion in mid-2018.

A Q&A session focused on the effects of the Rural Residential Enclaves designations on future development in the study area, and on additional details regarding the Rural Enclave designation and its impacts on the community. The Community also voiced concerns about traffic in the area, which was acknowledged as an issue but is beyond the scope of this study.

Attendees expressed support for the study, with no opposition to the recommendations presented by staff.

The meeting was adjourned approximately at 8:00 p.m.



Community Meeting Memorandum

DATE: December 21, 2017
TO: Alberto A. Vargas, MArch., Planning Manager
FROM: Marcos Bastian, AICP, Chief Planner
SUBJECT: Rural Residential Enclaves – Rocking Horse Community Meeting
CC: Project File

Project Location The area of study is generally located west of Rouse Road, between University Boulevard and McCulloch Road, comprised of approximately 49 parcels.

Meeting Date Monday, December 18 - 6:30 PM – Riverdale Elementary School Cafeteria 11301 Lokanotosa Trail, Orlando, Florida 32817

Meeting Attendance:

District Commissioner District 5 Commissioner Emily Bonilla;
Zoé Colón, Aide to Commissioner Bonilla

Orange County Staff Marcos Bastian, Olan Hill, Stephen Conschafter, Sharon DeAndrade, Steven Thorpe - Planning Division

Attendees Approximately 40 attendees

Overview of Project:

Orange County is at the center of a highly dynamic region that has become one of the world's leading destinations since the 1970s. Over that period, many rural or semi-rural neighborhoods have transitioned into urban or suburban neighborhoods, while others have maintained their historic rural development patterns.

Some of these neighborhoods have been characterized as "Rural Residential Enclaves." More specifically: Rural Residential Enclaves are single-family neighborhoods with a homogenous and stable pattern of development, well-defined geographic boundaries, and very low residential densities characteristic of rural settings. In most cases, rural enclaves are located within the USA, where infill and redevelopment is actively encouraged through intensification and diversification of land uses.

Stable neighborhoods play a critical role in supplying a variety of lifestyles and housing choices that foster rich, diverse and vibrant places. They are at the core of Orange County's enduring desirability.

This study will recommend new Comprehensive Plan Policies that support and preserve the local character of designated Rural Residential Enclaves, while addressing compatibility challenges, and maintaining the necessary consistency with the County's goal of a more compact and efficient urban fabric that promotes a wide range of living environments.



Meeting Summary:

Marcos Bastian opened the meeting, introducing the public officials and staff in attendance. Staff provided a brief explanation about the current zoning entitlements, followed by a summary of the amendments establishing four Rural Residential Enclaves in Orange County: Rocking Horse, Berry Dease, Chickasaw South, and Lake Mabel. After reviewing the proposed amendments, staff provided an overview of the current process and presented an implementation timeline to bring this project to completion in mid-2018.

Stakeholder questions focused on the effects of the Rural Residential Enclaves designations on future development in the study area, and on additional details regarding the Rural Enclave designation and its impacts on the community, such as the allowable densities proposed, varying from of 1 home per 1-Acre to 1 home per 2-Acres.

There were additional questions and discussions regarding properties that were removed from the study area and the type of development proposed for these parcels. Commissioner Bonilla emphasized that she was opposed to the removal of the parcels from the study area and that she has advocated for 1 home per 2-acres as a minimum throughout the entire study area.

Attendees generally expressed support to the study. Commissioner Bonilla requested a 2-acre minimum lot requirement for the entire study are, the prohibition of development clustering, and a change to the enclave boundaries with the inclusion of parcels previously removed from the study area.

The meeting was adjourned approximately at 8:00 p.m.