



ORANGE COUNTY

PLANNING DIVISION

2018-2-A-1-3

ADOPTION AMENDMENT

2010 - 2030 COMPREHENSIVE PLAN

BOARD OF COUNTY COMMISSIONERS

**JANUARY 15, 2019
ADOPTION PUBLIC HEARING**

PREPARED BY:

ORANGE COUNTY COMMUNITY, ENVIRONMENTAL
AND DEVELOPMENT SERVICES

PLANNING DIVISION
COMPREHENSIVE PLANNING SECTION





DATE: January 15, 2019
TO: Mayor Jerry L. Demings
-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: Adoption Public Hearings – 2018-2 Regular Cycle Comprehensive Plan
Amendment and Concurrent Substantial Change Request – Session III

Please find the attached binder containing the Session III staff report and associated back-up materials for the proposed 2018-2 Regular Cycle Comprehensive Plan Amendments. Due to the number of applications received, this cycle has been divided into three sessions, as summarized in the attached schedule. The adoption public hearings for the Session III amendments were conducted before the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) on October 18, 2018, and are scheduled before the Board of County Commissioners (BCC) on January 15, 2019. One amendment to the Comprehensive Plan will be considered at the January 15 meeting.

Amendment Summary

The **2018-2 Session III Regular Cycle – State-Expedited Review** amendment scheduled for consideration on January 15 includes one privately-initiated Future Land Use Map Amendment located in District 1 which has a concurrent substantial change request. The proposed Future Land Use Map Amendment entails a change to the Future Land Use Map for properties greater than ten acres in size.

The **2018-2 Session III 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 August 28, 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 February 2019, 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.

AAV/jmd

Enc: 2018-2 Regular Cycle Amendments – Session III – BCC Adoption Binder

c: Christopher R. Testerman, AICP, Assistant County Administrator
Joel Prinsell, Deputy County Attorney
Roberta Alfonso, Assistant County Attorney
Whitney Evers, Assistant County Attorney
Gregory Gologowski, AICP, Chief Planner, Planning Division
Olan D. Hill, AICP, Chief Planner, Planning Division
Read File

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	-and-		
	Substantial Change CDR-18-04-111	<p>Substantial Change Request to the World Resort PD to add Activity Center Residential (ACR) uses; to convert 696 hotel rooms to 650 multi-family units; to add trip equivalencies for multi-family uses; and to remove Board of County Commissioners Condition of Approval #9 from May 9, 2006</p> <p>Also requested are two (2) waivers from Orange County Code: 1) a waiver from Sec. 38-1258(j) to allow a minimum building separation of twenty (20) feet between all multi-family buildings with no increase in proportion to additional structural height, in lieu of thirty (30) feet for two-story buildings and forty (40) feet for three-story buildings and separation increase in proportion to additional structural height; and, 2) a waiver from Sec. 38-1300 to allow for a maximum height of seventy-five (75) feet in lieu of sixty (60) feet.</p>	

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2018-2 Session II Regular Cycle State Expedited Review Comprehensive Plan Amendments

Privately Initiated Future Land Use Map and Text Amendments

Amendment Number	Concurrent Rezoning or Substantial Change	Owner	Agent	Tax ID Number(s)	General Location / Comments	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:	Zoning Map Designation FROM:	Zoning Map Designation TO:	Acreage	Project Planner	Staff Rec	LPA Rec	BCC Rec
District 1														
2018-2-A-1-1 (Tilden Road)	PD Rezoning Pending	Daniel A. and Susan Berry/Thistledown Farm, Inc.	Kathy Hattaway Poulos & Bennett, LLC	10-23-27-0000-00-033 (portion of) and 10-23-27-0000-00-034 (portion of)	14950 and 14908 Tilden Rd.; Generally located south of Tilden Rd., west of Winter Garden Vineland Rd., and east of Tiny Rd. and SR 429	Village (V)	Horizon West, Village of Bridgewater Special Planning Area (SPA)	A-1 (Citrus Rural District)	PD (Planned Development District)	28.31 gross ac./18.54 developable ac.	Nicholas Thalmueller			
2018-2-A-1-2 (Lake Austin)	LUP-18-08-255	BB Groves, LLC	Kathy Hattaway Poulos & Bennett, LLC	30-24-27-0000-00-003 (portion of) and 31-24-27-0000-00-036	Generally located west of Avalon Rd., and north and south of Grove Blossom Wy.	Growth Center/ Resort/Planned Development (GC/R/PD)	Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR)	PD (Planned Development District)(Lake Austin PD) and A-2 (Farmland Rural District)	PD (Planned Development District)(BB Groves South PD)	108.03 gross ac./96.29 developable ac.	Sue Watson	Adopt	Adopt (8-1)	
2018-2-A-1-3 (World Resort)	CDR-18-04-111	Fairwinds Credit Union	Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A.	35-24-28-5844-00-732/741/870/871/880 and 35-24-28-5844-01-050	Generally located north and south of Poinciana Blvd., east of SR 535, south of SR 417, and north of the Orange/Osceola County line	Activity Center Mixed Use (ACMU)	Activity Center Residential (ACR)	PD (Planned Development District) (World Resort PD)	PD (Planned Development District) (World Resort PD)	23.13 gross ac.	Jennifer DuBois	Adopt	Adopt (9-0)	
2018-2-A-1-4 (Kerina Parkside)	CDR-18-04-110	Kerina Wildwood, Inc., Kerina Village, Inc., Kerina Inc., and Kerina Parkside Master, Inc.	Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A.	10-24-28-0000-00-005/053, 10-24-28-0670-11-000, 15-24-28-5844-00-050/071/130/142, and 15-24-28-5844-00-211 (portion of)	Generally located east and west of S. Apopka-Vineland Rd., south of Buena Vista Woods Blvd., and north of Lake St.	Low-Density Residential (LDR), Low-Medium Density Residential (LMDR), and Rural/Agricultural (R)	Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)	PD (Planned Development District) (Kerina Parkside PD/LUP)	PD (Planned Development District) (Kerina Parkside PD/LUP)	FLUM Amendment: 215.67 gross ac.; PD/LUP Substantial Change: 485.10 gross ac.	Jennifer DuBois	Adopt	Adopt (5-3)	
2018-2-A-1-6 (Hannah Smith)	CDR 18-05-175	Daryl M. Carter Trustee and Carter Orange 105 Sand Lake Land Trust	VHB, Inc.	11-24-28-0000-00-020, 14-24-28-0000-00-012/018, 14-24-28-1242-60-000/66-000/66-001 (portion of), and 15-24-28-7774-00-023/024	Generally located north of Interstate 4 and south of Fenton St.	Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR)	Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR)	PD (Planned Development District) (Hannah Smith PD)	PD (Planned Development District) (Hannah Smith PD)	82.30 gross ac./79.50 developable ac.	Sue Watson	Adopt	Adopt (9-0)	
2018-2-A-1-7 (Turkey Lake Road Condos)	CDR-18-06-289	Macomb Oakland Sand Lake, LLC	Momtaz Barqi, P.E., Terra-Max Engineering, Inc.	11-24-28-0000-00-010	10900 Turkey Lake Rd.; Generally located south of Sand Lake Reserve Dr.; east of Big Sand Lake, west of Turkey Lake Rd.	Planned Development-Time Share/Medium Density Residential/Hotel/Office (PD-TS/MDR/HOTEL/O)	Planned Development-Time Share/Medium-High Density Residential/Hotel/Office (PD-TS/MHDR/HOTEL/O)	PD Planned Development District (Turkey Lake Condos PD)	PD (Planned Development District) (Turkey Lake Condos PD)	52.04 gross ac./16.82 developable ac.	Misty Mills	Adopt	Adopt (9-0)	
District 1														
Text Amendment Number		Owner	Agent	Description of Proposed Text Amendments										
2018-2-P-1-5 (Arnold Groves Senior Living)		Audrey L. Arnold Revocable Trust, Audrey L. Arnold and James P. Arnold Life Estate, Ron Marlow and Kathy Darlene Marlow, and Billy Kenneth Williams, and Lynn A. Williams	Marc Skorman	Text amendment to proposed Future Land Use Element Policy FLU2.5.5 and creating Policy FLU2.5.5.1 (related to the proposed Lake Mabel Rural Residential Enclave)										

ABBREVIATIONS INDEX:

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2018-2 Regular Cycle Comprehensive Plan Amendments
Staff Initiated Comprehensive Plan Map and Text Amendments

Amendment Number	Sponsor	Description of Proposed Changes to the 2010-2030 Comprehensive Plan (CP)	Project Planner	Staff Rec	LPA Rec	BCC Rec
2018-2-B-FLUE-1	Planning Division	Text amendment to Future Land Use Element Policy FLU 8.1, establishing the maximum densities and intensities for proposed Planned Developments within Orange County	Misty Mills	Adopt	Adopt (8-1)	
2018-2-B-FLUE-2	Planning Division	Text amendment to the Horizon West Village policies for perimeter remnant parcels	Maria Cahill			

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2018 SECOND REGULAR CYCLE

AMENDMENTS TO THE 2010-2030 COMPREHENSIVE PLAN

BOARD OF COUNTY COMMISSIONERS ADOPTION BOOK

SESSION III

INTRODUCTION

This is the Board of County Commissioners (BCC) adoption public hearing book for the third session of the proposed Second Regular Cycle Amendments (2018-2) to the Future Land Use Map (FLUM) and Comprehensive Plan (CP). Due to the number of applications received, this cycle has been divided into three sessions. The adoption public hearings for the Session III amendments were conducted before the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) on October 18, 2018, and are scheduled before the Board of County Commissioners (BCC) on January 15, 2018.

One Regular Cycle Amendment scheduled for BCC consideration on January 15 were heard by the PZC/LPA at an adoption public hearing on October 18, 2018.

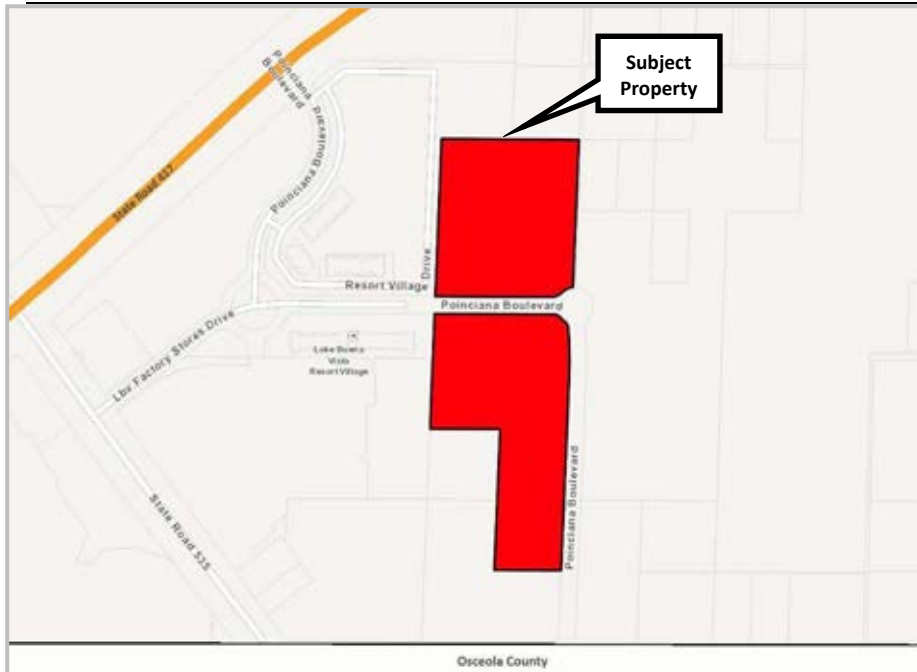
Please note the following modifications to this report:

KEY TO HIGHLIGHTED CHANGES	
Highlight	When changes made
Blue	Following DEO transmittal (by staff)
Pink	Following the LPA adoption public hearing (by staff)

The 2018-2 Session III Regular Cycle – State-Expedited Review amendment scheduled for consideration on January 15 includes one privately-initiated Future Land Use Map Amendment located in District 1, which involves a concurrent substantial change request. The proposed Future Land Use Map Amendment entails a change to the Future Land Use Map for properties greater than ten acres in size.

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 August 28, 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. If adopted, the amendment is expected to become effective in February 2019, 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.



Applicant/Owner:
Miranda F. Fitzgerald, Esq.,
Lowndes, Drosdick, Doster, Kantor
& Reed, P.A. / Fairwinds Credit
Union, Poinciana FW, LLC, and
Martini Mac Partners, LLC

Location: Generally located north
and south of Poinciana Boulevard,
east of SR 535, south of SR 417,
and north of the Orange/Osceola
County line

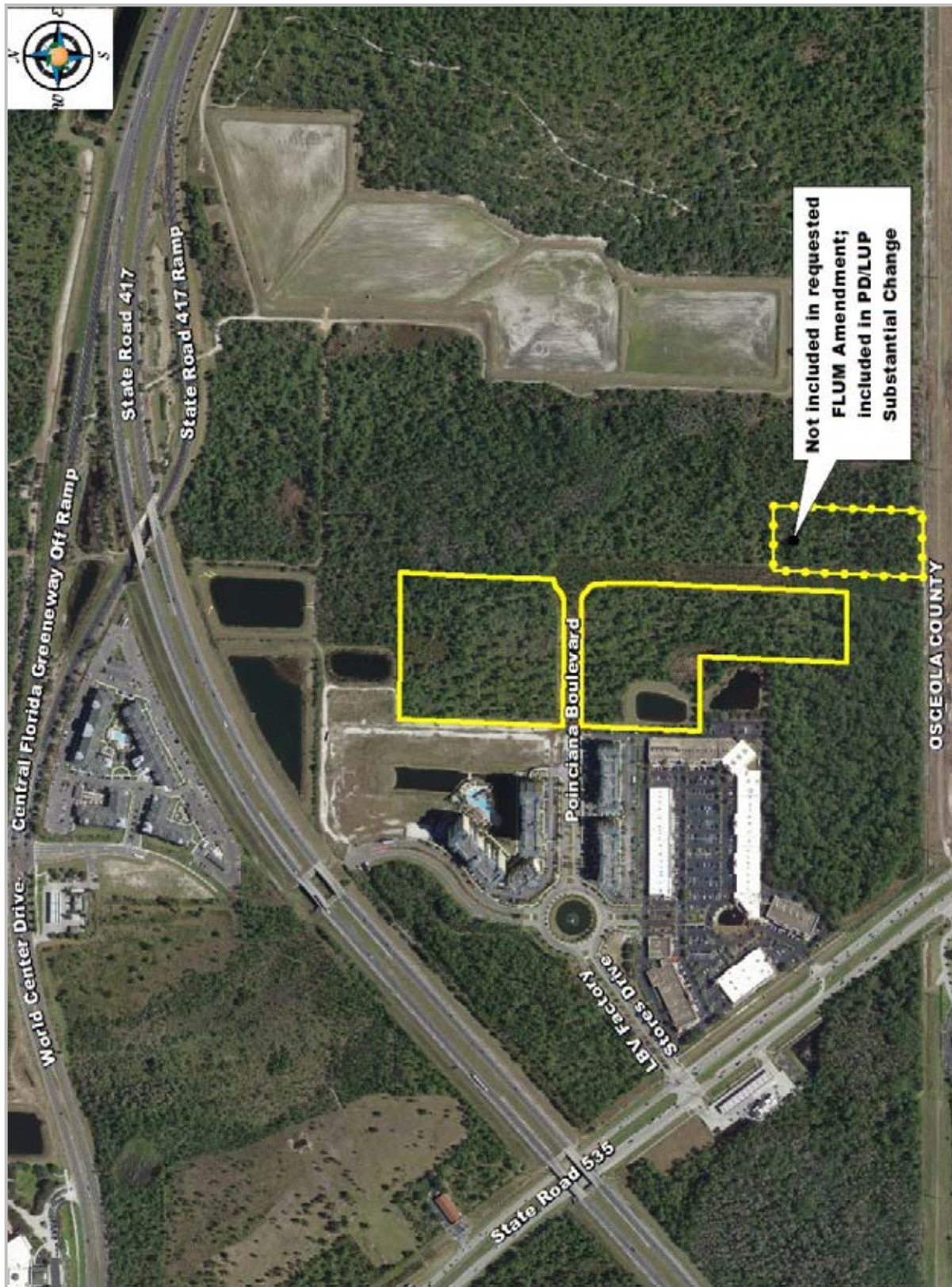
Existing Use: Undeveloped land

Parcel ID Numbers:
35-24-28-5844-00-
732/741/870/871/880 and 35-24-
28-5844-01-050 (PD/LUP
Substantial Change also includes
Parcel 35-24-28-0000-00-028)

Tract Size: 23.13 gross acres
(FLUM Amendment); 30.1 gross
acres (PD/LUP Substantial Change)

The following meetings and hearings have been held:			Project Information	
Report/Public Hearing		Outcome	Request: Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR)	
✓	Community meeting held May 17, 2018, with one (1) member of the public in attendance.	Positive	Proposed Development Program: Multi-family residential community featuring up to 650 dwelling units (proposed ACR-designated parcel); up to 535 hotel rooms and 50,000 square feet of retail (remaining ACMU-designated parcel)	
✓	Staff Report	Recommend Transmittal	Public Facilities and Services: Please see the Public Facilities & Services Appendix for specific analyses of each public facility.	
✓	LPA Transmittal June 21, 2018	Recommend Transmittal (9-0)	Environmental: Class III wetlands are located onsite. A Conservation Area Determination (CAD) must be completed prior to the submittal of development plans or permit applications.	
✓	BCC Transmittal July 10, 2018	Transmit (6-0)	Transportation: The developer shall comply with the terms of the Poinciana Boulevard Extension Road Network Agreement and the Poinciana Boulevard Extension Road Network/State Road 535 Link Agreement.	
✓	State Agency Comments August 28, 2018	No comments or concerns were identified by any state agency.	Schools: Capacity Enhancement Agreement (CEA) #OC-18-010 was approved by the Orange County School Board on December 11, 2018.	
✓	LPA Adoption October 18, 2018	Recommend Adoption (9-0)	Concurrent PD/LUP Substantial Change: On January 15, 2019, the BCC will consider a proposed substantial change to the currently-approved World Resort PD Land Use Plan (Case CDR-18-04-111) in conjunction with the requested Future Land Use Map Amendment.	
	BCC Adoption	January 15, 2019		

SITE AERIAL



FUTURE LAND USE – CURRENT



Current Future Land Use:
Activity Center Mixed Use (ACMU)

Special Area Information

Activity Center:
International Drive
Activity Center

Overlay District: N/A

Rural Settlement: N/A

JPA: N/A

Airport Noise Zone: N/A

FUTURE LAND USE – AS PROPOSED



Proposed Future Land Use:

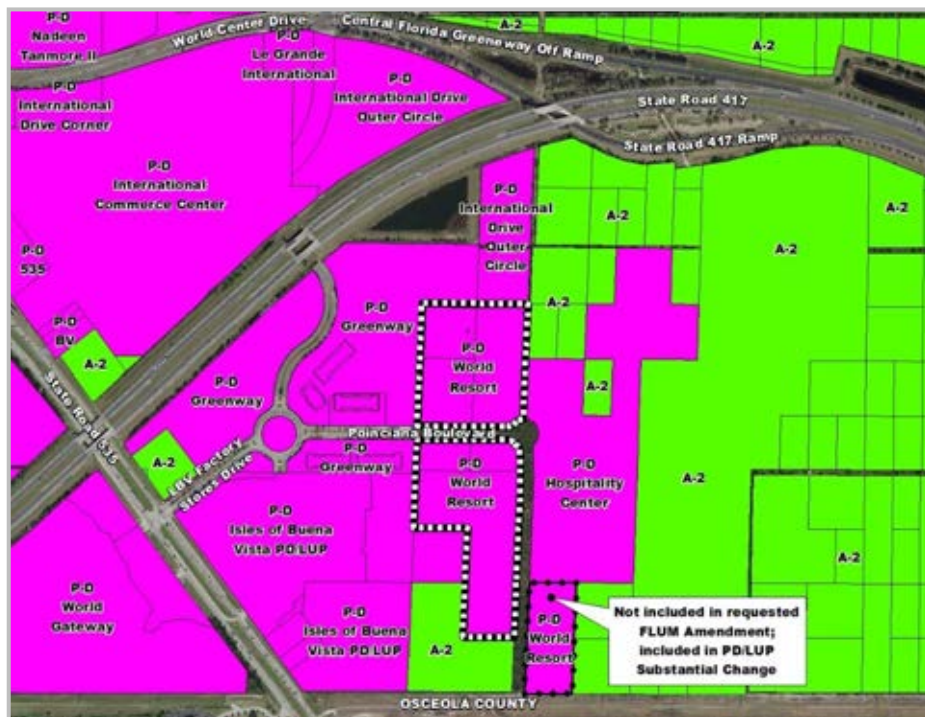
Activity Center
Residential (ACR)

Current Zoning District:

Existing Uses:

East: Undeveloped land

West: Lake Buena Vista
Resort Village & Spa and
Lake Buena Vista Factory
Stores



Staff Recommendations

If the requested Future Land Use Map Amendment is approved, the Board will then take action on the requested PD/LUP substantial change. These items must be addressed as two separate motions by the Board.

1. **FUTURE LAND USE MAP AMENDMENT:** Make a finding of **consistency** with the Comprehensive Plan (see International Drive Activity Center Element Goal ID3 and Policies ID4.1.1; Housing Element Goal H1 and Objective H1.1; and Future Land Use Element Objectives FLU2.2 and FLU8.2 and Policies FLU1.1.2.A, FLU1.1.4.D, and FLU8.2.1), determine that the amendment is in compliance, and **ADOPT** Amendment 2018-2-A-1-3, Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR).
2. **PD/LUP SUBSTANTIAL CHANGE:**
(December 19, 2018, DRC Recommendation): Make a finding of consistency with the Comprehensive Plan and **APPROVE** the World Resort Planned Development/Land Use Plan (PD/LUP), dated "Received January 3, 2019", subject to the following nineteen (19) conditions:
 1. Development shall conform to the World Resort PD Land Use Plan (LUP) dated "Received January 3, 2019," 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, 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. 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 and the land use plan dated "Received January 3, 2019," the condition of approval shall control to the extent of such conflict or inconsistency.
 2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, 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. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. 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 and approved.
 3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a

state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal and must be approved prior to Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.
7. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
8. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any direct or indirect conservation area impacts.
9. Construction plans within this PD shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The updated MUP must be approved prior to construction plan approval.
10. The developer shall obtain water, wastewater, and reclaimed water service from Orange County Utilities subject to County rate resolutions and ordinances.

11. Tree removal/earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
12. Length of stay shall not exceed 179 consecutive days for hotel/timeshare use.
13. Short term / transient rental is prohibited for the multi-family units; length of stay shall be for 180 consecutive days or greater.
14. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 Tourist Commercial standards of the Orange County Code.
15. Outside sales, storage, and display shall be prohibited.
16. The following Education Condition of Approval shall apply:
 - a) Developer shall comply with all provisions of the Capacity Enhancement Agreement entered into with the Orange County School Board [and Orange County] as of December 11, 2018.
 - 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 zero (0) residential units allowed under the zoning existing prior to the approval of the PD zoning. The County may again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.
 - c) Developer, and 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.

Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.
17. A waiver from Orange County Code Section 38-1258(j) is granted to allow a minimum building separation of 20 feet between all multi-family buildings with no increase in proportion to additional structural height, in lieu of 30 feet for two-story buildings and 40 feet for buildings three-stories, and separation increase in proportion to additional structural height.
18. A waiver from Orange County Code Section 38-1300 is granted to allow for a maximum height of 75 feet, in lieu of 60 feet.
19. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated May 9, 2006 shall apply:

- a. Unless and until replaced with a new preliminary subdivision plan / development plan, the northwest 2.53 acres as shown on the applicant's currently approved preliminary subdivision plan/development plan shall be limited to stormwater facilities and recreation.

Analysis

1. Background and Development Program

The applicant, Miranda Fitzgerald, is seeking to change the Future Land Use Map (FLUM) designation of the 23.13-acre subject property from Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR) to allow for the development of a multi-family residential community featuring up to 650 dwelling units. The undeveloped site—comprised of six individual parcels (Parcels 35-24-28-5844-00-732/741/870/871/880 and 35-24-28-5844-01-050)—is a portion of the 30.1-acre World Resort Planned Development (PD), currently entitled for the development of up to 1,231 hotel rooms and 50,000 square feet of retail space. The remaining 4.41-acre parcel within the World Resort PD (Parcel 35-24-28-0000-00-028) is not included in the requested amendment and will retain its present ACMU designation.

Located in the International Drive Activity Center, the subject site lies in the immediate vicinity of Central Florida's largest employer, Walt Disney World, and numerous resorts, hotels, tourist attractions, shopping areas, and restaurants. The property's proximity to this activity—both in Orange County and adjacent Osceola County—make it ideally situated for the development of housing for employees of these tourist-oriented establishments. The subject parcel's current ACMU future land use designation is intended to provide for a combination of tourist-related development and supporting residential activity. As established in the Orange County Comprehensive Plan, however, no more than 30 percent of an ACMU-classified site may be used for residential purposes. The applicant is thus proposing the change in land use to ACR to allow the development of the entire 23.13-acre property for a multi-family residential community.

Prior to the creation of the World Resort PD, the component parcels were approved for the development of 540 multi-family units within the Isles of Buena Vista PD under the ACR future land use designation, assigned via the July 1, 1991, adoption of the Orange County Comprehensive Policy Plan. On March 2, 1999, the Board of County Commissioners (BCC) adopted Amendment #99-1-A-1-4, thereby changing the FLUM designation of the parcels from ACR to ACMU. The approval of the standalone World Resort PD, with a development program of 900 hotel rooms, 276 timeshare units, and 50,000 square feet of retail space, was granted by the BCC on January 8, 2002. The PD was subsequently amended on May 9, 2006, through the BCC's approval of Rezoning Case RZ-05-09-105, adding 2.53 acres of A-2 (Farmland Rural District)-zoned property and establishing its current area of 30.1 acres and present development program of 1,231 hotel rooms and 50,000 square feet of retail. The PD Land Use Plan (LUP) was last amended by the Orange County Development Review Committee (DRC) on April 9, 2008, as a non-substantial change to recognize "showroom" as an allowable use within the PD and add it to the Land Use Conversion Matrix.

In conjunction with this proposed amendment, the applicant is requesting a substantial change to the currently-approved World Resort PD Land Use Plan (Case CDR-18-04-111), reflecting the proposed revisions to the PD's development program. Staff notes that it is the applicant's intent to add trip equivalencies for multi-family residential development to the Land Use Conversion Matrix and to convert existing hotel entitlements to multi-family units through the use of the matrix, with a

maximum of 650 multi-family units to be incorporated into the Approved Land Uses table. The applicant further proposes to relegate the PD's remaining non-residential entitlements to Parcel 35-24-28-0000-00-028, scheduled to retain the ACMU designation. On December 19, 2018, the Orange County Development Review Committee (DRC) recommended approval of the amended PD Land Use Plan, subject to the nineteen (19) conditions listed in this staff report. Case CDR-18-04-111 will be considered by the BCC in conjunction with the proposed FLUM Amendment during the January 15, 2019, adoption public hearing.

Applicable Agreements

The following agreements are applicable to the proposed FLUM Amendment and associated World Resort PD/LUP substantial change request:

- **Developer's Agreement for Donation to a Housing Linkage Fund**

In conjunction with the March 2, 1999, adoption of Amendment #99-1-A-1-4, Orange County required the then-owners to execute the Developer's Agreement for Donation to a Housing Linkage Fund, recorded in O. R. Book 5702, Page 3080, of the Public Records of Orange County, Florida (the "Linkage Agreement"). The Linkage Agreement provides for the payment into the Housing Linkage Fund in the amount of \$2,591.34 per acre for the entire 27.5 acres that now comprise the World Resort PD (the "Property"), converted from ACR to ACMU, as a cost of ensuring sufficient residential units in the International Drive Activity Center. This payment was to be made prior to the issuance of any certificates of occupancy for the Property, provided that one-half of the total payment could be deferred until issuance of a certificate of occupancy in a second phase of the development. As discussed above, the Property was subsequently removed from the Isles of Buena Vista PD on January 8, 2002, and the County approved the standalone World Resort PD. On April 9, 2008, the County approved the current PD Land Use Plan for the World Resort PD, dated "Received April 28, 2008". To date, however, no development activity has occurred on the Property, and to the best knowledge of the Applicant and the Planning Division, no payment has been made under the Linkage Agreement. The requested FLUM Amendment, if approved, will necessitate a concurrent amendment of the Linkage Agreement and an associated amendment to the World Resort PD Land Use Plan.

- **Poinciana Boulevard Extension Road Network Agreement**

The Poinciana Boulevard Extension Road Network Agreement was approved by the BCC on March 2, 1999, and recorded in O. R. Book 5702, Page 3038, of the Public Records of Orange County, Florida. The agreement provides that the Developers will provide Right-of-Way to create an arterial Road Network extending northward from the Osceola County Line and ultimately connecting through to World Center Drive and/or International Drive South. Developers agree to convey 80 feet of Right-of-Way throughout the Road Network. By agreement this satisfies the reservation of a 15-foot-wide transit easement on either side of the Road Network required by the I-Drive Element. Developers will receive Road Impact Fee Credits in the amount of \$150,000 per acre for Right-of-Way property and drainage easements conveyed. Developers will receive Vested Rights in the amount of a specific number of total average daily trips as follows: Greenway will receive 22,500 total average daily trips, Weston will receive 2,500 total average daily trips, and Rinaldi will receive 1,250 total average daily trips. To date, all Right-of-Way property and drainage easements were conveyed under this agreement on May 15, 2001. A separate agreement for construction is contemplated in this agreement; however, to date, no such agreement has been approved by the Board of County Commissioners.

- **Poinciana Boulevard Extension Road Network/State Road 535 Link Agreement**

The Poinciana Boulevard Extension Road Network/State Road 535 Link Agreement was approved by the BCC on May 15, 2001, and recorded in O. R. Book 6265, Page 1174, of the Public Records of Orange County, Florida. This agreement adds the link segment between State Road 535 and the Poinciana Boulevard Extension Road Network which was depicted in Exhibit D of the Poinciana Boulevard Extension Road Network Agreement, approved by the BCC on March 2, 1999, but not described in the agreement as property to be conveyed. The Owner agrees to convey the necessary Right-of-Way to complete the State Road 535 link segment. The County will deduct the value of vacated Rights-of-Way. The terms of the March 2, 1999, agreement will be followed, and the Owner shall receive a net of \$100,762.50 in Road Impact Fee Credits for the conveyance.

- **Capacity Enhancement Agreement #OC-18-010 (World Resort)**

Per Orange County Public Schools (OCPS), the middle school (Freedom Middle) and high school (Freedom High) that would currently serve the project are operating over capacity. OCPS has informed staff that the applicant has applied for a Capacity Enhancement Agreement (#OC-18-010, World Resort). To ensure compliance with Orange County Comprehensive Plan Policy FLU8.7.11, a copy of the fully-executed agreement must be submitted to the Planning Division no later than two weeks prior to the adoption public hearing before the Board of County Commissioners.

Community Meeting

A community meeting for this proposed FLUM Amendment and associated PD/LUP substantial change request was held on May 17, 2018, at Sand Lake Elementary School. One member of the public attended the meeting. The attendee posed questions about the requested development program, the public hearing process, the timing of the Poinciana Boulevard extension, school capacity, and onsite wetlands but expressed no objection to the proposed multi-family project.

2. Future Land Use Map Amendment Analysis

Consistency

The requested FLUM amendment appears to be **consistent** with the applicable Goals, Objectives, and Policies of the Comprehensive Plan.

As discussed above, the subject site is located within the International Drive Activity Center, an area characterized by intense tourist-oriented development, including the Lake Buena Vista Factory Stores complex and Lake Buena Vista Resort Village & Spa situated immediately west of the property. As stated in **Future Land Use Element Policy FLU1.1.4.D**, the requested ACR future land use designation is intended to provide for residential development in proximity to employment areas to minimize travel distances between uses. Staff finds this proposed amendment consistent with **International Drive Activity Center Element Goal ID3**, which establishes that it is Orange County's goal to facilitate the development of residential communities in proximity to employment areas of the activity center in order to minimize workers' travel distances and times.

In accordance with **Future Land Use Element Policy FLU1.1.2.A**, the applicant has specified the maximum desired development program for the residential project, proposing up to 650 multi-family dwelling units under the "urban-scale" ACR future land use designation, which allows residential development at a minimum density of twelve (12) dwelling units per net acre and a maximum density of thirty (30) units per net acre. Staff finds the requested amendment consistent with Orange County's commitment to ensuring that sufficient land is available to meet the identified housing needs

of its present and future residents. The applicant's intent to develop a multi-family residential community is consistent with **Housing Element GOAL H1** and **Objective H1.1**, which state that the County will promote and assist in the provision of an ample housing supply, with a broad range of types and price levels, and will support private sector housing production capacity sufficient to meet current and anticipated housing needs. It is staff's belief that the project, if approved, would provide a much-needed housing option for employees of the numerous tourist-oriented businesses in the surrounding area.

Staff further finds the proposed project consistent with **Future Land Use Element Objective OBJ FLU2.2**, which establishes that Orange County shall develop, adopt, and implement mixed-use strategies and incentives as part of its comprehensive planning and land development code efforts, including standards for determining consistency with the Future Land Use Map. Other objectives of mixed-use development include reducing trip lengths, providing for diverse housing types, using infrastructure efficiently and promoting a sense of community. Staff notes that if approved, the project will use infrastructure that is either already in place or programmed. Per Orange County Utilities (OCU), the property lies within its potable water, wastewater, and reclaimed water service areas. OCU has informed staff that demands and connection points for each service will be addressed as the project proceeds through the DRC and construction permitting processes. In addition, the multi-family community would use the existing transportation network, which serves both transit riders and automobile drivers. A LYNX bus stop is located on Poinciana Boulevard, near the entrance to the neighboring Lake Buena Vista Resort Village & Spa, and sidewalks are in place along the developed portion of Poinciana Boulevard to help ensure pedestrian safety. As stated in the application package, approval of the multi-family project will permit the developer to proceed immediately with the extension of Poinciana Boulevard to connect with N. Poinciana Boulevard and the Osceola Parkway in Osceola County, in accordance with the recorded Poinciana Boulevard Extension Road Network Agreement and Poinciana Boulevard Extension Road Network/State Road 535 Link Agreement discussed earlier. Lastly, staff finds this request consistent with **International Drive Activity Center Element Policy ID4.1.1**, which mandates that approval of development within the International Drive Activity Center shall be conditioned upon the availability of adequate services and facilities, as measured by the adopted level of service standards of the Comprehensive Plan.

Compatibility

The proposed FLUM amendment appears to be **compatible** with the development trend of the surrounding area. **Future Land Use Element Objective FLU8.2** states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development pattern and development trends in the area. As discussed above, the subject property is located in an area characterized by intense tourist-oriented development, including the contiguous Lake Buena Vista Resort Village & Spa and Lake Buena Vista Factory Stores. The site lies in the immediate vicinity of Central Florida's largest employer, Walt Disney World, and numerous resorts, hotels, tourist attractions, shopping areas, and restaurants. The property's proximity to this activity—both in Orange County and adjacent Osceola County—make it well-suited for the development of housing for employees of these tourist-oriented establishments.

It is staff's belief that the proposed multi-family project would contribute to the County's larger goals of promoting infill and compact urban form within the Urban Service Area, providing for a range of living options, efficiently using existing and planned infrastructure, and reducing trip lengths. Staff, therefore, recommends adoption of this requested amendment.

Division Comments: Environmental, Public Facilities, and Services

Environmental. The Environmental Protection Division (EPD) has noted that Class III wetlands are located onsite. Orange County Conservation Area Determinations CAD 90-026, CAD 00-123, CAD 03-031, and CAD 06-201 previously delineated Class III wetlands on parcels within the World Resort PD. Please contact EPD's wetland permitting staff at 407-836-1400 to verify the applicability and validity of historic wetland permits and to determine whether all of the parcels are covered. No CAD was found that included Parcel 35-24-28-5844-00-741. If additional historical documents are located, please submit a copy with the revised plans. A CAD must be completed for each property prior to submitting a Preliminary Subdivision Plan/Development Plan that includes the property.

All acreages identified as 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 request does not authorize any direct or indirect conservation area impacts. The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include, but are not limited to, a 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant is responsible for determining the presence of listed species and obtaining any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to pretreat stormwater runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

Transportation. The previously-discussed Poinciana Boulevard Extension Road Network Agreement—approved by the BCC on March 2, 1999, and recorded in O. R. Book 5702, Page 3038, of the Public Records of Orange County, Florida—and the Poinciana Boulevard Extension Road Network/State Road 535 Link Agreement—approved by the BCC on May 15, 2001, and recorded in O. R. Book 6265, Page 1174, of the Public Records of Orange County, Florida—apply to this project. The developer shall be required to comply with the terms of these agreements. The Transportation Planning Division has informed staff that a 20-foot landscape/pedestrian/sidewalk/utility/drainage easement will be needed for Poinciana Boulevard.

The allowable development based on the approved ACMU future land use designation will generate 669 new p.m. peak hour trips. The development of 650 multi-family units under the requested ACR classification will generate 388 p.m. peak hour trips, resulting in a net decrease of 281 p.m. peak hour trips. Transportation Planning notes that the traffic study submitted in the application package used incorrect rates for the proposed multi-family residential land use. A revised traffic study was requested to show the correct rates based on the 10th Edition of the ITE *Trip Generation Manual*. This change will not impact the result of this analysis, as the proposed FLUM Amendment will still result in a decrease in p.m. peak hour trips.

Per the Transportation Planning Division, the subject site is not located within the County's Alternative Mobility Area (AMA) or along a backlogged/constrained facility or multimodal corridor.

The subject property is located adjacent to SR 535, a four-lane minor arterial road from the Osceola County Line to SR 536/World Center Parkway. Based on the Concurrency Management System database dated May 2, 2018, there is one roadway segment operating below the adopted level of service standard within the project's impact area: SR 535/Winter Garden-Vineland Road/Kissimmee Vineland from the Osceola County Line to SR 536/World Center Parkway. This information is dated and subject to change.

Analysis of the short-term (Interim Year 2023) and long-term (Horizon Year 2030) conditions indicates that these deficiencies will continue with or without the proposed amendment. Amending the FLUM for this property will decrease the number of trips generated by this development.

Final permitting of any development on this site will be subject to review and approval under the capacity constraints of the County's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Plan.

Utilities. The subject site lies within Orange County Utilities' (OCU's) potable water, wastewater and reclaimed water service areas. Per OCU, potable water, wastewater, and reclaimed water demands and connection points will be addressed as the project proceeds through the DRC and construction permitting processes.

Schools. Per Orange County Public Schools (OCPS), the middle school (Freedom Middle) and high school (Freedom High) that would currently serve the project are operating over capacity. Per OCPS, the developer will be required to enter into a Capacity Enhancement Agreement (CEA) with the Orange County School Board. [CEA #OC-18-010 was approved by the School Board on December 11, 2018.](#)

3. PD/LUP Substantial Change Analysis

Project Name: World Resort Planned Development/Land Use Plan (PD/LUP)

Tract Size: 30.1 gross acres

Location: Generally located north of Poinciana Boulevard and east of State Road 417

Impact Analysis

Special Information

The World Resort PD was originally approved on January 8, 2002 and is currently approved for 1,231 hotel units, and 50,000 square feet of retail uses.

Through this PD Change Determination Request (CDR), the applicant is seeking to convert 696 hotel rooms into 650 multi-family units and to add trip equivalencies for multi-family uses. The request also includes two waivers from the Orange County Code to reduce the minimum separation between buildings and increase the maximum building height.

Development Program Comparison Table

<i>Use</i>	<i>Current</i>	<i>Proposed</i>
Hotel	1,231 units	535 units
Retail	50,000 square feet	50,000 square feet
Multi-Family	0	650 units

Land Use Compatibility

The proposed PD Change Determination Request (CDR) would not adversely impact any adjacent properties or result in an incompatible land use pattern.

Comprehensive Plan (CP) Consistency

The subject property has an underlying Future Land Use Map (FLUM) designation of Activity Center Mixed Use (ACMU). This request is associated with Comprehensive Plan Amendment Case #2018-2-A-1-3, a request to change the FLUM designation of a 23.13-acre portion of the PD to Activity Center Residential (ACR).

The proposed Change Determination Review (CDR) request is consistent with the proposed FLUM designation and all applicable CP provisions; therefore, a CP amendment is not necessary.

Community Meeting Summary

A community meeting for the associated Comprehensive Plan amendment was held on May 17, 2018, at Sand Lake Elementary School. One resident attended the meeting and did not express support or opposition for the request.

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a JPA.

Overlay District Ordinance

The subject property is not located within an overlay district.

Environmental

Orange County Conservation Area Determinations CAD 90-026, CAD 00-123, CAD 03-031, and CAD 06-201 delineated Class III wetlands in parcels within this planned development. Please contact the Environmental Protection Division's wetland permitting staff at 407-836-1400 to verify the applicability and validity of historic wetland permits and to determine whether all of the parcels are covered. No CAD was found that included Parcel 741. If additional historical documents are located, please submit a copy with the revised plans. A CAD must be completed for each property prior to submitting a PSP/DP that includes the property.

Transportation / Concurrency

The Poinciana Boulevard Extension Road Network Agreement was approved by the BCC on March 2, 1999 and recorded at OR Book/Page 5702/3038. The agreement provides that the Developers

will provide Right-of-Way to create an arterial Road Network extending northward from the Osceola County Line and ultimately connecting through to World Center Drive and/or International Drive South. Developers agree to convey 80-feet of Right-of-way throughout the Road Network. By agreement, this satisfies the reservation of a 15-foot wide transit easement on either side of the Road Network required by the I-Drive Element. Developers will receive Road Impact Fee Credits in the amount of \$150,000 per acre for Right-of-Way property and drainage easements conveyed. Developers will receive Vested Rights in the amount of a specific number of total average daily trips as follows: Greenway will receive 22,500 total average daily trips, Weston 2,500 total average daily trips and Rinaldi will receive 1,250 total average daily trips. To date all Right-of-Way property and drainage easements were conveyed under this agreement on 5/15/2001. A separate agreement for construction is contemplated in this agreement, however, to date, no such agreement has been approved by the Board of County Commissioners.

The Poinciana Boulevard Extension Road Network/State Road 535 Link Agreement was approved by the BCC on May 15, 2001 and recorded at OR Book/Page 6265/1174. This agreement adds the link segment between State Road 535 and the Poinciana Boulevard Extension Road Network which was depicted in Exhibit D of the Poinciana Boulevard Extension Road Network Agreement approved by the BCC on 3/1/1999 but not described in the agreement as property to be conveyed. The Owner agrees to convey the necessary Right-of-Way to complete the SR 535 link segment. County will deduct the value of vacated Rights-of-Way. The terms of the 3/1/1999 agreement will be followed and the Owner shall receive a net of \$100,762.50 in Road Impact Fee Credits for the conveyance.

Unless the property is otherwise vested or exempt, 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 approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan / preliminary subdivision 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.

Schools

Capacity Enhancement Agreement OC-18-010 was approved by the Orange County School Board on December 11, 2018.

Parks and Recreation

Orange County Parks and Recreation staff reviewed the Change Determination Request but did not identify any issues or concerns.

Specific Project Expenditure Report and Relationship Disclosure Forms

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

4. Policy References

GOAL ID3 – It is Orange County's goal to facilitate the development of residential development in proximity to employment areas of the activity center in order to minimize travel distance and time between the uses.

ID4.1.1 – Approval of development within the Activity Center shall be conditioned upon the availability of adequate services and facilities as measured by the adopted level of service standards of the Comprehensive Plan.

GOAL H1 – Orange County's goal is to promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, to meet current and anticipated housing needs so that all our residents have the opportunity to purchase or rent standard housing.

OBJ H1.1 – The County will continue to support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.

OBJ FLU2.2 – Orange County shall develop, adopt, and implement mixed-use strategies and incentives as part of its comprehensive plan and land development code efforts, including standards for determining consistency with the Future Land Use Map. Other objectives of mixed-use development include reducing trip lengths, providing for diverse housing types, using infrastructure efficiently and promoting a sense of community.

OBJ FLU8.2 – COMPATIBILITY. Compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU1.1.2.A – The Future Land Use Map shall reflect the most appropriate maximum and minimum densities for residential development. Residential development in Activity Centers and Mixed Use Corridors, the Horizon West Village and Innovation Way Overlay (Scenario 5) and Growth Centers may include specific provisions for maximum and minimum densities. The densities in the International Drive Activity Center shall be those indicated in the adopted Strategic Development Plan.

FLU1.1.4

D. INTERNATIONAL DRIVE ACTIVITY CENTER – The following two Future Land Use designations are located only in the International Drive Activity Center. More information about the ACR and ACMU Future Land Use designations are found in the International Drive Activity Center Element, which is a separate and optional element in the Comprehensive Plan.

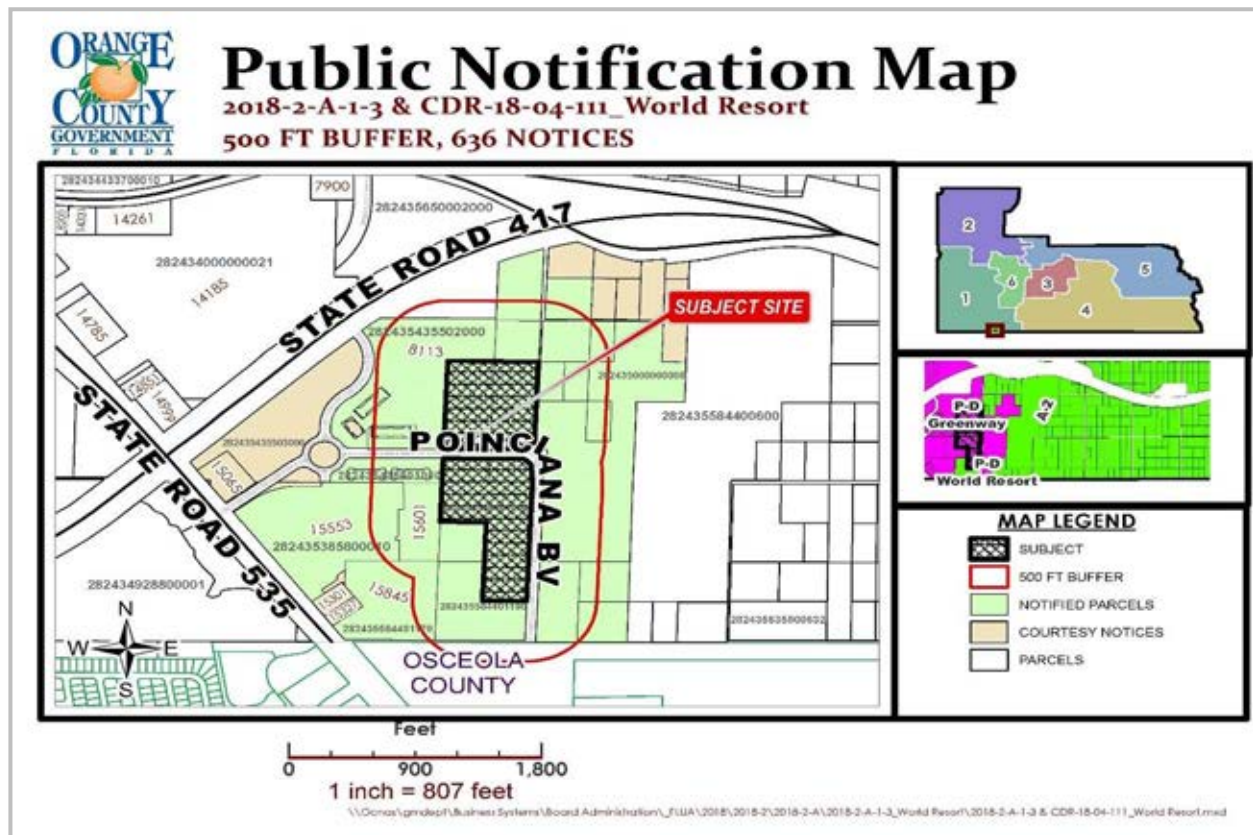
FLUM Designation	General Description	Density/Intensity
I – Drive – Refer to International Drive Activity Center Element		
Activity Center Residential (ACR)	As described in the I-Drive element, ACR facilitates residential development in proximity to employment areas to minimize travel distances between uses. Intended to promote workforce housing for tourist-oriented employment. Establishes 50,000 square feet of non-residential neighborhood support per development. A PD is required.	Up to 30 DU/AC, minimum 12 DU/AC Non-residential 10,000 SF per 125 units with a maximum of 50,000 square feet total of non-residential per development*
Activity Center Mixed Use (ACMU)	As described in the I-Drive element, ACMU is a mixture of tourist-related development and supportive residential activity. No more than 30% of a site designated ACMU shall be for residential purposes. A PD is required.	Non-residential FAR 3.0* Hotel/motel lodging 60 rooms/acre (see note) Up to 30 DU/AC with a maximum of 30% of the site in residential use (see note)
<p>* The maximum FAR or square footage does not include floor area within a parking structure associated with the parking requirements for the principal use.</p> <p>Note: More than 60 hotel/motel rooms per acre or more than 30 DU/AC may be permitted if it can be demonstrated: an increase in traffic impact on the adjoining road network does not occur; and, the developable land area required for the residential portion of the development does not exceed a maximum of 30 percent of the total developable land area of the subject property.</p>		

FLU8.2.1 – Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

Site Visit Photos

Subject Site	
	
North of Subject Site	South of Subject Site
	
West of Subject Site	East of Subject Site
	

PUBLIC NOTIFICATION MAP



Notification Area

500 feet plus neighborhood and homeowners' associations within a one-mile radius of the subject site

636 notices sent

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ORDINANCE NO. 2019-____

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, FOR THE 2018
CALENDAR YEAR (SECOND CYCLE); 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 June 21, 2018, the Orange County Local Planning Agency ("LPA") held a
public hearing on the transmittal of the proposed amendment to the Comprehensive Plan, as
described in this ordinance; and

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

c. On August 28, 2018, the Florida Department of Economic Opportunity ("DEO") issued a letter to the County relating to the DEO's review of the proposed amendment to the Comprehensive Plan, as described in this ordinance; and

f. On October 18, 2018, the LPA held a public hearing at which it reviewed and made recommendations regarding the adoption of the proposed amendment to the Comprehensive Plan, as described in this ordinance; and

g. On January 15, 2019, the Board held a public hearing on the adoption of the proposed amendment to the Comprehensive Plan, as described in this ordinance, and decided to adopt it.

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 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) 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 this amendment may be issued or commence before the amendment has become effective.

ADOPTED THIS 15th DAY OF JANUARY, 2019.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Jerry L. Demings
Orange County Mayor

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

By: _____
Deputy Clerk

100 APPENDIX "A"

101
102 FUTURE LAND USE MAP AMENDMENT

103
104

<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:
2018-2-A-1-3	Activity Center Mixed Use (ACMU)	Activity Center Residential (ACR)
*The Future Land Use Map (FLUM) shall not deplete the above designations until such time as they become effective.		



Community Meeting Memorandum

DATE: June 14, 2018
TO: Gregory Golgowski, AICP, Chief Planner, Comprehensive Planning
FROM: Jennifer DuBois, Planner II
SUBJECT: Amendment 2018-2-A-1-3 (World Resort PD/LUP)—Community Meeting Memo
C: Project File

Location of Project: Generally located north and south of Poinciana Boulevard, east of SR 535, south of SR 417, and north of the Orange/Osceola County line.

Parcel ID Numbers: 35-24-28-5844-00-732/741/870/871/880 and 35-24-28-5844-01-050

Meeting Date and Location: Thursday, May 17, 2018 at 6:00 p.m. at Sand Lake Elementary School, 8301 Buena Vista Woods Boulevard, Orlando, FL 32836

Attendance:

District Commissioner:	District 1 Commissioner Betsy VanderLey Diana Dethlefs, Aide to Commissioner VanderLey
PZC/LPA Commissioners:	District 1 Commissioner Jimmy Dunn and At-Large Commissioner Paul Wean
Orange County Staff:	Jennifer DuBois, Nicolas Thalmueller, and Maria Cahill, Planning Division; Diana Almodovar, Development Engineering Division; and Mirna Barq, Development Engineering Division
Applicant Team:	Rebecca Wilson and Kathryn Smith, Lowndes, Drosdick, Doster, Kantor & Reed, P.A. Rashid Khatib and Michael Kuck, Intram Investments, LLC
Residents	636 notices sent; one (1) member of the public in attendance

Overview of Project:

The applicant, Miranda Fitzgerald, is seeking to change the Future Land Use Map (FLUM) designation of the 23.13-acre subject property from **Activity Center Mixed Use (ACMU)** to **Activity Center Residential (ACR)** to allow for the development of a multi-family residential community featuring up to 650 dwelling units. The undeveloped site—comprised of six individual parcels (Parcels 35-24-28-5844-00-732/741/870/871/880 and 35-24-28-5844-01-050)—is a portion of the 30.1-acre World Resort Planned Development (PD), currently entitled for the development of up to 1,231 hotel rooms and 50,000 square feet of retail space. The remaining 4.41-acre parcel within the World Resort PD (Parcel 35-24-28-0000-00-028) is not included in the requested amendment and will retain its present ACMU designation.

In conjunction with this requested amendment, a proposed substantial change to the currently-approved World Resort PD Land Use Plan (Case CDR-18-04-111), reflecting the proposed revisions to the PD's development program, is proceeding through the DRC review process. Staff notes that it is the applicant's intent to add trip equivalencies for multi-family residential development to the Land Use Conversion Matrix and to convert existing hotel entitlements to multi-family units through the use of the matrix, with a maximum of 650 multi-family units to be incorporated into the Approved Land Uses table. The applicant further proposes to relegate the PD's remaining non-residential entitlements to Parcel 35-24-28-0000-00-028, scheduled to retain the ACMU designation. Staff anticipates that Case CDR-18-04-111 will be considered by the BCC in conjunction with the proposed FLUM Amendment during the adoption public hearing stage.

Meeting Summary:

Commissioner VanderLey, her aide, Diana Dethlefs, PZC/LPA Commissioners Dunn and Wean, the applicant team, and Orange County staff introduced themselves and provided an overview of the proposed FLUM Amendment, the associated PD/LUP substantial change request, and the public hearing schedule.

The one attendee had questions regarding the proposed development program, the public hearing process, the timing of the Poinciana Boulevard extension, school capacity, and onsite wetlands but voiced no objection to the proposed multi-family project.

Commissioner VanderLey thanked the meeting attendee for his participation.

The meeting concluded at 6:30 p.m.

The tone was **Positive**.

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

August 28, 2018

The Honorable Teresa Jacobs
Mayor, Orange County
201 South Rosalind Avenue, 5th Floor
Orlando, Florida 32801

Dear Mayor Jacobs:

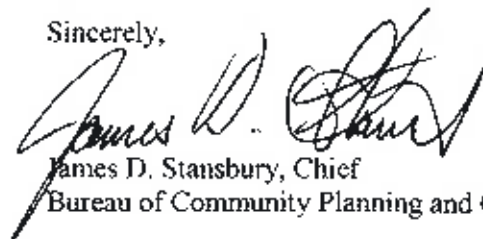
The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for Orange County (Amendment No. 18-5ESR), which was received on July 31, 2018. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Department of Economic Opportunity's authorized scope of review that will be adversely impacted by the amendment if adopted.

The County is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such comments could form the basis for a challenge to the amendment after adoption.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department of Economic Opportunity and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

We appreciate the opportunity to work with the County's staff in the review of the amendment. If you have any questions concerning this review, please contact Jennie Leigh Copps, at (850) 717-8534, or by email at jennie.copps@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JS/jle

Enclosure(s): Procedures for Adoption

cc: Alberto A. Vargas, MArch., Manager, Orange County Planning Division
Hugh W. Harling, Jr., P.E., Executive Director, East Central Florida Regional Planning Council

Florida Department of Economic Opportunity | Caldwell Building | 207 E. Hall Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
[www.twitter.com/FLEO](https://twitter.com/FLEO) | www.facebook.com/FLEO

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**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, in color format, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective. "

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

July 31, 2018

RECEIVED
AUG 03 2018
Planning Manager

Mr. Alberto A. Vargas, MArch, Manager
Orange County Planning Division
201 South Rosalind Avenue, 2nd Floor
Post Office Box 1393
Orlando, Florida 32802-1393

Dear Mr. Vargas, MArch:

Thank you for submitting the Orange County's proposed comprehensive plan amendments submitted for our review pursuant to the Expedited State Review process. The reference number for this amendment package is **Orange County 18-5ESR**.

The proposed submission package will be reviewed pursuant to Section 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. You will receive the Department's Comment Letter no later than **August 30, 2018**.

If you have any questions please contact Anita Franklin, Plan Processor at (850) 717-8486 or Kelly Corvin, Regional Planning Administrator, whom will be overseeing the review of the amendments, at (850) 717-8503.

Sincerely,

D. Ray Eubanks, Administrator
Plan Review and Processing

DRE/af

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
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Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

MEMORANDUM

TO: Florida Department of Environmental Protection
Florida Department of Education
Florida Department of State
Florida Department of Transportation District 5
East Central Florida Regional Planning Council
St Johns River Water Management
South Florida Water Management District
Florida Fish and Wildlife Conservation Commission
Florida Department of Agriculture and Consumer Services

DATE: July 31, 2018

SUBJECT: COMMENTS FOR PROPOSED EXPEDITED STATE REVIEW PLAN AMENDMENT

LOCAL GOVERNMENT/ STATE LAND PLANNING AGENCY AMENDMENT #: ORANGE CO 18-05ESR

STATE LAND PLANNING AGENCY CONTACT PERSON/PHONE NUMBER: Kelly Corvin/(850)717-8503

The referenced proposed comprehensive plan amendment is being reviewed pursuant the Expedited State Review Process according to the provisions of Section 163.3184(3), Florida Statutes. Please review the proposed documents for consistency with applicable provisions of Chapter 163, Florida Statutes.

Please note that your comments must be sent directly to and received by the above referenced local government within 30 days of receipt of the proposed amendment package. A copy of any comments shall be sent directly to the local government and to the State Land Planning Agency to the attention of Ray Eubanks, Administrator, Plan Review and Processing at the Department E-mail address: DCPexternalagencycomments@deo.myflorida.com

Please use the above referenced State Land Planning Agency AMENDMENT NUMBER on all correspondence related to this amendment.

Note: Review Agencies - The local government has indicated that they have mailed the proposed amendment directly to your agency. See attached transmittal letter. Be sure to contact the local government if you have not received the amendment. Also, letter to the local government from State Land Planning Agency acknowledging receipt of amendment is attached.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
[www.twitter.com/FLDEO](https://twitter.com/FLDEO) | www.facebook.com/FLOEO

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RECEIVED
JUL 31 2018
DIVISION OF PLANNING
LOCAL PLANNING AGENCY

July 24, 2018

Mr. Ray Eubanks, Plan Processing Administrator
Florida Department of Economic Opportunity (DEO)
State Land Planning Agency
Caldwell Building
107 East Madison – MSC 160
Tallahassee, Florida 32399

Re: Orange County Transmittal of the 2018-2 Regular Cycle State-Expedited Review Comprehensive Plan Amendments

Dear Mr. Eubanks:

The Orange County Board of County Commissioners (BCC) is pleased to transmit to the Florida Department of Economic Opportunity (DEO) this 2018-2 transmittal packet, which consists of Regular Cycle – State-Expedited Review amendments to the Orange County 2010-2030 Comprehensive Plan. This is the second amendment package of the calendar year 2018 and therefore is referred to as 2018-2 for Orange County filing purposes. Transmittal public hearings for these amendments were held on June 21, 2018, and July 10, 2018, before the Local Planning Agency (LPA) and BCC, respectively. One paper and two electronic copies (CD) of the proposed amendments are enclosed.

Regular Cycle Amendments

Per 163.3184(3), Florida Statutes, please note the following:

The Regular Cycle – State-Expedited Review amendments included seven privately-initiated Future Land Use Map amendments, one privately-initiated text amendment, and two staff-initiated map and/or text amendments. All of the proposed amendments were on a regular agenda.

Privately-Initiated Map Amendments

- | | |
|--------------|--|
| 2018-2-A-1-1 | Kathy Hattaway, Poulos & Bennett, LLC, for Daniel A. and Susan Berry/Thistledown Farm, Inc.
Village (V) to Horizon West, Village of Bridgewater Special Planning Area (SPA) |
| 2018-2-A-1-2 | Kathy Hattaway, Poulos & Bennett, LLC, for BB Groves, LLC
Growth Center/ Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR) |
| 2018-2-A-1-3 | Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Fairwinds Credit Union
Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR) |
| 2018-2-A-1-4 | Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Kerina Wildwood, Inc., Kerina Village, Inc., Kerina Inc., and Kerina Parkside Master, Inc. |

- Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Rural/Agricultural (R) to Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)
- 2018-2-A-1-6 VHB, Inc., for Daryl M. Carter Trustee and Carter-Orange 105 Sand Lake Land Trust
Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR)
- 2018-2-A-1-7 Momtaz Barq, P.E., Terra-Max Engineering, Inc., for Macomb Oakland Sand Lake, LLC
Planned Development-Time Share/Medium Density Residential/Hotel/Office (PD-TS/MDR/HOTEL/O) to Planned Development-Time Share/Medium-High Density Residential/Hotel/Office (PD-TS/MHDR/HOTEL/O)
- 2018-2-A-5-1 Julie Salvo, AICP, Orange County Public Schools, for Hamilton, LLC
Rural/Agricultural (R) to Educational (EDU)

Privately-Initiated Text Amendment

- 2018-2-P-1-5 Marc Skorman for Audrey L. Arnold Revocable Trust, Audrey L. Arnold and James P. Arnold Life Estate, Ron Marlow and Kathy Darlene Marlow, and Billy Kenneth Williams, and Lynn A. Williams
Text amendment to proposed Future Land Use Element Policy FLU2.5.5 and creating Policy FLU2.5.5.1 related to the proposed Lake Mabel Rural Residential Enclave

Staff-Initiated Amendments

- 2018-2-B-FLUE-1 Text amendments to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County
- 2018-2-B-FLUE-2 Text amendment to the Horizon West Village policies for perimeter remnant parcels

Orange County certifies that the proposed amendments, including associated data and analysis and all supporting documents, have been submitted to the parties listed below simultaneously with submittal to DEO, pursuant to 163.3184(3)(b)2, Florida Statutes. The amendment package is available for public inspection at the Orange County Planning Division as well as online at:

<http://www.orangecountyfl.net/PlanningDevelopment/ComprehensivePlanning> or
www.tinyurl.com/OCCompPlan

Agency	Contact
Department of Agriculture and Consumer Services	Comprehensive Plan Review
Department of Education	Tracy D. Suber, Education Consultant-Growth Management Liaison
Department of Environmental Protection	Suzanne E. Ray
Department of State	Deena Woodward, Historic Preservation Planner

Florida Fish and Wildlife Conservation Commission
Governor's Office of Tourism, Trade, and
Economic Development
Department of Transportation, District Five

Scott Sanders
Sherri Martin, Sr. Analyst

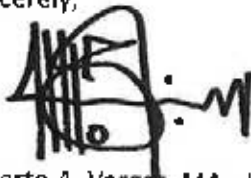
Heather S. Garcia, Planning & Corridor
Development Manager

East Central Florida Regional Planning Council
St. Johns River Water Management District
South Florida Water Management District

Andrew Landis, Regional Planner
Steven Fitzgibbons, Intergovernmental Planner
Terry Manning, AICP, Policy and Planning Analyst

We look forward to working with DEO staff during your review of the amendment packet. If you have any questions, please contact Greg Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at 407.836.5624 or via email at Gregory.Golgowski@ocfl.net.

Sincerely,



Alberto A. Vargas, MArch., Manager
Orange County Planning Division

AAV/GG/tlp

enc: 2018-2 Regular Cycle State-Expedited Review Amendments DEO Transmittal Binder

cw/enclosures: Chris Testerman, AICP, Assistant County Administrator
Jon V. Weiss, P.E., Director, Community, Environmental, and Development Services Dept.
Joel Prinsell, Deputy County Attorney
Roberta Alfonso, Assistant County Attorney
John Smogor, Planning Administrator, Planning Division
Gregory Golgowski, Chief Planner, Planning Division
Sue Watson, Planner II, Planning Division



Sheriff Jerry L. Demings
ORANGE COUNTY SHERIFF'S OFFICE
INTEROFFICE MEMORANDUM

May 8, 2018

TO: Nicholas M. Thalmueller
Orange County Planning Division

FROM: Daniel Divine, Manager
Research & Development

SUBJECT: 2018-2 Regular Cycle Comprehensive Policy Plan Amendments (CPPA)

As requested, we have reviewed the impact of the existing and proposed development scenarios related to the 2018-2 Regular Cycle Comprehensive Policy Plan Amendments (CPPA). Based on the existing and proposed development scenarios, the Sheriff's Office staffing needs for existing are 0.01 deputies and 0.01 support personnel and proposed are 12.42 deputies and 5.64 support personnel to provide the standard level of service (LOS) to these developments.

Comprehensive Policy Plan Amendment 2018-2-A-5-1 consists of proposed high school practice fields. This proposed development is in Sheriff's Office Patrol Sector Two. Sector Two is located in the eastern portion of Orange County and is approximately 404.632 square miles, our largest sector geographically. In 2017 Sector Two had 273,502 calls for service. In 2017 the average response times to these calls were 00:20:34 minutes Code 1; 00:32:40 minutes Code 2; and 00:06:47 minutes Code 3.

Comprehensive Policy Plan Amendment 2018-2-A-1-1 is a proposed single family dwelling unit, **2018-2-A-1-4** is a proposed development consisting of single and multi family dwellings, senior living units, commercial and office uses, **2018-2-A-1-5** is a proposed assisted living facility, **2018-2-A-1-6** is a proposed residential and commercial use development, and **2018-2-A-1-7** is a proposed mixed use development of timeshare, residential and office units. These developments are located within Sector Three. Sector Three is situated in mid-western portion of Orange County and is approximately 82.934 square miles. In 2017 Sector Three received 186,180 calls for service. In 2017 the average response times to these calls were 00:19:57 minutes for Code 1; 00:31:36 minutes for Code 2; and 00:07:17 minutes for Code 3.

Comprehensive Policy Plan amendment #2018-2-A-1-3 comprises proposed multi-family dwelling units located in Sector Five. Sector Five is situated in the Southwestern portion of Orange County and is approximately 22.664 square miles. In 2017 Sector Five had 130,323 calls for service. In 2017 the average response times to these calls were 00:10:35 minutes for Code 1; 00:12:32 minutes Code 2; and 00:04:18 minutes Code 3.

Mr. Nicholas Thalmueller
May 8, 2018
Page 2

Comprehensive Policy Plan amendment 2018-2-A-1-2 is a proposed single family dwelling use development located in Sector Six. Sector Six is located in the Southern portion of Orange County and is approximately 31.233 square miles. The Cities of Bay Lake and Lake Buena Vista are within this sector. In 2017 Sector Six had 97,087 calls for service. In 2017 the average response times to these calls were 00:09:36 minutes for Code 1; 00:14:14 minutes Code 2; and 00:06:27 minutes Code 3.

The Orange County Sheriff's Office measures service requirements based on the number of calls for service generated and the number of staff needed to respond to those calls. All development generates impact, but at varying levels. In the 2017 update to the Law Enforcement Impact Fee Ordinance, the Sheriff's Office Level of Service was 278 calls for service per sworn officer per year. Support personnel are calculated by applying 45.4% to the sworn officer requirement. The 'formula' is *land use x unit of development x calls per unit divided by 278 = number of deputies required for that development. The 'formula' for the number of support personnel required is the number of deputies * 45.4 percent.* These calculations are obtained from Orange County's Law Enforcement Impact Fee Study and Ordinance.

We have attached reports based on the existing and proposed development scenarios which show staffing needs. Impact fees address capital cost only. All other costs must be requested from the Board of County Commissioners including salaries and benefits.

As stated before, all new development creates new calls for service, which in turn creates a need for new additional manpower and equipment. If calls for service increase without a comparable increase in manpower our response times are likely to increase.

If you wish to discuss this information, please contact me or Belinda Atkins at 407 254-7470.


D.P.D.

DPD/bga

Attachments

c: Undersheriff Rey Rivero, Chief Deputy Nancy Brown, Chief Deputy Larry Zwieg, Major Angelo Nieves, Major Rick Meli, Captain Paul Yoast, CALEA 15.1.3



Interoffice Memorandum

Date: May 11, 2018

To: Alberto A. Vargas, MArch, Manager
Orange County Planning Division

From: J. Andres Salcedo, P.E., Assistant Director
Utilities Engineering Division

J. Andres Salcedo
5/11/18

**Subject: Facilities Analysis and Capacity Report
2018-2 Regular Cycle Comprehensive Plan Amendments**

Orange County Utilities (OCU) staff reviewed the proposed development programs as submitted by the Planning Division and have concluded improvements to the County's water and wastewater treatment plants are not required to provide an adequate level of service consistent with the Comprehensive Plan's Potable Water, Wastewater and Reclaimed Water Element for those properties within OCU's service area. The Comprehensive Plan includes a 10-Year Water Supply Facilities Work Plan addressing the needs of our service area. Supporting documentation is provided in the attached Potable Water and Wastewater Facilities Analysis table.

As of today OCU has sufficient plant capacity to serve the subject amendments. This capacity is available to projects within OCU's service area and will be reserved upon payment of capital charges in accordance with County resolutions and ordinances. Transmission system capacity will be evaluated at the time of Master Utility Plan review and permitting, or at the request of the applicant.

OCU's groundwater allocation is regulated by its consumptive use permits (CUP). OCU is working toward alternative water supply (AWS) sources and agreements with third party water providers to meet the future water demands within our service area. While OCU cannot guarantee capacity to any project beyond its permitted capacity, we will continue to pursue the extension of the CUP and the incorporation of AWS and other water resources sufficient to provide service capacity to projects within the service area.

If you need additional information, please contact me or Lindy Wolfe at 407 254-9918.

cc: Raymond E. Hanson, P.E., Director, Utilities Department
Teresa Remudo-Fries, P.E., Deputy Director, Utilities Department
Lindy Wolfe, P.E., Assistant Manager, Utilities Engineering Division *LW 5/8/18*
Laura Tatro, P.E., Senior Engineer, Utilities Engineering Division *LS 5/8/18*
Gregory Golgowski, Chief Planner, Planning Division
Nicolas Thalmueller, Planner, Planning Division
File: 37586; 2018-2 Regular Cycle

Potable Water and Wastewater Facilities Analysis for 2018-2 Regular Cycle Comprehensive Policy Plan Amendments

Amendment Number	Parcel ID	Service Type and Provider	Main Size and General Location	Proposed Land Use	Maximum Density, Dwelling Units	Maximum Density, Hotel Rooms	Maximum Density Non-residential SF	PW Demand (MGD)	WW Demand (MGD)	Available PW Capacity (MGD)	Available WW Capacity (MGD)	Reclaimed Water Required for Irrigation	OCU Service Area
2018-2-A-1-1 (Tilden Road)	10-23-27-0000-00-033 (portion of) and 10-23-27-0000-00-034 (portion of)	PW: City of Winter Garden/Orange County Utilities* WW: City of Winter Garden/Orange County Utilities* RW: City of Winter Garden/Orange County Utilities*	PW: Contact City of Winter Garden/See notes** WW: Contact City of Winter Garden/See notes** RW: Contact City of Winter Garden/See notes**	Village (V) (Village of Bridgewater)	161	0	0	0.044	0.036	0.044	0.036	Yes	West
2018-2-A-1-2 (Lake Austin)	30-24-27-0000-00-003 (portion of) and 31-24-27-0000-00-036	PW: Orange County Utilities* WW: Orange County Utilities* RW: Orange County Utilities*	PW: 24-inch watermain in Grove Blossom Way right-of-way WW: 15-inch gravity sewer in Grove Blossom Way right-of-way RW: 12-inch reclaimed water main in Grove Blossom Way right-of-way	South Parcel: Growth Center/Resort/Low-Medium Density Residential/Planned Development (GC/R/LMDR/PD); North Parcel: Horizon West, Village I Special Planning Area (SPA)-Greenbelt (GB)	500	0	0	0.138	0.113	0.138	0.113	Yes	South
2018-2-A-1-3 (World Resort)	35-24-28-5844-00-732/741/870	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: See notes** WW: See notes** RW: See notes**	Activity Center Residential (ACR)	650	0	0	0.179	0.146	0.179	0.146	Yes	South
2018-2-A-1-4 (Kerina Parkside)	10-24-28-0000-00-005/053, 10-24-28-6670-11-000, and 15-24-28-5844-00-050/071/130/142/211	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: See notes** WW: See notes** RW: See notes**	Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)	1,000	0	150,000	0.289	0.236	0.289	0.236	Yes	South
2018-2-P-1-5 (Arnold Groves Senior Living)	32-23-28-0000-00-003; 32-23-28-0000-00-006; 32-23-28-0000-00-005; and 32-23-28-0000-00-001	PW: Orange County Utilities* WW: Orange County Utilities* RW: Orange County Utilities*	PW: 24-inch watermain in Winter Garden Vineland Road right-of-way WW: 16-inch forcemain in Winter Garden Vineland Road right-of-way RW: 16-inch reclaimed water main in Winter Garden Vineland Road right-of-way	Rural Hamlet	30	0	121,193	0.019	0.016	0.019	0.016	Yes	South
2018-2-A-1-6 (Hannah Smith)	11-24-28-0000-00-020, 14-24-28-0000-00-012/018, 14-24-28-1242-60-000/66-000/66-001, and 15-24-28-7774-00-023/024	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: See notes** WW: See notes** RW: See notes**	Planned Development-Commercial/Medium Density Residential (PD-C/MDR)	1,800	0	415,142	0.533	0.436	0.533	0.436	Yes	South
2018-2-A-1-7 (Turkey Lake Road Condos)	11-24-28-0000-00-010	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 10-inch and 12-inch watermain within the Turkey Lake Road right-of-way WW: 20-inch force main within the Turkey Lake Road right-of-way RW: 16-inch reclaimed water main within the Turkey Lake Road right-of-way	Planned Development-Time Share/Medium-High Density Residential/Hotel/Office (PD-TS/MHDR/HOTEL/O)	424	0	683,892	0.179	0.147	0.179	0.147	Yes	South
2018-2-A-5-1 (East River High School)	20-22-32-0000-00-003	PW: Orange County Utilities* WW: Orange County Utilities* RW: Not Currently Available*	PW: 16-inch watermain within East River Falcons Way right-of-way WW: 4-inch forcemain within East River Falcons Way right-of-way RW: Not currently available	Educational (EDU)	0	0	0	0.000	0.000	0.000	0.000	No	East

NOTES:

No plant improvements are needed to maintain LOS standards. This evaluation pertains solely to water and wastewater treatment plants. Connection points and transmission system capacity will be evaluated at the time of Master Utility Plan review and permitting, or at the request of the applicant.

*The site is outside the Urban Service Area, but water and wastewater mains are located in the vicinity of the site. If the Urban Service Area boundary is expanded to encompass this site, or if the extension of water and wastewater mains outside the Urban Service Area to serve this site is already compatible with Policies PW1.4.2, PW1.5.2, and the equivalent wastewater policies, water and wastewater demands and connection points to existing OCU transmission systems will be addressed as the project proceeds through the DRC and construction permitting process.

**2018-2-A-1-1,2018-2-A-1-3, 2018-2-A-1-4, 2018-2-A-1-6: Water, wastewater, and reclaimed water demands and connection points for the land within OCU's service area will be addressed as the project proceeds through the DRC and construction permitting processes. The property included in 2018-2-A-1-1 is divided between City of Winter Garden's utility service area and Orange County Utilities' utility service area.

Abbreviations: PW - Potable Water; WW - Wastewater; RW - Reclaimed Water; WM - Water Main; FM - Force Main; GM - Gravity Main; MUP - Master Utility Plan; TBD - To be determined as the project progresses through Development Review Committee, MUP and permitting reviews; TWA - Toho Water Authority; RCID - Reedy Creek Improvement District



Orange County Public Schools

School Capacity Report

DATE ISSUED	May 31, 2018		
JURISDICTION	ORANGE COUNTY		
CASE	2018-2-A-1-3		
PROPERTY ID	35-24-28-5844-00-732, 35-24-28-5844-00-741, 35-24-28-5844-00-870		
ACREAGE	+/- 10.72		
LAND USE CHANGE	ACMU TO ACR		
PROPOSED USE	Single Family Units: <u>0</u>	Multi Family Units: <u>650</u>	
	Mobile Homes Units: <u>0</u>	Town Homes Units: <u>0</u>	

CONDITIONS AT AFFECTED SCHOOLS (AS OF OCTOBER 16, 2017)

School Information	Tangelo Park ES	Freedom MS	Freedom HS
Capacity (2017 - 2018)	664	1,114	2,671
Enrollment (2017 - 2018)	616	1,177	3,874
Utilization (2017 - 2018)	93.0%	106.0%	145.0%
Adopted LOS Standard	110.0%	100.0%	100.0%
Students Generated	97	41	46

COMMENTS/CONDITIONS OF APPROVAL:

PROJECT REQUIRES A CEA. APPLICANT HAS SUBMITTED AN APPLICATION TO OCPS, ID #OC-18-010, WORLD RESORT

For more information on this analysis, please contact:

Julie Salvo, AICP at 407.317.3700 x2022139



ORANGE COUNTY FIRE RESCUE DEPARTMENT
Jacob Lujan, Planning and Technical Services Division
6590 Amory Court
Winter Park, FL 32792
(407) 836-9893 Fax (407) 836-9106
Jacob.Lujan@ocfl.net

Date: May 3, 2018

To: Nicolas Thalmueller, Planner
Orange County Planning Division

From: Jacob Lujan, Interim Compliance and Planning Administrator
Planning & Technical Services—Orange County Fire Rescue Department

Subject: Facilities Analysis and Capacity Report 2018-2 Regular Cycle Amendments
Development Comprehensive Plan Amendments – Fire Rescue Summary

Amendment #	OC Fire Station First Due	Distance from Fire Station	Emergency Response Time
2018-2-A-1-1	34	1.7 miles	3 min
2018-2-A-1-2	32	3.3 miles	7 min
2018-2-A-1-3*	56	3.0 miles	3 min
2018-2-A-1-4*	36	2.3 miles	6 min
2018-2-A-1-5	35	2.8 miles	5 min
2018-2-A-1-6	36	2.2 miles	6 min
2018-2-A-1-7	54	1.4 miles	6 min
2018-2-S-5-1 (new)	82	3.0 miles	9 min

*Amended – no change for Fire

Please contact our office if you have any questions or need additional information.

BKM



Interoffice Memorandum

DATE: May 15, 2018

TO: Alberto Vargas, Manager
Planning Division

THROUGH: John Geiger, PE, Sr. Engineer
Environmental Protection Division

FROM: Sarah Bernier, REM, Sr. Environmental Specialist
Environmental Protection Division

SUBJECT: Facilities Analysis and Capacity Report Request for the
2018-2 Regular Cycle Comprehensive Plan Amendments

As requested, Environmental Protection Division staff reviewed the subject Comprehensive Plan Amendments. We understand that the first public hearing for these requests will be on June 21, 2018 before the Local Planning Agency. Attached are summary charts with the environmental analysis results.

If you have any questions regarding the information provided, please contact Sarah Bernier at 407-836-1471 or John Geiger at 407-836-1504.

Attachment

SB/JG

cc:

Greg Golgowski, Chief Planner, Comprehensive Planning
Nicolas Thalmueller, Planner, Comprehensive Planning
David Jones, Manager, Environmental Protection Division
Elizabeth Johnson, Assistant Manager
Tim Hull, Environmental Programs Administrator, Natural Resource Management

Orange County Environmental Protection Division
Comments to the Local Planning Agency for the
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1) Amendment #2018-2-A-1-1

Tilden Road

FLU from: Village (V) to Village (V) (Village of Bridgewater) (Garden Home District)

Rezoning from: A-1 (Citrus Rural District) to PD (Planned Development District)

Proposed Development: Up to 161 single-family dwelling units

Owner: Daniel A. and Susan Berry/Thistledown Farm, Inc.

Agent: Kathy Hattaway, Poulos & Bennett, LLC

Parcels: North portions of 10-23-27-0000-00-033/034

Address: 14950 and 14908 Tilden Rd.

District: 1

Area: 30.80 gross / 20.15 developable acres

EPD Comments: STOP NEED CAD BEFORE PROCEEDING

Wetlands and surface waters are located on the subject properties. A Conservation Area Determination (CAD) must be completed for the northern portion of the parcels prior to approval of this amendment request, consistent with Orange County Code Chapter 15, Article X Wetland Conservation Areas. CAD-13-08-042, CAD 06-204 and CAD 06-205 were completed for the southern portions of the parcels.

Until wetland permitting is complete, the net developable acreage is only an approximation. The net developable acreage is the gross acreage less the wetlands and surface waters acreage. The buildable area is the net developable acreage less protective buffer areas if required to prevent adverse secondary impacts. The applicant is advised not to make financial decisions based upon development within the wetland or the upland protective buffer areas. Any plan showing development in such areas without Orange County and other jurisdictional governmental agency wetland permits is speculative and may not be approved.

Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County EPD. Reference Comprehensive Plan Policy FLU1.1.2 C.

The removal, alteration or encroachment within a Class I conservation area shall only be allowed in cases where: no other feasible or practical alternatives exist, impacts are unavoidable to allow a reasonable use of the land, or where there is an overriding public benefit, as determined before the Orange County Board of County Commissioners.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

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This site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Special area regulations apply. These requirements may reduce the total net developable acreage. Regulations include, but are not limited to: septic tank criteria, open space requirements, stormwater treatment, upland preservation, setbacks related to karst features and the watershed, and aquifer vulnerability. In addition to the state regulations, local policies are included in Orange County Comprehensive Plan 2010-2030, Future Land Use Element (but not limited to) Objective FLU6.6 Wekiva and the related policies.

Development of the subject properties shall comply with all state and federal regulations regarding wildlife or plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC). The ecological assessment dated February 12, 2018 submitted with this request reported the presence of listed species on site, including gopher tortoise and sand skink habitat.

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.

The subject properties had a prior land use (commercial nursery, horse farm) that may have resulted in soil or groundwater contamination due to spillage of petroleum products, fertilizer, pesticide or herbicide. Prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading or construction plans, the applicant shall provide documentation to assure compliance with the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels, and any other contaminant cleanup target levels found to apply during further investigations, to the Orange County Environmental Protection Division (EPD) and the Development Engineering (DE) Division.

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2) Amendment #2018-2-A-1-2

Lake Austin PD/Ayers Rock

FLU from: North Parcel: Village (V) to Horizon West, Village I Special Planning Area (SPA)-Greenbelt (GB); South Parcel: Growth Center/ Resort/Planned Development (GC/R/PD) to Growth Center/Resort/Low-Medium Density Residential/Planned Development (GC/R/LMDR/PD)

Rezoning: CDR pending Lake Austin PD/LUP

Proposed Development: 500 single-family residential units

Owner: BB Groves, LLC

Agent: Kathy Hattaway, Poulos & Bennett, LLC

Parcels: 30-24-27-0000-00-003 (portion) and 31-24-27-0000-00-036

Address: west of Avalon Road, and north and south of Grove Blossom Way

District: 1

Area: 117.86 gross / 108.03 developable acres

EPD Comments:

Orange County Conservation Area Determination CAD 07-119 delineated the wetlands and surface waters on the subject parcels but this determination expired in 2013. A new CAD must be completed with a certified wetland boundary survey approved by the Environmental Protection Division (EPD) prior to submittal of a subdivision, development plan or permit application, in accordance with Orange County Code Chapter 15, Article X Wetland Conservation Areas.

Until wetland permitting is complete, the net developable acreage is only an approximation. The net developable acreage is the gross acreage less the wetlands and surface waters acreage. The buildable area is the net developable acreage less protective buffer areas if required to prevent adverse secondary impacts. The applicant is advised not to make financial decisions based upon development within the wetland or the upland protective buffer areas. Any plan showing development in such areas without Orange County and other jurisdictional governmental agency wetland permits is speculative and may not be approved.

Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County EPD. Reference Comprehensive Plan Policy FLU1.1.2 C.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

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Development of the subject properties shall comply with all state and federal regulations regarding wildlife or plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC). The ecological assessment dated February 14, 2018 submitted with this request reported the presence of listed species on site, including numerous gopher tortoise burrows and sand skink habitat, among others.

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

3) Amendment # 2018-2-A-1-3

World Resort PD

FLU from: Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR)

Rezoning: CDR-18-04-111 World Resort PD/LUP

Proposed Development: Up to 650 multi-family dwelling units

Owner: Fairwinds Credit Union

Agent: Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A.

Parcels: 35-24-28-5844-00-732/741/870/871/880 and 35-24-28-5844-01-050

Address: north and south of Poinciana Boulevard, east of SR 535, south of SR 417, and north of the Orange/Osceola County line

District: 1

Area: 23.13 gross acres

EPD Comments:

Orange County Conservation Area Determinations CAD 90-026, CAD 00-123, CAD 03-031 and CAD 06-201 delineated Class III wetlands in parcels within this planned development. Please contact the Environmental Protection Division (EPD) wetland permitting staff at 407-836-1400 to verify the applicability and validity of historic wetland permits and to determine whether all of the parcels are covered. If additional historical documents are located, then submit a copy to EPD for verification. A CAD must be complete for each property prior to submitting development plans or permit applications that includes the property.

All acreages identified as 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 request does not authorize any direct or indirect conservation area impacts.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

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Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

4) Amendment #2018-2-A-1-4

Parkside aka Kerina PD

FLU from: Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Rural/Agricultural (R) to Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)

Rezoning: CDR-18-04-110 Parkside aka Kerina PD/LUP

Proposed Development: Up to 450 single-family units, 350 multi-family units, 200 senior living units, 100,000 sq. ft. of C-1 (Retail Commercial District) uses, 50,000 sq. ft. of office uses, 3.0 acres park, and 93.0 acres of conservation land/open space

Owner: Kerina Wildwood Inc., Kerina Village Inc., Kerina Inc., Kerina Parkside Master Inc.

Agent: Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A

Parcels: 10-24-28-0000-00-005/053, 10-24-28-6670-11-000, 15-24-28-5844-00-050/071/130/142 and 211 (portion)

Address: east and west of S. Apopka-Vineland Road, south of Buena Vista Woods Boulevard, and north of Lake Street

District: 1

Area: FLUM Amendment 215.67 gross acres; PD/LUP Substantial Change: 485.10 gross acres

EPD Comments:

Conservation Area Determinations (CAD) have been completed for this planned development since the late 1980's, including CAD 05-283 and CAD 05-028. Please contact the Environmental Protection Division (EPD) wetland permitting staff at 407-836-1400 to verify the applicability and validity of historic wetland permits and to determine whether all of the parcels are covered. A CAD must be complete for each property prior to submitting a subdivision, development plan or permit application that includes the property.

All acreages identified as 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 request does not authorize any direct or indirect conservation area impacts.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to

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surface waters or wetlands that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

5) Amendment #2018-2-P-1-5 (TEXT AMENDMENT)

Arnold Groves Senior Living

FLU from: Village (V) to Village (V)

Rezoning from: R-CE (Country Estate District) to PD (Planned Development District)

Proposed Development: 121,193 sq ft assisted living facility with 110 beds, and 17 independent senior units

Owner: Audrey L. Arnold Revocable Trust, Audrey L. Arnold and James P. Arnold Life Estate, Ron Marlow and Kathy Darlene Marlow, and Billy Kenneth Williams, and Lynn A. Williams

Agent: Marc Skorman

Parcels: 32-23-28-0000-00-001/003/005/006

Address: south and west of Winter Garden Vineland Rd., northeast of Lake Mabel, and east of Reams Road.

District: 1

Area: 10.61 gross acres

EPD Comments: STOP NEED CAD BEFORE PROCEEDING

Areas on the rear of the subject properties are comprised of wetlands that extend offsite and are hydrologically connected to Lake Mabel. A Conservation Area Determination (CAD) must be completed prior to approval of this amendment request, consistent with Orange County Code Chapter 15, Article X Wetland Conservation Areas.

Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. The net developable land area is defined as the gross land area, less surface waters and wetland areas. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County EPD. Reference Comprehensive Plan Policy FLU1.1.2 C. Approval of this request does not authorize any direct or indirect conservation area impacts.

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The removal, alteration or encroachment within a Class I conservation area shall only be allowed in cases where: no other feasible or practical alternatives exist, impacts are unavoidable to allow a reasonable use of the land, or where there is an overriding public benefit, as determined before the Orange County Board of County Commissioners.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

Development of the subject properties shall comply with all state and federal regulations regarding wildlife or plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

Lake Mabel is located within the Windermere Water and Navigation Control District Municipal Service Taxing Unit (MSTU) or Municipal Service Benefit Unit (MSBU) established for the purpose of funding lake management services. To the extent that this project is part of the taxing district or benefits from Lake Mabel, it shall be required to be a participant.

This site is located in close proximity to the Tibet Butler Preserve. The applicant / owner has an affirmative obligation to expressly notify potential purchasers, builders, and/or tenants of this development, through an appropriate mechanism, including a conspicuous note on the plat and/or a recorded restrictive covenant, as applicable, that the adjacent land use includes publicly managed property. The notice shall indicate that the adjacent property will require the use of resource management practices that may result in periodic temporary conditions that may limit outdoor activities. These practices will include, but not be limited to, ecological burning, pesticide and herbicide usage, exotic plant and animal removal, usage of heavy equipment and machinery, and other practices as may be deemed necessary for proper resource management.

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.

Portions of the subject properties had a prior agricultural land use that may have resulted in soil or groundwater contamination due to spillage of petroleum products, fertilizer, pesticide or

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herbicide. Prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading or construction plans, the applicant shall provide documentation to assure compliance with the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels, and any other contaminant cleanup target levels found to apply during further investigations, to the Orange County Environmental Protection Division (EPD) and the Development Engineering (DE) Division.

6) Amendment #2018-2-A-1-6

Hannah Smith PD

FLU from: Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Medium Density Residential (PD-C/MDR)

Rezoning: CDR pending Hannah Smith PD/LUP

Proposed Development: 1,800 residential units, 415,142 sq. ft. commercial uses

Owner: Daryl M. Carter Tr and Carter-Orange 105 Sand Lake Land Trust

Agent: Jim Hall, VHB, Inc.

Parcels: 11-24-28-0000-00-020, 14-24-28-0000-00- 012/018, 14-24-28-1242-60-000/66-000/66-001, and 15-24-28-7774-00-023/024

Address: west of Interstate 4 and south of Fenton St.

District: 1

Area: 84.32 gross / 81.52 developable acres

EPD Comments:

The subject property is predominately uplands with one 3 acre parcel in Big Sand Lake. Prior to submittal of a subdivision, development plan or permit application, the Environmental Protection Division (EPD) will require a completed Conservation Area Determination (CAD), consistent with Orange County Code Chapter 15, Article X Wetland Conservation Areas.

All acreages identified as 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 request does not authorize any direct or indirect conservation area impacts.

Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. The net developable land area is defined as the gross land area, less surface waters and wetland areas. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County EPD. Reference Comprehensive Plan Policy FLU1.1.2 C. Approval of this request does not authorize any direct or indirect conservation area impacts.

The Normal High Water Elevation (NHWE) of Big Sand Lake was established at 89.03 feet NAVD 88 in the Lake Index of Orange County. Clearly label and indicate the NHWE contour of the lake on all plans or permit applications, in addition to any wetland, floodplain and setback

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lines.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

Approval of this request does not grant permission for the construction or alteration of boat ramps, docks, observation piers, lake shore vegetation, or seawalls on the lake. Any person desiring these types of structures or to perform shoreline alterations shall first apply for a permit from the Orange County EPD prior to commencement of such activities.

The Board of County Commissioners (BCC) condition of approval #3 from February 20, 2001 states that no motorized watercraft shall be permitted onto Big Sand Lake from this development.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

This area has rare upland scrub (dry prairie) and rare species per the Florida Natural Areas Inventory (FNAI). If the habitat survey identifies threatened and endangered plants, and removal is permissible, then the applicant may contact the Florida Native Plant Society (FNPS) or other similar non-profit agency to grant access to the site for removal of the threatened and endangered plants and/or collect seeds. This will preserve the genetic material and provide plants for restoration of other areas. Either the FNPS, similar nonprofit or the Developer shall secure all appropriate permits for these activities.

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

If this site had a prior agricultural land use that resulted in soil or groundwater contamination due to spillage of petroleum products, fertilizer, pesticide or herbicide, then prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading or construction plans, the applicant shall provide documentation to assure compliance with the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels, and any other contaminant cleanup target levels found to apply during further investigations, to the Orange County Environmental Protection Division (EPD) and the Development Engineering (DE) Division.

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7) Amendment #2018-2-A-1-7

Turkey Lake Road Condos PD/Parcel 2 Castilla Village

FLU from: Planned Development-Time Share/Medium Density Residential/Hotel/Office (PD-TS/MDR/HOTEL/O) to Planned Development-Time Share/Medium-High Density Residential/Hotel/Office (PD-TS/MHDR/HOTEL/O)

Rezoning: CDR pending Turkey Lake Condos PD/LUP

Proposed Development: 30 units per acre for timeshare, 35 units per acre for multi-family or 424 units, 60 units per acre for hotel or 683,892 sq. ft of office

Owner: Macomb Oakland Sand Lake, LLC

Agent: Momtaz Barq, P.E., Terra-Max Engineering, Inc.

Parcels: 11-24-28-0000-00-010

Address: 10900 Turkey Lake Rd.

District: 1

Area: 52.04 gross / 16.82 developable acres

EPD Comments:

Class I and Class III wetlands and surface waters are located on site including a portion of Big Sand Lake. Orange County Conservation Area Determination CAD-17-08-115 was completed for this property with a certified wetland boundary survey approved by the Environmental Protection Division (EPD) on May 3, 2018.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. The net developable land area is defined as the gross land area, less surface waters and wetland areas. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County EPD. Reference Comprehensive Plan Policy FLU1.1.2 C. Approval of this request does not authorize any direct or indirect conservation area impacts.

The removal, alteration or encroachment within a Class I conservation area shall only be allowed in cases where: no other feasible or practical alternatives exist, impacts are unavoidable to allow a reasonable use of the land, or where there is an overriding public benefit, as determined before the Orange County Board of County Commissioners.

The Normal High Water Elevation (NHWE) of Big Sand Lake was established at 89.03 feet NAVD 88 in the Lake Index of Orange County. Clearly label and indicate the NHWE contour of the lake on all plans or permit applications, in addition to any wetland, floodplain and setback lines.

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Approval of this request does not grant permission for the construction or alteration of boat ramps, docks, observation piers, lake shore vegetation, or seawalls on the lake. Any person desiring these types of structures or to perform shoreline alterations shall first apply for a permit from the Orange County EPD prior to commencement of such activities.

Big Sand Lake has an established Municipal Service Taxing Unit (MSTU) or Municipal Service Benefit Unit (MSBU) for the purpose of funding lake management services. To the extent this project is part of the taxing district or benefits from the lake, this project shall be required to be a participant.

Development of the subject properties shall comply with all state and federal regulations regarding wildlife or plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC). The ecological assessment dated October 1, 2017 reported that no listed species were observed on site.

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

8) Amendment #2018-2-A-5-1

Timber Creek Relief High School PD aka East River High School

FLU from: Rural (R) to Educational (EDU)

Rezoning from: A-2 (Farmland Rural District) to PD (Planned Development)

Proposed Development: High school practice fields

Owner: Orange County Public Schools (OCPS)

Agent: Julie Salvo, Orange County Public Schools

Parcels: 20-22-32-0000-00-003

Address: north of Hamilton Drive, west of Story Partin Road

District: 5

Area: 15.68 gross acres

EPD Comments:

Wetlands and surface waters are located on site. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a state application and approved permit, to be provided to Orange County. Approval of this request does not authorize any direct or indirect conservation area impacts.

The site is located within the geographical limits of the Econlockhatchee River Protection Ordinance. Basin-wide regulations apply. Reference Orange County Code Chapter 15 Article XI Section 15-442. The basin-wide regulations include, but are not limited to, wetlands and protective buffers, wildlife habitat, stormwater, and landscaping with native plant species.

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Comments to the Local Planning Agency for the
2018-2 Regular Cycle Comprehensive Plan Amendments

The Big Econlockhatchee River is located approximately 1,000 feet to the southwest. Show the river's location in all plans and permit applications. The Big Econ River is designated by the Florida Department of Environmental Protection (FDEP) as an Outstanding Florida Water.

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

The subject site has a prior land use as a container nursery that may have resulted in soil and/or groundwater contamination due to spillage of petroleum products, fertilizer, pesticide or herbicide. Prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading or construction plans, the applicant shall provide documentation to assure compliance with the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels, and any other contaminant cleanup target levels found to apply during further investigations. If a Phase I and/or Phase II Environmental Site Assessment (ESA) has been completed for this property, provide a copy to the Orange County EPD.

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.



February 19, 2018

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Dear Randi;

Exum Associates was contracted by Martni MAC Partners, LLC to assess previous wetland jurisdictional determinations and the permit history for numerous parcels they own or have under contract in southern Orange County. The 30.1-acre World Resort project for which you have submitted a request for a PD Amendment was included in that assessment. I have reviewed numerous documents related to Orange County Conservation Area Determinations for the World Resort and vicinity, and a relevant Conservation Area Impact Permit (CAIP) for an 11.06-acre parcel within the PD. Conservation Area Impact Permit (CAIP). I have also conducted site reviews to assess the current conditions of wetlands on the World Resort PD and adjacent parcels. No substantial changes in the natural communities have incurred in the relatively recent past, and the wetlands identified in the historical documents are still intact.

We have determined there are various approvals related to CA determinations and CAIPs that are relevant to the Orange County PD Amendment request. It is clear from our document review that Orange County Conservation Area Determination (CAD) # 90-26 encompassed the World Resort PD. May 2001 correspondence from the county related to the San Marco Resort Condominium Orlando project (the 3 parcels within the World Resort PD that are north of Poinciana Blvd. extension) stated that "Following a review of historical documentation, a Conservation Area Determination was found to exist for wetlands located within the project area of the subject property. The CAD (Application # 90-26) was completed for the Florida Land Trusts Project. Any wetland systems located within the Poinciana Boulevard extension project area are also addressed in this determination." In the files for this project is 1990 correspondence from Mr. Ed Williams, Orange County Planning Director at the time, which confirmed the CAD. His letter stated that, upon receipt of two copies of a certified survey, "the determination is binding".

Conservation Area Impact Permit (CAIP) # 05-074 was obtained for the San Marco Resort Condominium project. This CAIP referenced the 1990 determination and the surveyed extent of wetlands that defined the extent of conservation areas on the 30.1-acre World Resort PD. Three Orange County Class III Conservation Areas occur on the property and extend offsite. These Conservation Areas are shown on the attached figure.

The CAIP obtained in 2006 authorized the removal of 0.1733 acres of these Class III wetlands, and determined the mitigation necessary to offset these impacts. The Orange County



Environmental Protection Division (EPD) sought mitigation that would help offset the cumulative impact of wetland removal across the Shingle Creek basin, and additional mitigation was provided. Also, EPD concluded that there would be secondary impacts to wetlands that were not within the specific footprint of the proposed development, and mitigation was provided for these secondary impacts as well.

Rick Merkel, with Highlands Engineering, has spoken with a representative of EPD and they agreed that confirmation of these determinations would be best facilitated through a person to person discussion so that the entitlements associated with these historical determinations could be verified. Since the CAD that encompassed the World Resort PD was obtained at a time when there was no date of expiration, it is my understanding that EPD has considered these determinations to be perpetually binding. The 2006 CAIP relied upon the 1990 determination and provided permission for wetland impacts based on the survey of wetland extent associated with it.

Since mitigation was provided for the 0.1733 acre of wetlands proposed for impact in the 2006 CAI, future development of this wetland area should be approved with no further mitigation.

Though the records provide a fairly clear documentation of wetland jurisdiction and permit history, a meeting with EPD should be able to clarify and verify these vested entitlements. I hope this provides sufficient documentation of the history associated with wetland jurisdiction and permitting with Orange County.

Please let me know if you have any questions or would like additional information regarding the Records associated with orange county conservation areas.

Sincerely,

A handwritten signature in blue ink that reads "Jay H. Exum". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Jay H. Exum, Ph.D.,
Principal Ecologist

Cc: Rashid Khatib
Randy Hodges
Rick Merkel



MEMORANDUM

February 22, 2018

Re: World Resort PD
Preliminary TFA Review
Project № 18025

This analysis was prepared in support of a proposed amendment to the County's Comprehensive Plan changing the designation of the subject property from Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR). The 23.13-acre property is located south of SR 417 and east of SR 535 in Orange County, as illustrated in **Figure 1**



Figure 1 – Site Location

The current ACMU land use allows a maximum development density of 60 hotel rooms per acre. The proposed ACR land use reduces the maximum density to 30 residential units per acres. A comparison of the existing and proposed land use designations' maximum development is summarized as follows:

Current FLU – ACMU: 60 rooms/acre x 23.13 acres = 1,387 hotel rooms
Proposed FLU – ACR: 30 units/acre x 23.13 = 693 dwelling units

A comparative trip generation analysis was prepared using information published in the ITE *Trip Generation Manual, 10th Edition*, as summarized in **Table 1**.

Table 1
Trip Generation Analysis

ITE Code	Land Use	Size	Rates		Trips	
			Daily	Peak	Daily	Peak
Existing - Activity Center Mixed Use (ACMU)						
310	Hotel	1,387 Room	10.98	0.73	15,229	1,013
Proposed - Activity Center Residential (ACR)						
220	Apartments	693 DU	5.45	0.44	3,777	305
Net Change in Trips					-11,452	-708

Trip generation analysis based on ITE Trip Generation Manual, 10th Edition.

It is evident from the analysis above that the proposed comprehensive plan amendment will significantly reduce the trip generation intensity of the site. Therefore, the proposed amendment will not have an adverse impact on the transportation facilities.

It should be noted that the project will be required to undergo further analysis through the transportation concurrency process as further development approvals are pursued for the proposed development program on the site.

ATTACHMENTS

Multifamily Housing (Mid-Rise) (221)

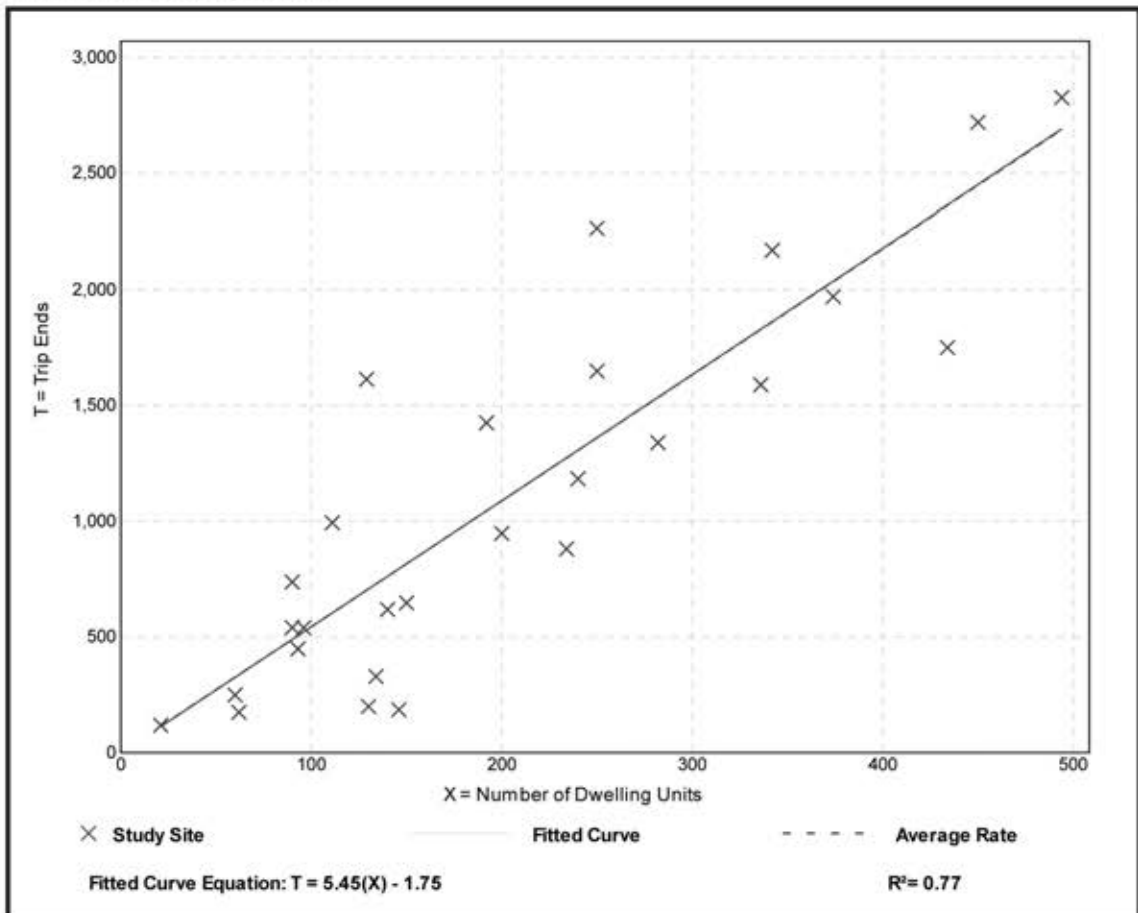
Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 27
Avg. Num. of Dwelling Units: 205
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
5.44	1.27 - 12.50	2.03

Data Plot and Equation



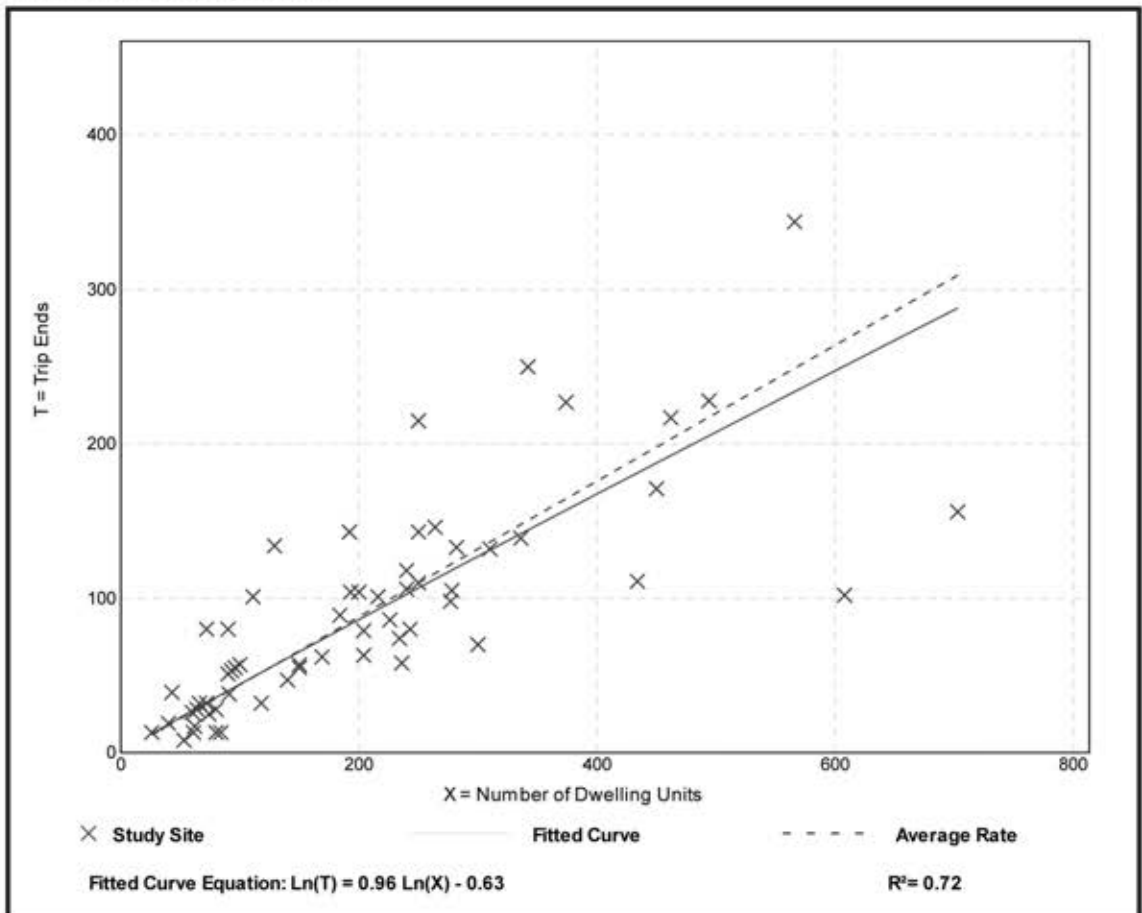
Multifamily Housing (Mid-Rise) (221)

Vehicle Trip Ends vs: Dwelling Units
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 60
 Avg. Num. of Dwelling Units: 208
 Directional Distribution: 61% entering, 39% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.44	0.15 - 1.11	0.19

Data Plot and Equation



Hotel (310)

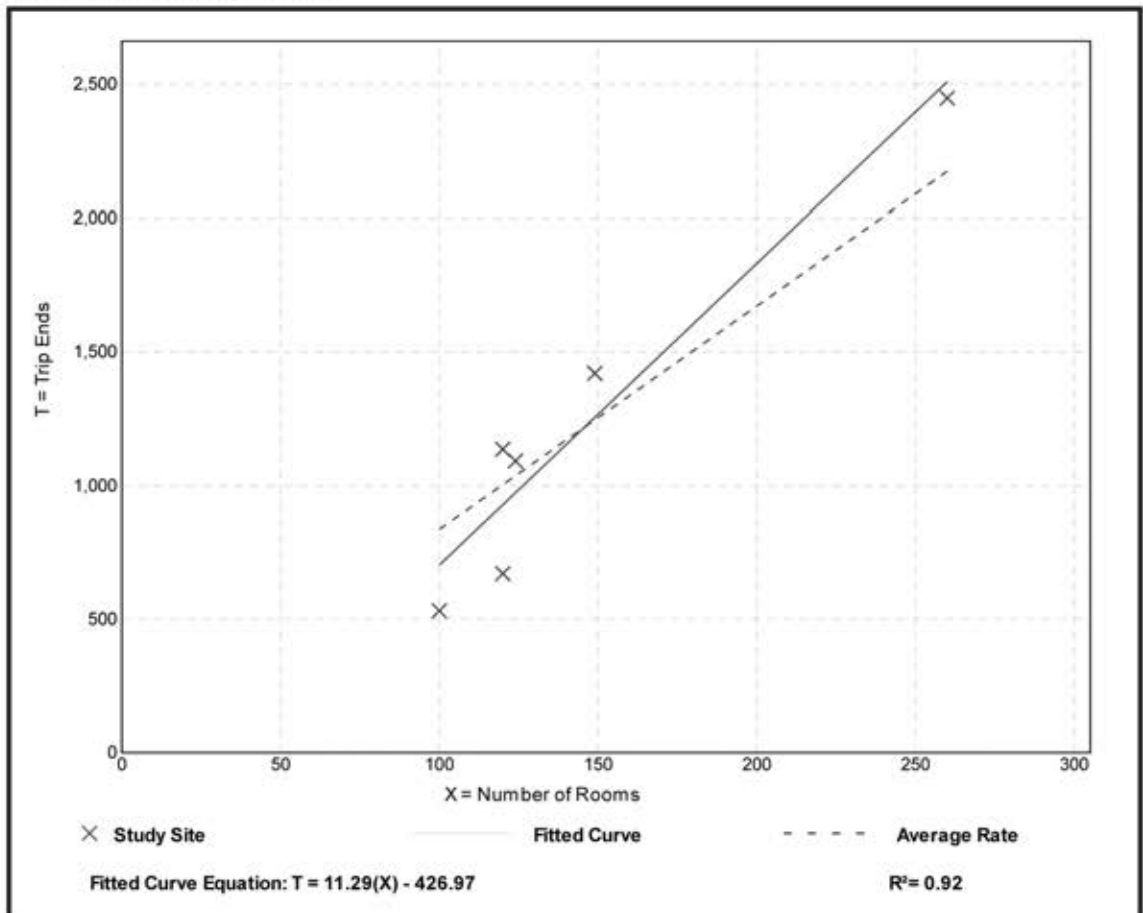
Vehicle Trip Ends vs: Rooms
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 6
Avg. Num. of Rooms: 146
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
8.36	5.31 - 9.53	1.86

Data Plot and Equation



Hotel (310)

Vehicle Trip Ends vs: Rooms
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 28
 Avg. Num. of Rooms: 183
 Directional Distribution: 51% entering, 49% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
0.60	0.26 - 1.06	0.22

Data Plot and Equation

