

ORANGE COUNTY

PLANNING DIVISION

COMPREHENSIVE PLAN CLEAN-UP AMENDMENTS

2010 - 2030 COMPREHENSIVE PLAN

BCC ADOPTION HEARING

FEBRUARY 23, 2021
ADOPTION PUBLIC HEARING

PREPARED BY:
ORANGE COUNTY PLANNING, ENVIRONMENTAL
AND DEVELOPMENT SERVICES

PLANNING DIVISION
COMPREHENSIVE PLANNING SECTION



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2020-2 Out-of-Cycle Regular Cycle Comprehensive Plan Amendments

Staff-Initiated Comprehensive Text Amendments

| Amendment Number | Sponsor | Description of Proposed Changes to the 2010-2030 Comprehensive Plan (CP) | Project Planner | Rezoner | Staff Rec | LPA Rec |
|-------------------------|-------------------|---|------------------------|----------------|------------------|----------------|
| 2019-2-C-CP-1 | Planning Division | Comprehensive Plan Administrative Clean-up to the Transportation Element | Misty Mills | N/A | Adopt | Adopt (6-0) |
| 2019-2-C-CP-2 | Planning Division | Comprehensive Plan Administrative Clean-up to the International Drive Element, Neighborhood Element, and the Fire Rescue Element | Misty Mills | N/A | Adopt | Adopt (6-0) |
| 2019-2-C-CP-3 | Planning Division | Comprehensive Plan Administrative Clean-up to the Urban Design Element, Recreation Element, Open Space Element, and Conservation Element | Misty Mills | N/A | Adopt | Adopt (6-0) |
| 2020-2-B-CP-4 | Planning Division | Comprehensive Plan Administrative Clean-up to the Aquifer Recharge Element, Stormwater Management Element, Potable Water, Wastewater, and Reclaimed Water Element, and Solid Waste Element | Misty Mills | N/A | Adopt | Adopt (6-0) |
| 2020-2-C-CP-5 | Planning Division | Comprehensive Plan Administrative Clean-up to the Future Land Use Element, Economic Element, Pubic Schools Facilities Element, Intergovernmental Coordination Element, and Capital Improvements Element | Misty Mills | N/A | Adopt | Adopt (6-0) |

ABBREVIATIONS INDEX:

ABBREVIATIONS INDEX: CP-Comprehensive Plan; FLUM-Future Land Use Map; FLUE-Future Land Use Element; PSFE-Public Schools Facilities Element; GOPS-Goals, Objectives, and Policies; OBJ-Objective

FUTURE LAND USE ELEMENT 2020-2-C-CP-5

Background Information

The Future Land Use Element is a required element of the Comprehensive Plan by State enabling legislation.

Beginning with the 1980 Growth Management Plan, which laid the foundation for the 1990 Comprehensive Plan, the County evaluated and planned for future growth and development. Two of the original goals of the 1980 Growth Management Plan were to ensure that future development was directed in a harmonious pattern with existing development and the natural environment and the other was to provide for orderly future development, with adequate community facilities and services that is compatible with its surroundings. The 1980 Plan also established the Urban Service Area Boundary, the Rural Settlements, and the Future Land Use designations. These original goals provided the

framework with which the Future Land Use Element and Future Land Use Map were developed.

The 1990 Future Land Use Element consisted of five goals with accompanying objectives and policies. This has since been expanded to include eight goals with accompanying objectives and policies.

Summary of Proposed Changes

Staff from Transportation Planning, Environmental Protection Division, Orange County Utilities, and Orange County Public Schools collaborated with the Planning Division on the review of the policies.

The Future Land Use Element contains eight goals, sixteen objectives, and one hundred twelve policies.

Reasons for policy deletions and revisions can be found in the attached report that details staff analysis of the objectives and policies of this element.

The following includes a redline copy of the proposed changes, with notes in the column explaining the reason for the proposed change. Following the redline version, is a “**clean**” version of the proposed changes, reflecting how the element would read if the changes are adopted.

The following meetings and hearings have been held for this proposal:

| Report/Public Hearing | | Outcome |
|-----------------------|---------------------------------------|------------------------------|
| ✓ | Staff Report | Recommend Transmittal |
| ✓ | LPA Transmittal September 17, 2020 | Recommend Transmittal (8-0) |
| ✓ | BCC Transmittal October 13, 2020 | Transmit (7-0) |
| ✓ | Agency Comments January 2021 | No Comments |
| ✓ | LPA Adoption December 17, 2020 | Continue to January 21, 2021 |
| ✓ | LPA Adoption January 21, 2021 | Recommend Adoption (6-0) |
| | BCC Adoption | February 23, 2021 |

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Future Land Use Element Goals, Objectives and Policies

URBAN FRAMEWORK

GOAL FLU1 **URBAN FRAMEWORK. Orange County shall implement an urban planning framework that provides for long-term, cost-effective provision of public services and facilities and the desired future development pattern for Orange County. (Goal One-r)**

OBJ FLU1.1 **Orange County shall use urban densities and intensities and Smart Growth tools and strategies to direct development to the Urban Service Area and to facilitate such development ~~(See FLU1.1.2.B and FLU1.1.4).~~ The Urban Service Area shall be the area for which Orange County is responsible for providing infrastructure and services to support urban development. (Added 12/00, Ord. 00-25-r, Obj. 1.1)**

POLICIES

FLU1.1.1 Urban uses shall be concentrated within the Urban Service Area, except as specified for the Horizon West Village and Innovation Way Overlay ~~(Scenario 5)~~, Growth Centers, and to a limited extent, Rural Settlements. (Added 12/00, Ord. 00-24, Policy 1.1.1-r)

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. (Added 8/93, Ord. 93-19; Amended 12/00, Ord. 00-25, Policy 1.1.10-r)

A.B. The following are the residential densities permitted within the Urban Service Area for all new residential development or redevelopment. Future Land Use densities for the following categories shall be:

| Table 1.1.2.A – Urban Service Area – Urban Residential | | |
|--|--|----------------|
| FLUM Designation | General Description | Density |
| Urban Residential – Urban Service Area | | |
| Low Density Residential (LDR) | Intended for new residential projects within the USA where urban services such as water and wastewater facilities are present or planned. This category generally includes suburban single family to small lot <u>single-family</u> development. | 0 to 4 du/ac |
| Low Medium Density Residential (LMDR) | Recognizes low- to medium-density residential development within the USA, including single family and multi-family residential development. | 0 to 10 du/ac |
| Medium Density Residential (MDR) | Recognizes urban-style multifamily residential densities within the USA. | 0 to 20 du/ac |
| Medium-High Density Residential (MHDR) | Recognizes a transition in density between highly urbanized areas and medium density residential development that support public transit and neighborhood serving amenities within a reasonable pedestrian walkshed. | 0 to 35 du/ac |
| High Density Residential (HDR) | Recognizes high-intensity urban-style development within the USA. | 0 to 50 du/ac |
| (Amended 8/92, Ord. 92-24, Policy 1.1.11-r; Amended 11/17, Ord. 2017-19) | | |

B.C. Density and Floor Area Ratio (FAR) calculation is determined by dividing the total number of units/square footage by the net developable land area. Accessory Dwelling Units (ADUs) shall not be included in density calculations. The net developable land area for density and FAR calculation (intensity) is defined as the gross land area, excluding surface waters and certain conservation areas from the land area calculations. In order to include new 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 permit from the Orange County Environmental Protection Division. (Added 8/92, Ord. 92-24; Amended 8/93, Ord. 93-19, Policy 1.1.11; Amended 6/10, Ord. 10-07; Amended 11/19 2019-18)

C.D. Orange County may, in its Land Development Code, identify standards and criteria for alternative density compliance consistent with the intent of this policy and CP update. Specifically, minimum density standards may be reduced by the Planning Manager on parcels limited to less than one developable acre if conditions and constraints prohibit development in accordance with FLU1.1.2 the adopted density of the future land use designation and if the project otherwise promotes infill and redevelopment ~~consistent with this update.~~ Alternative compliance should further the aims of 2007 Workforce Housing Task Force recommendations or transit ready locations consistent with the intent of the Transportation Element. There may be different standards for designated types of Transportation Planning Areas.

D.E. ~~By 2010,~~ Orange County shall periodically update the Residential Capacity Analysis to revise the estimate of residential build-out in the Urban Service Area. This evaluation shall be based on the most recent population and economic data. Based on the results of this analysis, the County shall re-evaluate its strategies related to residential densities.

E.F. Student housing may be permitted only on property with a future land use designation of Medium Density Residential (MDR), Medium-High Density Residential (MHDR), High Density Residential (HDR), or Planned Development (PD) (in which medium or high density student housing is included as a single use or part of a mix of uses). (Amended 11/17, Ord. 2017-19)

(1) A P-D (Planned Development) zoning classification shall be required for all student housing projects.

~~(1)~~(2) Student housing density shall be calculated based on the number of bedrooms, with four (4) bedrooms equal to one (1) multi-family unit. An alternative density calculation may be permitted upon the approval of the Board of County Commissioners, provided the developer has committed to a mobility plan to be implemented with the development of the student housing project, has demonstrated a need for the additional units, ~~and/or~~ or has proposed a redevelopment project located within the area extending one (1) mile east and one (1) mile west of the Alafaya Trail corridor, between McCulloch Road and State Road 408.

~~(2)~~(3) Any conversion of student housing to unrestricted housing shall require a Comprehensive Plan amendment and/or the approval of a substantial change to the approved Planned Development-Land Use Plan (PD-LUP) by the Board of County Commissioners at a public hearing. If the Comprehensive Plan amendment and/or substantial change is approved, school impact fees in effect at the time shall be paid, and the project shall comply with any school capacity regulations in effect at the time of the proposed change. (Added 5/13, Ord. 2013-11)

F.G. A Community Residential Home (CRH) is defined in §419.001(1)(a), Florida Statutes as "a dwelling unit licensed to serve residents who are clients of the Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or the Department of Children and Families or licensed by the Agency for Health Care Administration which provides a living environment for 7 to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents". The definition of a Community Residential Home (CRH) can include uses such as Assisted Living Facilities, Adult Family Care Homes, group homes, and other similar uses.

- (1) A CRH that serves six (6) or fewer residents, which otherwise meets the definition of a CRH, shall be deemed a noncommercial, residential use and shall be permitted in any residential or rural/agricultural Future Land Use (FLU) designation or zoning district.
- (2) A CRH serving seven (7) to fourteen (14) residents shall be permitted in the Low-Medium Density Residential (LMDR) and all higher-density residential FLU designations and the Office and Commercial FLU designations.
- (3) A CRH, such as an Assisted Living Facility, serving greater than fourteen (14) residents shall be permitted in any residential FLU designation that allows multi-family uses, as well as the Commercial and Office designations. In residential districts, density for such uses shall be calculated based on the number of beds, with two (2) beds equal to one (1) residential unit. Facilities located in nonresidential districts shall be regulated based on the Floor Area Ratio (FAR) consistent with the FLU designation. (Added 09/2020, Ord. 2020-04)

FLU1.1.3

The interpretation of FLU1.1.2 shall not:

A. ~~preclude~~ Preclude construction of a residential unit (including ancillary buildings or improvements to include tennis courts and pools), modification, or expansion on an existing lot or tax parcel of more than one acre that is legally subdivided according to the Zoning Division records; ~~or-~~

B. ~~This policy shall not preclude~~ Preclude the construction of one (1) residential unit (including ancillary buildings or improvements) on an existing lot of record (according to Zoning Division records) as of July 1, 1991.

Pursuant to this policy, development on an existing lot of record shall continue to be subject to all applicable County development regulations. This policy is not intended to be the sole impetus for altering the type, density, intensity or character of an existing residential area, nor shall this policy preclude compliance with all development regulations. (Added 8/92, Ord. 92-24, Policy 1.1.11-r)

FLU1.1.4

In addition to the residential densities listed in FLU1.1.2(BA), permitted densities and/or intensities for residential and non-residential development can be established through additional Future Land Use designations. Density and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(CB). The Future Land Use and Zoning Correlation table is found in FLU8.1.1. (Added 8/92, Ord. 92-24 8/93, Ord. 93-19, Policy 1.1.11-r; Amended 6/10, Ord. 10-07; Amended 12/14, Ord. 2014-30; Amended 11/17, Ord. 2017-19)

A. OTHER URBAN RELATED OPTIONS –

The following are non-residential Future Land Use designations that are predominantly found in the Urban Service Area. These may also be located within Rural Settlements on a limited basis. (See specific policies within OBJ FLU6.2.) Also, Institutional and Educational designations may be located within the Rural Service Area on a limited basis as may be expressly allowed by other goals, objectives and/or policies in this Comprehensive Plan. (Amended 11/17, Ord. 2017-19)

| Table 1.1.4A – Urban Non-Residential | | |
|---|--|---|
| FLUM Designation | General Description | Density/Intensity |
| Urban Non-Residential – Predominantly urban in use | | |
| Office (O) | Office uses include professional office and office park-style development. Office uses can be considered as a transitional use between two different types of land use or land use intensities. | 1.25 FAR <u>within the Urban Service Area</u> {0.15 FAR for Rural Settlements per FLU6.2.9} unless otherwise restricted or increased for specific location pursuant to adopted County Comprehensive Plan policy or land development code |
| Commercial (C) | Commercial uses include neighborhood and commercial scale commercial and office development that serves neighborhood or community or village needs. Examples include neighborhood center, community center and village commercial. | 1.50 FAR <u>within the Urban Service Area</u> {0.15 FAR for Rural Settlements per FLU6.2.9} unless otherwise restricted or increased for specific locations pursuant to adopted County Comprehensive Plan policy or land development code |
| Industrial (I) | Industrial uses include the processing of both hazardous and non hazardous materials ranging from light assembly and manufacturing to chemical processing. | 0.75 FAR |
| Institutional (INST) | Institutional uses include public and private utilities, facilities, structures and lands that serve a public or quasi-public purpose. Public schools that have been designated Institutional may continue to maintain that designation. | 2.0 FAR |
| Educational (EDU) | Educational includes public elementary, K-8, middle, and high schools and ninth grade centers. | 2.0 FAR |

B. URBAN MIXED USE OPTIONS – The following Future Land Use designations allow for a mix of uses. Per a settlement agreement with the State Department of Community Affairs, Orange County’s Planned Development Future Land Use designation ~~now~~ requires an adopted text amendment to specify the maximum intensity and density of a project. See Policy FLU8.1.4. Mixed-Use Corridors are a staff initiated option intended to complement the County’s Alternative Mobility Areas and Activity Center policies.

| Table 1.1.4B – Urban Service Area – Urban Mixed-Use | | |
|--|---|---|
| FLUM Designation | General Description | Density/Intensity |
| Urban Mixed Use – Urban Service Area | | |
| Planned Development (PD) | The PD designation ensures that adjacent land use compatibility and physical integration and design. The development program established at Future Land Use approval may be single or multiple use. See FLU8.1.4. Innovation Way is another large planning area similar in some respects to the planning process for Horizon West. Developments within the Innovation Way Overlay (Scenario 5) are processed as Planned Developments. Innovation Way is being implemented through the policies found in Chapter 4 <u>Goal 5 of the Future Land Use Element</u> . | Must establish development program at Future Land Use amendment stage per FLU8.1.4. |
| Traditional Neighborhood Development (TND) | TND uses include mixed use communities with “towns and villages” designed to be within a walking distance of central commercial and transit stops. TNDs include a town center, public facilities and open space designed to integrate with the residential development. A <u>P-D zoning district</u> is required. | Office 1.7 FAR Commercial 1.0 FAR Industrial 0.5 FAR |
| Mixed Use Corridor (MUC) | MUCs are intended to promote redevelopment of suburban corridors and transit-oriented development, including transit design standards, in conjunction with Activity Centers and transit planning efforts. See FLU2.2.6 – FLU2.2.7. MUC amendments are staff-initiated. | Minimum 0.3 to 1.0 FAR Up to 20 DU/AC |

- C. HOLDEN HEIGHTS** – At this time, the Future Land Use designations below apply only to properties within Holden Heights. A Special Area Study was undertaken to create the eligible properties within Holden Heights. In addition, specific code provisions for Holden Heights are found in Chapter 38-1725 of the Orange County Code (OCC).

| Table 1.1.4C – Area Specific Designated as boundaries on the Future Land Use Map | | |
|---|---|--|
| FLUM Designation | General Description | Density/Intensity |
| Area Specific – Designated as boundaries on the FLUM (such as Holden Heights) | | |
| Neighborhood Activity Corridor (NAC) | NAC is a linear core district providing a mixture of land uses along main roadways. Generally, mixed-use developments including single, multifamily and neighborhood scale non-residential. | Up to 25 DU/AC Up to 1.0 FAR non-residential |
| Neighborhood Center (NC) | NC is a mixture of neighborhood-serving land uses including retail, restaurants, office, and civic uses designed at a pedestrian-friendly scale. Residential units also may be considered. | Up to 40 DU/AC Up to 2.0 FAR non-residential |
| Neighborhood Residential (NR) | NR provides for diverse residential densities at higher densities then <u>than</u> surrounding neighborhoods in NAC. | Up to 20 DU/AC Up to 0.40 all non-residential |

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.

| Table 1.1.4D – I-Drive – Refer to International Drive Activity Center Element | | |
|---|--|---|
| 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 <u>zoning district</u> is required. | minimum 12 DU/AC 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) Minimum 12 du/ac 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> | | |

E. HORIZON WEST – Properties that are eligible for incorporation into Horizon West either have a Village designation or are currently part of a Specific Area Plan. Horizon West Properties include those that are designated “Village” on the Future Land Use Map (FLUM), with specific parcel development entitlements assigned and secured with the approval of a required Planned Development / Land Use Plan (PD/LUP). Horizon West is an was originally established through the State of Florida’s Optional Sector Planning Process program beginning in 1996, but was released from the program in 2016. Currently, there are six adopted Special Planning Areas (Villages) – Lakeside, Bridgewater, Town Center, Village F, Village H (Hickory Nut), and Village I (pending; see CP inset to the 2010-2030 FLUM—Horizon West). The adopted SAPs are conceptual approvals. A PD Future Land Use designation must be adopted to secure entitlements and assign parcel-specific allocations and locations. Policies for Horizon West are found in Chapter 4 Future Land Use Element Goal 4.

| Table 1.1.4E – Horizon West – Refer to Adopted Special Planning Areas | | |
|--|--|---|
| FLUM Designation | General Description | Density/Intensity |
| Horizon West – Refer to adopted Specific Area Plans | | |
| Village Horizon West (V) | Horizon West is a mixed use integrated development that includes integrated neighborhoods and schools. Must be a minimum of 1,000 acres and consist of two neighborhoods. Boundaries established through Specific Area Plan <u>Special Planning Area</u> . Includes minimum densities (5 DU/AC), design standards, and requirements for adequate public facilities. Must be developed as PD; separate calculation standards are required. | One dwelling unit per 10 acres, unless approved as an SAP <u>SAPSPA</u> . Densities and intensities are designated through implementation of SAPs <u>SPAs</u> at the Planned Development stage. |

- F. GROWTH CENTER(S)** – Growth Centers are a Future Land Use designation implemented through Joint Planning Area agreements with an outside jurisdiction. These agreements provide at a minimum that the County will not incur initial capital costs for utilities. Orange County has ~~two~~ three Growth Centers – one in the northwest referred to as the Northwest Growth Center, ~~and~~ one in the southeast referred to as Growth Center/Resort/PD, ~~and~~ the Aviation Growth Center.

Table F1.1.4 – Growth Centers ~~0~~ Refer to Future Land Use Map and associated Growth Center policies under OBJ FLU7.4

| FLUM Designation | General Description | Density/Intensity |
|--|---|--------------------------|
| Growth Center – Refer to Future Land Use Map and associated Growth Center policies | | |
| Growth Center (boundary) | Growth Center recognizes urban development outside and adjacent to the boundaries of unincorporated Orange County. New Growth Centers or extensions shall be established only as part of adopted JPAs. The initial capital costs will not be incurred by Orange County. A PD is required. | PD |
| Growth Center/Resort PD (GC/RPD) | GC/RPD is similar to GC boundary in GC requirements, but it also must have a minimum of 200 acres. FLU7.4.7 states applicant must demonstrate clear rationale for separating from Horizon West. See FLU7.4.1 – FLU7.4.7. A PD is required. | PD |
| <u>Aviation Growth Center (AGC)</u> | <u>The purpose of the AGC is to anticipate and coordinate development related to future establishment of a general aviation facility within the West Orange Aviation District.</u> | <u>Refer to FLU7.4.9</u> |

G. OPEN SPACE RELATED – Orange County uses several ~~three~~ Future Land Use designations to permanently establish open space, conservation protection or recreational areas. ~~These three options are shown below.~~ In addition, open space can be established through code provisions.

Table 1.1.4G – Open Space – Refer to Future Land Use Map and associated open space policies

| FLUM Designation | General Description | Density/Intensity |
|---|---|--|
| Open Space – Refer to Future Land Use Map and associated open space policies | | |
| Parks and Recreation / Open Space (PR/OS) | Refers to undeveloped or developed lands as passive and active parks. | 0.8 ISAR |
| Conservation (map overlay) | Conservation recognizes lands designated for conserving natural resources. EPD formally reviews proposals within these designations. Must be determined by Conservation Area Determination (CAD). <u>Refer to Conservation Element policy C1.4.5</u> | 0.01 ISAR – Class 1 0.25 ISAR – Class 2 1.0 ISAR – Class 3 |
| Preservation | Preservation recognizes publicly or privately owned lands of significant environmental importance for the purposes of environmental protection. Publicly owned lands shall be lands owned by federal, state, or local governments acquired for environmental preservation, rehabilitation, or management. Designation of privately owned lands shall be limited to lands used for wetland mitigation banks. Compatible very-low impact recreational or educational uses that use natural amenities of the site for public benefit are allowable uses. All other uses are prohibited. <u>Refer to Conservation Element policy C1.4.4</u> | FAR 0.10 |

H RURAL, LAKE PICKETT, AND RURAL SETTLEMENT RELATED – These Future Land Use designations ~~can be applied~~ are applicable only to areas outside the County’s Urban Service Area. Uses such as agricultural or agricultural-related activities predominate. These Future Land Use designations also are appropriate for locations in which residents prefer a rural lifestyle with limited services. Policies for these locations are found in ~~Chapter 5~~ Future Land Use Element Goal 6. (Amended 07/16, Ord. 2016-17)

| Table 1.1.4H – Rural and Rural Settlements | | |
|---|--|---|
| FLUM Designation | General Description | Density/Intensity |
| Rural – Rural Service Area | | |
| Rural/Agricultural (R) | Rural promotes long-term viability of agricultural uses as an economic asset while allowing single family residential on large lots. Compatible non-residential activity may be related to agribusiness. | 1 DU/10 AC |
| Rural Settlement related | | |
| Rural Settlement 1/5 (RS 1/5) | RS 1/5 recognizes and preserves existing development patterns, provides for a rural residential lifestyle, and manages the transition of rural areas near the USA. | 1 DU/5 AC |
| Rural Settlement 1/2 (RS 1/2) | Similar to above but the acreage required is less. | 1 DU/2 AC |
| Rural Settlement 1/1 (RS 1/1) | Similar to above, but lots once again are smaller size. | 1 DU/1 AC |
| Rural Settlement Low Density (RSLD 2/1) | RSLD is intended to recognize existing development patterns and rural and suburban lots at 2 DU/AC. However, this category may be suited for new residential projects abutting urban development in adjacent municipalities. | 2 DU/1 AC |
| <u>Office (O) (RS)</u> | <u>See Future Land Use Element Policy FLU6.2.9</u> | <u>0.15</u> |
| <u>Commercial (C)(RS)</u> | <u>See Future Land Use Element Policy FLU6.2.9</u> | <u>0.15</u> |
| Lake Pickett (LP) | The LP designation provides for a transition of development from surrounding rural neighborhood densities and preservation areas to more dense development towards the center of the Lake Pickett Study Area. Transition is provided through compatibility measures. | Transect-based; Densities/intensities established on a Conceptual Regulating Plan |
| | | |

The following are footnotes applicable to the above tables related to FLU1.1.4.
FAR – Floor Area Ratio: The amount of permitted, developable floor area of a building to the area of the lot.
ISAR – Impervious Surface Area Ratio: Ratio of impervious surface area to area of the affected wetland or recreation, as applicable. Commonly referred to as impervious coverage.
*** Any area outside the impervious surface areas of a conservation area shall remain undisturbed in a natural state. Furthermore, the encroachments shall be limited to restrictions in C1.4.1 of the Conservation Element. (Added 8/92, Ord. 92-24; Amended 5/03, Ord. 03-03; Amended 10/03, Ord. 03-15, Policy 1.1.12-r)

FLU1.1.5 Orange County shall encourage mixed-use development, infill development, and transit-oriented development to promote compact urban form and the efficiently use land and infrastructure in the Urban Service Area. The County may require minimum FARs and densities in its Land Development Code to achieve the County’s desired urban framework. ~~Infill is defined as development consistent with the *Infill Master Plan (2008)*.~~

OBJ FLU1.2 URBAN SERVICE AREA (USA) ~~CONCEPT~~; USA SIZE AND MONITORING. Orange County shall use the Urban Service Area ~~concept~~ as an effective fiscal and land use technique for managing growth. The Urban Service Area shall be used to identify the area where Orange County has the primary responsibility for providing infrastructure and services to support urban development. (Added 12/00, Ord. 00-25, Obj. 1.1-r; Amended 5/13, Ord. 2013-11)

POLICIES

FLU1.2.1 The Urban Service Area boundary, and its acreage allocation, shall be based on the supply of usable land needed to accommodate the County's population and employment forecasts by Year 2030 with respect to the County's desired development pattern, the County's ability to provide urban services and facilities, and the County's urban strategies to achieve its desired development pattern. (Added 8/92, Ord. 92-94; Amended 12/00, Ord. 00-25, Policy 1.1.2-r; Amended 5/13, Ord. 2013-11)

FLU1.2.2 Urban development during the 2007-2030 planning period, as identified in FLU1.2.1, will occur only in the Urban Service Area and the established boundary for the Horizon West SAP ~~Sector Area Plan~~ SPA (Special Planning Area) (identified on Map 2 in the Future Land Use Element of the Comprehensive Plan), ~~and the Innovation Way Overlay, and Growth Centers where urban services are available as specified by Joint Planning Agreement or other agreements. (Scenario 5).~~ (Added 8/92, Ord. 92-24; Amended 12/00, Ord. 00-25, Policy 1.1.2.1-r; Amended 5/13, Ord. 2013-11)

FLU1.2.3 The amount of usable land and the need for land to accommodate the projected population within the Urban Service Area shall be monitored and updated to reflect changes in local conditions, consistent with the objectives of the Evaluation and Appraisal Report process. As part of this effort, the County will assess its progress toward implementing the urban strategies contained herein in order to achieve its planned development pattern. (Added 12/00, Ord. 00-25, Policy 1.1.2-r; Amended 5/13, Ord. 2013-11; Amended 06/17, Ord. 2017-12)

FLU1.2.4 The County will continue to monitor the Urban Service Area allocation. Through this process, the following applicants have satisfied these requirements and are recognized as expansions to the Urban Service Area. (Added 10/02, Ord. 02-16; Amended as listed in the table; Policy 1.1.2.1.A-r)

| Amendment Number | Name | Size (acres) | Ordinance Number |
|------------------|--|--------------|------------------|
| 2002-2-A-4-4 | Spring Isle | 163.52 | 2002-16 |
| 2002-D-4-1 | Boggy Creek DRI | 469.62 | 2002-21 |
| 2003-2-A-4-2 | Colonial Sunflower Phase III | 22.7 | 2003-15 |
| 2003-2-A-4-4 | Kirby Smith PD – Stratford Pointe Subdivision | 38.34 | 2003-15 |
| 2003-D-4-1 | Moss Park DRI | 184.6 | 2003-19 |
| 2004-D-1-1 | Orange Lake Country Club DRI | 216.3 | 2004-19 |
| 2004-2-A-1-3 | Town Center SAP | 1,127 | 2004-21 |
| 2004-2-A-1-4 | Bridgewater SAP amendments | 725.5 | 2004-21 |
| 2005-1-A-4-2 | Sunflower Trail North | 70.58 | 2005-05 |
| 2005-2-A-1-2 | Village H SAP | 1,025.88 | 2006-08 |
| 2004-D-4-1 | Airport Industrial Park Orlando DRI | 19.4 | 2005-14 |
| 2005-2-A-4-2 | Boggy Creek Enclave | 251.95 | 2005-14 |
| 2005-D-1-1 | Orange Lake Country Club DRI | 26.54 | 2005-17 |
| 2006-2-A-1-1 | Fuller’s Cross Road | 10.5 | 2006-22 |
| 2006-2-A-1-5 | Village F SAP | 1,159 | 2006-22 |
| 2006-2-A-4-3 | Bonnemaison | 9 | 2006-22 |
| 2006-D-4-1 | Innovation Place DRI | 1,284 | 2007-11 |
| 2007-1-A-1-1 | Black Lake Road Parcel | 34.46 | 2008-05 |
| 2007-1-A-4-1 | Boggy Creek Road | 19.58 | 2008-05 |
| 2007-2-A-1-1 | Northeast Resort Parcel | 429 | 2007-18 |
| 2007-2-A-4-1 | Sadler Road | 100.22 | 2007-18 |
| 2008-1-A-1-4 | Village I SAP | 2,228 | 2010-01 |
| 2008-1-A-4-1 | Starwood | 2,549 | 2008-09 |
| 2008-1-A-4-4 | Morgran | 1.23 | 2008-21 |
| 2010-1-A-4-1 | Lake Barton PD | 8 | 2010-07 |
| 2010-1-A-4-5 | Tyson’s Corner PD | 29.55 | 2010-07 |
| 2010-2-A-1-1 | US 192 Growth Center Addition (Lake Gifford) | 17.15 | 2010-13 |
| 2010-1-A-2-2 | The Parks at Mount Dora (NW Growth Center Expansion) | 63.5 | 2010-13 |
| 2010-2-A-4-1 | Boggy Creek Land Holdings | 5 | 2010-13 |
| 2010-2-A-4-3 | Pioneers Development | 28.1 | 2010-13 |
| 2012-1-A-4-1 | Lake Whippoorwill Landing | 16.82 | 2012-14 |
| 2013-2-A-1-1 | Bridgewater Specific Area Plan (SAP) Amendment | 49.7 | 2013-22 |
| 2013-2-A-4-1 | Tyson Property | 75.32 | 2013-22 |
| 2013-2-A-4-2 | Eagle Creek Development of Regional Impact (DRI) | 85 | 2013-22 |

| Amendment Number | Name | Size (acres) | Ordinance Number |
|-------------------------|------------------------------|---------------------|-------------------------|
| 2014-1-S-4-1 | Meritage Homes/Lake Preserve | 5 | 2014-14 |
| 2014-2-A-4-1 | Spring Isle | 9.92 | 2014-30 |
| 2014-2-A-4-4 | Camino Reale | 1,032.90 | 2016-04 |
| 2015-1-A-4-1 | Eagle Creek | 86 | 2015-07 |
| 2016-2-S-4-1 | Orlando Medical Office | 3.0 | 2016-27 |
| 2016-2-S-4-4 | Nona Center | 1.8 | 2016-27 |
| 2016-2-A-4-2 | Sunbridge | 2,319.90 | 2016-31 |
| 2017-1-A-4-1 | Moss Park North | 107.78 | 2017-11 |
| 2017-1-S-2-2 | 2975 W. Orange Blossom Trl. | 1.12 | 2017-13 |
| 2017-2-A-5-1 | 15169 E. Colonial Dr. | 12.1 | 2017-19 |
| 2018-1-A-1-1 | Hubbard Place | 16.59 | 2018-27 |
| 2018-1-A-4-1 | Bishop Landing Ph. 3 | 14.83 | 2018-30 |
| 2019-1-S-4-1 | Eagle Lake | 3.15 | 2019-05 |
| 2019-1-S-4-1 | Narcoossee Retail | 1.03 | 2019-19 |

FLU1.2.5 (Policy deleted 5/13, Ord. 2013-11; see added Policy FLU1.3.1C.)

FLU1.2.6 (Policy deleted 5/13, Ord. 2013-11; see added Policy FLU1.3.1A.)

FLU1.2.7 If the Urban Service Area boundary intersects any tax parcel of land, the total parcel shall be included in the Urban Service Area unless the parcel of land intersected is of such size or nature that inclusion within the Urban Service Area constitutes a substantial alteration of the Urban Service Area boundary. The term "parcel" shall not include any alterations to the property's tax parcel legal description that are made after the adoption of the original Growth Management Policy (June 1980). A substantial alteration is determined to exist if:

More than forty acres of the parcel is outside the Urban Service Area boundary;

The property is intersected by a natural or man-made boundary that also serves as the Urban Service Area boundary; or

The developable land that is located outside the Urban Service Area is separated from the Urban Service Area by a substantial area designated as a Conservation Area by the CP Comprehensive Plan process. (Policy 1.1.8-r)

FLU1.2.8 ~~By the 2016 Evaluation and Appraisal Report,~~ Orange County will develop a fiscal sustainability analysis tool. In addition, the County will include policies to support fiscally sustainable development patterns in the Future Land Use and Capital Improvements elements. The methodology and policies will further the County's effort to evaluate the impacts of proposed Urban Service Area expansions, as well as the impact of proposed development in Rural Settlements and in the Rural Service Area, on the County's capacity to efficiently provide and maintain infrastructure and services. (Added 5/13, Ord. 2013-11)

OBJ FLU1.3 APPLICATION FOR URBAN SERVICE AREA EXPANSION. No new expansions to the Urban Service Area boundary, except for those planned for Horizon West and the Innovation Way Overlay (~~Scenario 5~~), shall be permitted unless supported by data and analysis demonstrating consistency with Objectives FLU1.2 and FLU1.3 and associated policies. Orange County shall use the following process to evaluate Urban Service Area expansions, and as a means for achieving its goals with respect to accommodating growth within the USA and implementing the Comprehensive Plan. (Amended 5/13, Ord. 2013-11)

POLICIES

FLU1.3.1 All proposed amendments (i.e. expansions) to the Urban Service Area shall include a comprehensive review to ensure the efficient provision of infrastructure, protection of the environment, and land use compatibility with adjacent development. (Added 12/00, Ord. 00-25, Policy 1.1.4.1-r)

- A. Per Section 163.3177(6)(a)~~9.a(9)(a)~~, Florida Statutes, amendments to the Comprehensive Plan, including Urban Service Area expansion requests, shall discourage urban sprawl. The primary indicators used to evaluate whether a plan or plan amendment encourages the proliferation of urban sprawl are listed below.
1. Promotes, allows, or designates substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need;
 2. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development;

3. Promotes, allows, or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments;
4. Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems;
5. Fails to adequately protect adjacent agricultural areas and activities, including active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils;
6. Fails to maximize use of existing public facilities and services;
7. Fails to maximize use of future public facilities and services;
8. Allows for land use patterns or timing that disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government;
9. Fails to provide a clear separation between rural and urban uses;
10. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities;

11. Fails to encourage a functional mix of uses;
12. Results in poor accessibility among linked or related land uses;
13. Results in the loss of significant amounts of functional open space.

(Amended 5/13, Ord. 2013-11, Policy FLU1.2.6-r)

- B. In accordance with Florida Statutes 163.3177(6)(a)~~9.b(9)(b)~~, an amendment to the Comprehensive Plan shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:
1. Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems;
 2. Promotes the efficient and cost-effective provision or extension of public infrastructure and services;
 3. Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available;
 4. Promotes conservation of water and energy;
 5. Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils;

6. Preserves open space and natural lands and provides for public open space and recreation needs;
 7. Creates a balance of land uses based upon demands of residential population for the nonresidential needs of an area;
 8. Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164. (Added 5/13, Ord. 2013-11)
- C. In addition to the sprawl criteria outlined in FLU1.3.1A and FLU1.3.1B, the County shall consider the following factors when evaluating development proposals for inclusion within the Urban Service Area:
1. The extent to which the proposed development contributes to the urban strategies and urban form identified in the CPComprehensive Plan;
 2. Whether the proposal will consist of a Traditional Neighborhood Development (TND), sector plan, or mixed use planned development that uses traditional neighborhood development, including minimum residential densities, school-centered design, diversity of housing types, and price ranges that reduce vehicle dependency, protect natural environmental features, and create a sense of community and place through urban design principles and the arrangement of land uses;

3. The supply of vacant land within the Urban Service Area, the rate of building permit approvals as compared to the absorption of committed and pending land use inventory supply, and the timing and need for development with respect to the current building inventory and supply approved to date;
4. Whether the project demonstrates the ability to meet Orange County's adopted Level of Service (LOS) standards as required by the Concurrency Management provisions of Article XII, Sec. 30-500 of the Orange County Code. Adequate public facilities and services to support the development shall include, but not be limited to, roads, water and sewer facilities, solid waste, recreational lands, stormwater, and schools;
5. Whether the proposal can be deemed to have a prevailing public benefit such as:
 - a. establishment of a new major employer or relocation or expansion of an existing major employer, where such establishment, relocation or expansion is endorsed and/or sponsored by the State of Florida, or
 - b. Consistent with Activity Center provisions as identified in the Future Land Use, Urban Design, or Economic elements;
6. The extent to which the proposal furthers workforce housing and the transit readiness of the County;

7. Compatibility with the targeted urban densities/intensities provided for in FLU1.1.4 and provision of the following:
 - a. a sustainable development program allowing for a balanced mix of residential/non-residential uses;
 - b. appropriate timing of development complementing and coinciding with surrounding developments allowing for adequate provision of infrastructure and services;
 - c. jobs to housing balance; and,
 - d. adequate assessment of the environmental impacts of the project as well as how the site integrates with the surrounding built environment at the time of the application.

(Amended 5/13, Ord. 2013-11, Policy FLU1.2.5-r)

FLU1.3.2

An application to expand the Urban Service Area shall be approved only when the application is found to be consistent with the Comprehensive Plan and complies with the following procedural steps and additional criteria, with the exception of those planned for Horizon West and the Innovation Way Overlay-(Scenario 5).

- a. The applicant demonstrates that the proposed development is needed to satisfy acreage demands of the projected population and land use needs identified in the ~~CP~~ Comprehensive Plan and will not detract from the ~~CP~~ Comprehensive Plan's urban strategies of infill, mixed use and transit oriented development.

- b. The provision of infrastructure/services to the proposed development shall be a logical and fiscally prudent extension of existing lines, and shall not deplete capacity allocated or reserved for vacant, vested developable land within the Urban Service Area.
- c. The application shall detail existing and planned availability of services and facilities, how these services and facilities will be funded and an accounting for the development potential of vacant land within the Urban Service Area. Services and facilities shall include, but not limited to, potable water provision, wastewater disposal, law enforcement, fire protection/emergency medical service, road capacity, transit service, stormwater management, parks and open space, solid waste disposal, libraries and health care and schools. The identified funding strategies must be consistent with the County's Capital Improvements Plan (CIP) and Capital Improvements Element (CIE) processes.
- d. To ensure new development can be accommodated, an applicant wishing to request an Urban Service Area (USA) expansion must submit a Small Area Study, whose methodology is based on professionally accepted standards. This Small Area Study must demonstrate the growth-related impacts as it relates to concurrency requirements and the fiscal sustainability of a project over its lifetime. Such information must be submitted as part of a Large Scale or Small Scale Future Land Use Map amendment application process to request an expansion to the USA. For any Urban Service Area expansion or phased large-scale Future Land Use amendment, the County may require the applicant to demonstrate the capacity to provide the necessary infrastructure over the entire build-out period. The developer shall pay the full cost of initial services and facility expansion, unless excess uncommitted infrastructure/service capacity exists.

- e. To discourage urban sprawl, the travel distance between proposed residential development and identified employment centers shall not exceed a ten miles/twenty minute travel distance standard as referenced in Section 73C-40.048(2)(r), Florida Administrative Code (the Adequate Housing Uniform Standard Rule); or the project will include a mix of uses that allows a jobs/housing balance keeping with planning standards, which typically recommends a 1.5:1 jobs to housing balance.
- f. The total linear footage of the perimeter of the property to be added to the Urban Service Area USA shall be at least 25% contiguous (excluding wetlands and surface water) to the existing USA boundary as shown on the County's Future Land Use Map. The perimeter of the property shall be measured as a percentage of the total linear footage of the perimeter of the property proposed for inclusion as compared to the perimeter of the parcel that is contiguous. To discourage urban sprawl and reduce enclaves, the proposed development shall not extend into the Rural Service Area in a ribbon like manner or create enclaves or pockets of Rural Service Area. If the property is contiguous but the contiguity is less than 25%, the following additional criteria must be met:
- The subject property shall not leave intervening parcels of developable property between the subject property and the Urban Service Area;
 - The proposed development shall meet the minimum required site and building placemaking design standards for Mixed-Use Development Activity Centers, consistent with Policy FLU3.2.6; (Amended 10/10, Ord. 2010-13).
 - The subject property is located within five miles of a regional employment center containing no less than 5,000 existing employees;

- The proposed development shall meet the design requirements for a Multimodal Transportation District (MMTD) as outlined in FDOT's *Multimodal Transportation Districts and Areawide Quality of Service Handbook*, and the property owner/developer agrees to be included within a proposed MMTD boundary if and when the County proposes an MMTD;
- The application demonstrates that the proposed development will not adversely affect the County's ability to provide public safety services. This shall include a demonstration that adequate police and fire protection facilities are available (consistent with Policies FR1.2.2 and FR1.2.3), that adequate fire flows are or will be available, and that reflex time for fire and EMS response will be consistent with Policy FR1.2.1;
- The application contributes to the County's desired urban form strategies and urban form, consistent with Policy FLU1.3.1C(1); and
- The application meets all other requirements addressed in Policies FLU1.3.1A, FLU1.3.1B, and FLU1.3.1C.

(Added 5/95, Ord. 95-13; Amended 5/09, Ord. 2009-15, Policy 1.1.5-r; Amended 10/10, Ord. 2010-13; Amended 5/13, Ord. 2013-11)

- g. ~~In addition, an~~ An application for an Urban Service Area USA expansion may be required to include an imperiled Listed Species species survey. If imperiled species Listed Species are identified, the applicant must demonstrate that tion must include information as to whether there have been adequate provisions have been made to protect those species.

- h. The application for an Urban Service Area ~~USA~~ expansion should include a commitment to nationally recognized Green Building standards, water and energy conservation measures and as well as to meet other sustainability criteria. Sustainability criteria can include, but are not limited to, the mix and balance of uses, the timing of development (with respect to the Capital Improvements Program (CIP)), the jobs to housing balance, the environmental impacts of the project, as well as how the site integrates with the surrounding built environment at the time of the application.
- i. (Policy deleted 6/14, Ord. 2014-12; incorporated into new Policy FLU8.8.1.A.)

FLU1.3.3

All applications must be accepted as complete by the County for the application to be processed pursuant to Objective FLU1.3. The determination of completeness shall include the use of data that meets generally acceptable professional standards as well as addressing all issues required by this process. An accepted application does not bind staff or the Local Planning Agency (LPA) to an affirmative recommendation, or the Board of County Commissioners (BCC) in its final decision on the Future Land Use Amendment request. An application request can be denied based on inadequate or inconsistent data with respect to the County's commitment to the 2030 vision. (Amended 5/13, Ord. 2013-11)

OBJ FLU1.4 The following location and development criteria shall be used to guide the distribution, extent, and location of urban land uses, and encourage compatibility with existing neighborhoods as well as further the goals of the 2030 Comprehensive Plan CP. (Obj. 3.2-r)

POLICIES

FLU1.4.1 Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

FLU1.4.2 Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.

Commercial and Office

FLU1.4.3 The location of commercial development shall be concentrated at major intersections and within Activity Centers and ~~Neighborhood~~ neighborhood Activity-activity Nodes-nodes within the Urban Service Area. (Added 12/00, Ord. 00-25, Policy 3.2.1-r)

FLU1.4.4 The disruption of residential areas by poorly located and designed commercial activities shall be avoided. Primary access to single-family residential development through a multi-family development shall be avoided. (Added 12/00, Ord. 00-25, Policy 3.2.12-r).

FLU1.4.5 Given the results of the 2030 acreage projections for Commercial and Office Future Land Use, Orange County may require a market study to determine the need, appropriate location and form of retail and commercial development relative to existing uses, vacant land and land use, population and desired urban form.

FLU2-3.61.4.6 The County shall consider the following criteria when evaluating, on a case-by-case basis, whether conversion of residential use to non-residential use may be permitted:

- A. There has been a significant change in area land use character;
- B. The adjacent road satisfies one or more of the following: is a major street, as identified in the Land Development Code; provides access to an existing mix of residential and non-residential uses; or will support a compatible mix of uses based on existing conditions;
- C. The site satisfies one or more of the following: is adjacent to commercial or office uses that are consistent with the Comprehensive Plan and Land Development Code; adjoins an intersection of two streets; or adjoins wetlands, stormwater facilities or other features that serve to buffer the use from adjacent residential uses;
- D. Sufficient land area is available to support the land use intensity increase, such as the need for parking, stormwater retention, on-site maneuvering, and meeting minimum site and building standards of the requested zoning district;
- E. The converted use shall be compatible with adjacent land use;
- F. The conversion would provide a commercial or office use that has the potential to serve the neighborhood in which it is located;
- G. Outside traffic resulting from the converted use would not adversely affect the residential neighborhood;
- H. All other applicable policies detailed for non-residential use shall be met; and
- I. A mix of uses shall be encouraged. Office use, in a residential scale and character, may be considered to be a transitional use between commercial and residential uses. (Policy 3.6.5-r; Amended 6/12, Ord. 2012-14)

Staff recommends moving the policy for FLU2.3.6 to this location because it addresses criteria used to guide the compatibility of proposed land use changes from residential to non-residential uses.

FLU1.4.6~~7~~

The following guidelines illustrate different types of commercial and retail development consistent with the Orange County Comprehensive Plan.

It is the goal of the 2030 ~~CP~~-Comprehensive Plan to increase densities and intensities in the Urban Service Area in order to accommodate projected growth.

The Commercial floor area ratio (FAR) shall be 1.50 unless otherwise restricted or increased for specific locations pursuant to adopted County Comprehensive Plan policy or land development code. (See FLU1.1.4A, ~~and~~ FLU2.2.4 – FLU2.2.7, ~~and~~ ~~FLU3.2.1 –~~ ~~FLU3.2.13~~.) The basis for increasing densities and intensities is the finding that productive use of vacant land within the Urban Service Area is critical to the County’s future urban form. Therefore, with respect to new development and redevelopment, the County is seeking more integrated forms of commercial and non-residential development, including vertical mixed use design and complementary land uses in close proximity to one another, in its desired development pattern for the County’s Urban Service Area. (Policy 3.2.4 and 3.2.5-r; Amended 10/10, Ord. 10-13 Amended 1/17, Ord. 2017-19)

The following criteria are intended to serve as guidance for commercial-related future land use amendment requests within the Urban Service Area. Consistent with FLU1.4.5, Orange County may require a market study for Commercial and Office future land use requests. A mix of two or more uses will be encouraged where appropriate. (Amended 10/10, Ord. 10-13)

~~**Neighborhood Centers and Neighborhood Activity Nodes**~~ Neighborhood center commercial is intended to serve the needs of nearby residents, employees, visitors and businesses (within two to three miles).

Policies FLU3.2.1 – FLU3.2.13 are proposed to be deleted.

Staff recommends deleting “Neighborhood Activity Nodes” because this is part of the MXDAC policies which are proposed for deletion.

Village Centers – Village Center commercial is intended to more centrally serve the needs of residents, employees, visitors and businesses within a community of neighborhoods (within three to five miles).

Lifestyle Centers – Lifestyle Centers are open-air shopping centers with a mix of national retailers and local boutiques and housing choices. These locations emphasize convenience and a mix of uses and choices.

Wholesale/Retail – Also may be referred to as Big Box retail or Power Centers. Big Box retail, as defined by County Ordinance 2007-1, is described as a retail wholesale commercial establishment (store) with more than seventy-five thousand (75,000) square feet of gross floor area, which may include a home improvement center or a membership warehouse club. The gross floor area of such a store includes outdoor storage areas and any outdoor area providing services. (Ord. 2007-1)

| <i>Table FLU1.4.7A CHARACTERISTICS OF SHOPPING CENTERS</i> | | | |
|--|---|----------------------------|--------------------------------------|
| <i>Type</i> | <i>Size</i> | <i>Gross Leasable Area</i> | <i>FAR</i> |
| Neighborhood Center | 4 acres | 20,000 -40,000 SF | See applicable County policy or code |
| Community Center | 10 acres | 100-300,000 SF | See applicable County policy or code |
| Village Center | 20 acres | 200-400,000 SF | See applicable County policy or code |
| Lifestyle Centers | 25 acres | 400,000 SF | See applicable County policy or code |
| Wholesale/Retail Centers | See Ordinance 2007-1, Big Box Ordinance | | |
| All commercial should have safe, adequate and appropriate access per FLU1.4.8. (Amended 10/10, Ord. 2010-13) | | | |

The title of the table was not included in Ordinance 2010-13 (it was not struck). Staff recommends replacing the table's title.

FLU1.4.78 Commercial activity larger than the Neighborhood Center size shall be limited to the Urban Service Area and Growth Centers. (Policy 3.2.6)

FLU1.4.89 Village Center Commercial uses shall be located at or near major road intersections where one road is an arterial. Access to the center shall be designed to promote safety and avoid conflicts with the functional classification of the road. (Policy 3.2.7-r, 3.2.8-r)

FLU1.4.910 The full retail/general commercialization of an intersection shall be avoided unless sufficient justification of need is provided. Office, hotel, and multi-family uses can be used to avoid the full commercialization of an intersection. (Policy 3.2.13)

FLU1.4.1011 Strip commercial land uses shall be defined as commercial uses adjacent to roadways that are located outside the reasonable zone of influence of the intersection to which they relate. They are characterized by individual curb and median cuts and lack visual landscaped buffers. Strip commercial land use patterns shall be avoided by requiring a transition of land uses, encouraging a mix of land uses, or requiring incorporation of a buffer into the development's design. Strip commercial land uses do not include outparcels in shopping centers, malls, or similar developments where access is provided internally from the shopping center/mall or similar development, or via a system of shared or common driveways. More compact, clustered pedestrian and transit-friendly development options shall be encouraged. (Policy 3.2.14-r)

FLU1.4.11 RESERVED ~~The County will provide limited retail commercial establishments and neighborhood scale offices, with or without residential components, as a means of diversifying uses in single use areas consistent with the intent of the Neighborhood Office Commercial (NOC) district.~~

Staff recommends deleting this policy. The Neighborhood Office Commercial district is not a recognized zoning district within Orange County.

FLU1.4.12 The County shall avoid conversion of residential structures to accommodate the location of medical offices in and around major health care facilities. Instead medical offices should be located where there is sufficient and safe access and mobility.

FLU1.4.13 Primary government offices, colleges, universities, and health care facilities shall be located within Activity Centers or along major roads and transit routes to promote accessibility. (Policy 3.2.16)

FLU1.4.14 The County shall not issue a development permit for construction of a major medical facility until a Certificate of Need has been issued by the State. (Policy 3.2.17)

FLU1.4.15 ~~RESERVED. Commercial uses within Rural Settlements shall be in compliance with Future Land Use FLU6.2.9 and FLU6.2.10. (Policy 3.2.9)~~

Staff recommends deleting as the policy is redundant as this is noted in Policy 1.1.4A and 1.1.4H.

Industrial

FLU1.4.16 The Future Land Use Map shall reflect appropriate locations for industrial use. Potentially incompatible land use designations, such as residential or neighborhood commercial, shall not be established adjacent to industrial land use designations. Proposed land use changes from industrial to residential or commercial shall be evaluated in the context of potential impacts to long-term viability of surrounding industrial uses and of freight transportation corridors included in the National Highway Freight Network or identified in state and regional freight plans, such as the Florida Department of Transportation's *Freight Mobility and Trade Plan* and the MetroPlan Orlando *Regional Freight Study*. Proposed industrial changes shall be evaluated relative to the need to maintain adequate industrial sites to serve the projected market demand, freight movement and efficiency, and corresponding needs for job creation and economic development. (Added 05/03, Ord. 03-03, Policy 4.1.10-r; Amended 11/16, Ord. 2016-28)

~~FLU1.4.18~~¹⁷ The Future Land Use Map shall reflect a distribution of industrial areas throughout the Urban Service Area to reduce the journey to work, ensure efficient freight movement and operations, avoid large concentrations of freight traffic, provide adequate and sufficient locations for industrial uses – particularly in existing corridors and areas in proximity to Activity Centers – and provide a variety of locations with different transportation accessibility opportunities (such as arterials, limited-access highways, airports and railroad). (Added 12/00, Ord. 00-25, Policy 3.2.15, Amended 11/16, Ord. 2016-28)

~~FLU1.4.24~~¹⁸ Orange County shall not approve industrial uses that produce or emit noises, significant vibrations or noxious/hazardous wastes/fumes resulting in adverse impacts to adjacent residential uses, unless such impacts are mitigated. (Policy 4.1.19-r)

Staff recommends moving and renumbering policies FLU1.4.18, FLU1.4.24, and FLU1.4.25 after FLU1.4.16 because the policies are related.

FLU1.4.2519 Orange County may require appropriate design controls for each industrial district such as, but not limited to, building setbacks, lot size building coverage ratios, impervious surface limitations and landscaping provisions to ensure industrial districts are compatible with surrounding areas. (Policy 4.1.12-r)

FLU1.4.1720 Orange County seeks to retain an adequate supply of industrial land use designations and freight-intensive land uses during the planning horizon, consistent with the findings of the County's most current *Industrial Lands Analysis* and the desire to maintain jobs to housing balance within the County. Industrial requests found to be consistent with the Comprehensive Plan in areas where there are industrial deficits should be supported, provided these locations are found to be compatible and services are available. Further, amendments to DRIs or PDs that have the effect of reducing industrial lands in these submarkets should be discouraged, consistent with FLU1.4.16. (Amended 11/16, Ord. 2016-28)

FLU1.4.17.121 Orange County will plan appropriately for fuel terminal infrastructure to ensure efficient and reliable multimodal transportation, consistent with s. 163.3206, Florida Statutes, (Added 11/16, Ord. 2016-28)

~~FLU1.4.18~~ ~~The Future Land Use Map shall reflect a distribution of industrial areas throughout the Urban Service Area to reduce the journey to work, ensure efficient freight movement and operations, avoid large concentrations of freight traffic, provide adequate and sufficient locations for industrial uses particularly in existing corridors and areas in proximity to Activity Centers and provide a variety of locations with different transportation accessibility opportunities (such as arterials, limited access highways, airports and railroad). (Added 12/00, Ord. 00-25, Policy 3.2.15, Amended 11/16, Ord. 2016-28)~~

Staff recommends moving under FLU1.4.16.

- FLU1.4.1922 Redevelopment of former landfills as defined by the State and "brownfield development" standards shall comply with the County's Planned Development process, S38-1201, OCC. The proponent for redevelopment shall enter into a developer's agreement with the County delineating specific procedures and/or conditions to deal with any environmental issues before redevelopment. (Amended 6/10, Ord. 10-07)
- FLU1.4.2023 Orange County will evaluate, and support accordingly, the freight-intensive land use concepts, including intermodal logistics centers, distribution centers, and freight villages, identified in MetroPlan Orlando *Regional Freight Study* to enhance freight movement and efficiency and to attract high-value employment. Orange County will review the conceptual locations identified in the *Regional Freight Study* to assess their compatibility with existing Future Land Use designations and evaluate the locations within the context of surrounding land uses. (Amended 11/16, Ord. 2016-28)
- FLU1.4.2124 Orange County will encourage the use of vacant land within the Urban Service Area for redevelopment to improve existing conditions on-site.
- FLU1.4.2225 Utilities and public facilities, and all pipes and lines associated with such utilities and facilities, shall be allowed in all Future Land Use designations, subject to complying with applicable laws and regulations, including zoning restrictions. Utilities and public facilities, except associated pipes and lines, shall have a Future Land Use Map designation of Institutional. (Policies 4.1.15 and 4.3.1; Amended 11/17; Ord. 2017-19).
- FLU1.4.2326 New adult entertainment shall be located only within Industrial designated areas within the Urban Service Area. This policy does not supersede International Drive Policy ID1.1.6. (Added 8/92, Ord. 92-24, Policy 3.2.24)

~~FLU1.4.24~~ ~~Orange County shall not approve industrial uses that produce or emit noises, significant vibrations or noxious/hazardous wastes/fumes resulting in adverse impacts to adjacent residential uses, unless such impacts are mitigated. (Policy 4.1.19 r)~~

Staff recommends moving after FLU1.4.16.

~~FLU1.4.25~~ ~~Orange County may require appropriate design controls for each industrial district such as, but not limited to, building setbacks, lot size building coverage ratios, impervious surface limitations and landscaping provisions to ensure industrial districts are compatible with surrounding areas. (Policy 4.1.12 r)~~

Staff recommends moving after FLU1.4.16.

FLU 1.4.27 The County shall not support the siting of developments at urban residential densities adjacent or near solid waste disposal facilities (landfills).

Staff recommends the policy to clarify the incompatibility between residential uses and solid waste disposal facilities.

URBAN STRATEGIES: INFILL, ~~MIXED-USE~~, LAND USE AND TRANSPORTATION, ~~SMALL AREA STUDIES~~~~MIXED-USE~~

GOAL FLU2 **URBAN STRATEGIES.** Orange County will encourage urban strategies such as, but not limited to, infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

OBJ FLU2.1 **INFILL.** Orange County shall promote and encourage infill development through ~~incentives identified in the Land Development Code for relatively small vacant and underutilized parcels within the County's established core areas in the Urban Service Area.~~ (Obj. 3.3-r)

Staff recommends revising the objective to remove specific examples.

POLICIES

FLU2.1.1 ~~By 2008,~~ Orange County shall adopt ~~an~~ regularly review and update the 2008 Infill Master Plan to identify vacant parcels suitable for infill development. The plan shall identify appropriate land use and intensities and address the provision of services in Orange County's established core areas to accommodate new development in these designated areas. The Plan will consider economic factors that affect development, such as land values, land requirements, market area standards, and current development prototypes. In addition, the plan shall identify incentives such as, but not limited to, density bonuses to encourage infill and redevelopment. (Policy 3.3.1-r)

Staff recommends revising the policy to remove a reference to a deadline.

FLU2.1.2 ~~Regular updates to the~~ The Infill Master Plan will evaluate the County's redevelopment needs and capacities. Specific core areas will be the focus as the infill development potential of specific parcels is analyzed and identified, including assessment of the surrounding interconnectivity of transportation networks and land uses, road capacity, and available transit service.

FLU2.1.3 ~~After completion of the Infill Master Plan,~~
Orange County shall regularly evaluate various mechanisms for ~~its~~ the implementation of the 2008 Infill Master Plan, including, but not limited to, code changes, incentive programs such as increased density on infill parcels, and overlays or special districts. (Policy 3.3.2-r)

Staff recommends revising the policy to reflect the completion of the Infill Master Plan.

FLU2.1.4 Subsequent to adoption of the Infill Master Plan, the Land Development Code shall establish incentives to promote increased density on infill parcels through innovative design or other devices such as flexible level of service guidelines, to allow a balancing of otherwise inconsistent plan policies, objectives and/or goals. (Policy 3.3.3)

FLU2.1.5 The Land Development Code shall provide a density bonus, consistent with the 2007 Workforce Housing Task Force report and Policy H.1.2.13 in the Housing Element. (Added 12/00, Ord. 00-25, Policy 1.1.13-r)

OBJ FLU2.2 MIXED-USE. 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. 3.8-r)

POLICIES

FLU2.2.1 Within the Urban Service Area, Orange County shall encourage a mixture of land uses within activity and mixed-use commercial centers. Office and residential land uses shall be part of the balanced land use mixture, in addition to the commercial component. (Added 3/99, Ord. 99-04; Amended 12/00, Ord. 00-25, Policy 3.8.8-r)

FLU2.2.2 Orange County shall use its parking standards to better integrate adjoining land uses, to cluster development near available transit service, to provide flexibility to implement smart growth strategies, and to use land efficiently in the Urban Service Area.

FLU2.2.3 ~~By 2010, Orange County shall adopt revisions to the~~ revise its off-street parking regulations in Chapter 38, Article XI, Orange County Code. ~~These revisions will~~ to reflect smart growth principles, current research on parking demand, methodologies to determine appropriate shared parking, incentives for adjacent transit service that may lessen parking demand, and available studies done by the private sector for land development in Orange County.

FLU2.2.4

Projections indicate that Orange County is anticipated to have an adequate amount of single use commercial land available throughout the planning horizon. ~~As part of the Destination 2030 Plan,~~ Orange County will be transitioning to more mixed-use options available for new commercial future land use requests, including vertical mixed-use. As part of this transition, the County will update its land development code to provide incentives to achieve a complementary mixing of uses by revising development standards to remove constraints for development meeting criteria that may include, but is not limited to, the following:

1. Location within the Urban Service Area, with special emphasis on the Alternative Mobility Area and potential Transit Corridors;
2. Locations identified in the *Infill Master Plan*, ~~locations consistent with FLU3.2.2 and FLU3.2.3,~~ and locations identified as Energy Economic Development Zones;
3. Locations that will facilitate the County's Mobility Planning efforts, such as those locations that either have or potentially can:
 - a) Establish and promote community and neighborhood connectivity;
 - b) Provide multimodal opportunities for enhanced mobility, improved access, and flow of people and goods;
 - c) Have proximity to existing or planned transit corridor or transit stop.

(Amended 10/10, Ord. 2010-13)

FLU2.2.5

Orange County may consider the following incentives to encourage vertical mixed-use development:

1. Reduced and shared parking standards under specified conditions;
2. Minimum and/or incentivized FARs;
3. Expedited review; and
4. Alternative urban infill code compliance standards such as those identified in the *Infill Master Plan*.

The changes shown in red reflect staff recommended changes to update the policy and to reflect the proposed deletion of polices FLU3.2.2 and FLU3.2.3

FLU2.2.6

Orange County may consider properties meeting the following criteria for Mixed-Use Corridor (MUC) Future Land Use designation, consistent with the urban strategies in the Destination 2030 Plan. This option is available only through a staff-initiated process and must consider the following criteria:

1. Access to a 4-lane road within the Urban Service Area;
2. There are opportunities for infill, reinvestment and redevelopment consistent with the Infill Master Plan and Mixed-Use Activity Center FLU3.2.1 – FLU3.2.13;
3. Locations where infrastructure can be more fully used such as an Alternative Mobility Area;
4. Automobile, bicycle, and pedestrian facilities are adequate to accommodate safe and convenient access;
5. There is potential for compact, pedestrian-friendly, mixed-use opportunities in the surrounding neighborhood;
6. There is potential for a mixture of retail, office multifamily and civic and public uses to discourage underutilized strip-style development;
7. There are opportunities to create linkages with activity centers and other similar mixed-use patterns of development; and
8. Where these locations are supportable by studies.

FLU2.2.7 As part of its transportation planning efforts, Orange County may establish Mixed-Use Corridors (MUC) with minimum FARs. To achieve and maintain the desired mixture of land uses within mixed-use corridors, the percentage of total gross leasable floor area within mixed-use corridors shall be consistent with the ranges provided for each use. The following is an example of a desirable standard. This standard should be implemented through modifications to the Land Development Code. This may be accomplished through creation of a new mixed-use zoning district or retooling of the Urban Village and Neighborhood Activity Corridor zoning districts.

| <i>Type</i> | <i>Minimum</i> | <i>Maximum</i> |
|-----------------------------------|----------------|----------------|
| Residential | 2.5% | 20% |
| Office | 20% | 25% |
| Commercial | 40% | 55% |
| Public/Recreational/Institutional | 5% | 20% |

FLU2.2.8 ~~By 2010,~~ Orange County shall implement a mixed-use zoning and building district to facilitate infill and mixed-use corridor development.

FLU2.2.9 ~~By 2010,~~ Orange County shall promote smart growth principles in residential design, parking standards, minimum project size and open space requirements of the Urban Village zoning district. These changes include providing for development of infill parcels and redevelopment of greyfield sites between 10 and 200 acres. This development and redevelopment shall provide an integrated mix of residential and residential-support uses, including recreation and limited neighborhood commercial, office and personal services. To create a community/village-like setting, the land uses within each Urban Village shall be interconnected and oriented around a Village Center and shall have specific design standards.

- FLU2.2.10 The Urban Village zoning district shall be allowed in areas designated for Residential (Low Density to High Density Residential) and in the Activity Center Mixed-Use and Activity Center Residential designations. The overall residential density for the Urban Village shall be consistent with the Future Land Use designation.
- FLU2.2.11 Government branch offices, such as libraries and post offices, shall be encouraged within the Urban Villages for convenience and to encourage multi-purpose trips. (Policy 3.1.6)
- FLU2.2.12 To create a community/village-like setting, the residential areas within each Urban Village shall be focused around a center that contains neighborhood retail uses, personal services and open space. (Policy 3.1.5)
- FLU2.2.13 The County shall expand the role of ~~major~~ established commercial centers that are well served by transit ~~and by encourage~~ encouraging a mix of retail, office, and service uses that are compatible with the surrounding area. As part of these efforts, residential uses in the vicinity should be retained to support the mix of uses.
- FLU2.2.14 Orange County will encourage and promote effective examples of mixed-use development at appropriate scales through incentives, public education, transit planning, Traditional Neighborhood Development (TND) and Village principles, ~~and via its Design Awards program.~~ (Policy 3.6.1-r)
- FLU2.2.15 Orange County shall support the location of greater residential densities near employment centers to improve the jobs/housing balance in the County.
- FLU2.2.16 The County's Land Development Code shall include zoning districts that encourage a concentrated urban form in order to efficiently accommodate its projected ~~resident~~ population.

Staff recommends revising the policy to delete the Design Awards program. The program has ended.

FLU2.2.17 Throughout the planning horizon, the County shall provide policy and program mechanisms that further the principles of sustainability, including limiting urban sprawl, protecting wildlife and environmentally sensitive natural areas, promoting efficient use of land and water, and creating an environment conducive to quality building and promoting sustainable economic development.

FLU2.2.18 New development and infill redevelopment areas shall incorporate sustainable building design, construction materials, and energy conservation strategies consistent with national and state-recognized green building standards, ~~as these options become required.~~

The deleted phrase suggests that when these practices are required, then development shall comply. A policy to recommend compliance with a requirement isn't needed and so could be deleted – or keep but consider changing the “shall” to “should”.

OBJ FLU2.3 LAND USE AND TRANSPORTATION. The Land Development Code and Future Land Use Map shall reflect the coordination of land use and transportation as a major strategy for implementing the County's development framework.

POLICIES

- FLU2.3.1 The design function of roads shall be maintained by considering the safe, convenient access and mobility of all roadway users, incorporating context sensitive design that considers ~~by coordinating~~ local development patterns and land use, Quality and Level of Service standards, and the functional classification of roads. (Policy 3.6.1)
- FLU2.3.2 The Future Land Use Map shall reflect a correlation between densities and intensities of development and capacity and quality of service of the transportation system. (Policy 3.6.2)
- FLU2.3.3 To maximize existing infrastructure and enhance mobility options, Orange County shall designate Alternative Mobility Areas, or AMAs (referred to in Florida Statutes as Transportation Concurrency Exception Areas) as identified in the Transportation Element. These efforts will be coordinated in conjunction with the County's Capital Improvements Element. Part of this effort will include adoption and implementation of long-term strategies to support and fund mobility enhancements within designated areas.
- FLU2.3.4 ~~The W~~widening of roadways shall not be the sole reason to allow increased land use intensity. (Policy 3.6.3)
- FLU2.3.5 The planning, design, and construction of road widening extension projects shall be sensitive to adjoining residential areas. The County will seek public involvement to determine measures to mitigate adverse impacts to established neighborhoods. (Policy 3.6.3-r)

FLU2.3.6

~~RESERVED. The County shall consider the following criteria when evaluating, on a case-by-case basis, whether conversion of residential use to non-residential use may be permitted:~~

- ~~A. There has been a significant change in area land use character;~~
- ~~B. The adjacent road satisfies one or more of the following: is a major street, as identified in the Land Development Code; provides access to an existing mix of residential and non-residential uses; or will support a compatible mix of uses based on existing conditions;~~
- ~~C. The site satisfies one or more of the following: is adjacent to commercial or office uses that are consistent with the Comprehensive Plan and Land Development Code; adjoins an intersection of two streets; or adjoins wetlands, stormwater facilities or other features that serve to buffer the use from adjacent residential uses;~~
- ~~D. Sufficient land area is available to support the land use intensity increase, such as the need for parking, stormwater retention, on-site maneuvering, and meeting minimum site and building standards of the requested zoning district;~~
- ~~E. The converted use shall be compatible with adjacent land use;~~
- ~~F. The conversion would provide a commercial or office use that has the potential to serve the neighborhood in which it is located;~~
- ~~G. Outside traffic resulting from the converted use would not adversely affect the residential neighborhood;~~
- ~~H. All other applicable policies detailed for non-residential use shall be met; and~~
- ~~9. A mix of uses shall be encouraged. Office use, in a residential scale and character, may be considered to be a transitional use between commercial and residential uses. (Policy 3.6.5 r; Amended 6/12, Ord. 2012-14)~~

Staff recommends moving this policy to Future Land Use Element under Goal 1.

- FLU2.3.7 Access management controls, including but not limited to joint driveways, frontage roads and cross-access agreements along collector and arterial roadways, shall be applied to all development and redevelopment proposals consistent with the Land Development Code. (Added 12/00, Ord. 00-25, Policy 3.6.5-r)
- FLU2.3.8 The County shall work with LYNX to coordinate routing of regional transit service and location of facilities with the location of Activity Centers, as identified in the Future Land Use Element. (Added 12/00, Ord. 00-25, Policy 3.6.8)
- FLU2.3.9 Orange County will support land use policies that reinforce effective transportation management. This includes support for activity centers, transit-oriented developments and sector planning. (Added 12/00, Ord. 00-25, Policy 3.6.9)
- FLU2.3.10 Shopping centers shall include bicycle parking areas, and where appropriate, bus bays or shelters to encourage alternative transportation modes. Such requirements shall be referenced in the Land Development Code. (Added 12/00, Ord. 00-25, Policy 3.6.10)
- FLU2.3.11 Orange County shall encourage the use of new urbanism and sustainability concepts, such as but not limited to Traditional Neighborhood Development, Urban Villages, vertical mixed-use, livability and pedestrian-friendly environments (including safety enhancements improvements), and Transit Oriented Development, and the County shall incorporate such concepts into the Land Development Code in order to reduce urban sprawl, decrease trip lengths, promote internal capture and promote multi-modal travel. (Added 12/00, Ord. 00-25 Policy 3.6.11-r)

FLU2.3.12 The County shall evaluate and support accordingly commuter rail proposals and plan for its supporting facilities, including locations for Transit Oriented Development and activity nodes, ~~and shall coordinate with local jurisdictions to establish a corridor land use plan for the commuter rail stations.~~

FLU2.3.13 Orange County shall improve transportation accessibility, air quality, and energy conservation by developing a multi-modal system.

FLU2.3.14 Orange County shall promote the use of multi-occupant vehicles (car pool and transit) to minimize emission impacts to air quality in its Land Development Code (LDC) ~~and conditions of approval for DRIs~~, where appropriate. Further, Orange County shall support the Orange to Green Initiative as well as other sustainability efforts, including ~~the~~ fulfilling its status as a certified Green Local Government. (Policy 4.2.2)

Staff recommends deleting reference to Development of Regional Impacts as the State of Florida has considerably weakened the regulations and eliminated the prior DRI review process for new developments that would otherwise have qualified as a DRI.

OBJ FLU2.4 SMALL AREA STUDIES. Orange County shall use Small Area Studies as an appropriate urban strategy to facilitate infill, mixed use development, and redevelopment in a manner compatible with existing communities. Small Area Studies shall incorporate public outreach techniques, such as ~~charettes~~charrettes, ~~and community meetings~~, ~~and other public involvement~~, to ensure they reflect the community's preferred vision for the area's future. (Added 10-13-09, Ord. 2009-28)

POLICIES

- FLU2.4.1 The State Road 436/SR 50 Area Redevelopment Plan, as accepted by the Orange County Board of County Commissioners on February 24, 2009, shall provide a framework for land use and urban design in the defined Study Area. (Added 10-13-09, Ord. 2009-28)
- FLU2.4.2 The "*Area Redevelopment Final Report dated February 2009*" is herein adopted by reference into the Future Land Use Element of the Orange County Comprehensive Plan to serve as a guided framework for land use and urban design within the defined area of SR436/ SR50. (Added 10-13-09, Ord. 2009-28)
- FLU2.4.3 Land use decisions in the State Road 436/SR 50 Area Redevelopment Plan Study Area shall reinforce community preservation and enhancement and promote new social, recreational, and business opportunities. (Added 10-13-09, Ord. 2009-28)
- FLU2.4.4 Urban design standards for development and redevelopment in the State Road 436/ SR 50 Area Redevelopment Plan Study Area shall continue to recognize and reinforce the unique aesthetic and cultural quality of the community. (Added 10-13-09, Ord. 2009-28)

FLU2.4.5 New development and redevelopment in the State Road 436/50 Area Redevelopment Plan Study Area shall promote connectivity to existing development through pedestrian connections, cross-access easements, and enhanced transit stops, where possible. (Added 10-13-09, Ord. 2009-28)

FLU2.4.6 The Planning Division shall explore the feasibility of ~~Activity Center designations, consistent with Objective FLU3.2, and Mixed Use Corridor designations, consistent with Policy FLU2.2.6,~~ for properties within the State Road 436/SR 50 Area Redevelopment Plan. (Added 10-13-09, Ord. 2009-28)

Staff recommends omitting Activity Center designations consistent with the recommendation to delete them in Goal FLU3.

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

(Added 8-31-18, Ord. 2018-17)

POLICIES

FLU2.5.1 ***Rural Residential Enclaves*** are generally described as established neighborhoods with a homogeneous and stable rural residential development pattern; well- defined or fairly defined geographic boundaries; and the presence of historic, physical, environmental, regulatory, or other site-specific constraints. Rural Residential Enclaves may also reflect other rural characteristics, despite being located in the Urban Service Area (USA), or in close proximity to designated urban growth areas. (Added 8-31-18, Ord. 2018-17)

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

- a) Lake Mabel Rural Residential Enclave
 - b) Berry Dease Rural Residential Enclave
 - c) Chickasaw Rural Residential Enclave
- (Added 8-31-18, Ord. 2018-17)

FLU2.5.3 Rural Residential Enclave designations must be initiated by the Board of County Commissioners (BCC), or by County staff, in coordination with the BCC. Comprehensive Plan Amendment(s) shall be required for all new designations, or changes to existing enclaves, with boundaries incorporated into the Future Land Use Map Series. (Added 8-31-18, Ord. 2018-17)

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

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

**Minimum Net Developable Land Area as defined by Policy FLUJ.J.2(c).*

An undeveloped parcel of property that was legally created and recorded in the Public Records of Orange County prior to July 10, 2018, and which meets all other applicable laws and regulations, shall be entitled to develop a single family residential structure on such parcel without further board action regardless of whether such parcel meets the minimum net developable land area requirements of this Policy. (Added 8-31-18, Ord. 2018-17)

FLU2.5.5 Clustering of residential units to accommodate smaller lot sizes than as prescribed by Policy FLU2.5.4 shall be prohibited. (Added 8-31-18, Ord. 2018-17)

FLU2.5.6 Pursuant to and consistent with Policy FLU8.1.1(a) and Section 38-77, Orange County Code, uses of property within a Rural Residential Enclave shall be permitted by right or Special Exception, permitted with conditions or prohibited, in accordance with the zoning district in which the property is located. (Added 8-31-18, Ord. 2018-17)

FLU2.5.7

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

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

- vii. Shade trees, continuous street canopy, and scattered clusters of natural landscaping. (Added 8-31-18, Ord. 2018-17)

URBAN FORM

GOAL FLU3 **URBAN FORM.** The County will develop ~~more~~ urban tools to promote mixed uses, walkability, and locations with multi-modal access. These tools will include development regulations and incentives that encourage Traditional Neighborhood Development, ~~mixed-use Activity Centers~~ and other forms that will result in more efficient land use and better coordination between land use and transportation.

OBJ FLU3.1 TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND)~~TND~~. The County may, at its discretion, amend the Future Land Use Map to classify lands within the County as TND (Traditional Neighborhood Development) to allow for development alternatives that will alleviate the pressure for urban sprawl, reinforce a more efficient pattern of development, provide interconnected wildlife corridors, reduce excessive travel demands, link road and transit networks, provide affordable housing and create a stronger sense of place through the layout of streets, arrangements of open space, appearance of streetscapes and linkage of neighborhoods to commercial services and jobs. (Added 8/93, Ord. 93-20, Obj. 1.6-r)

POLICIES

FLU3.1.1 To be considered as a TND, projects must contain the following general design elements:

- A. Town and Village Centered Development.** The project must be designed as a mixed-use community with "towns and villages" designed to be within an average one-third mile walking distance of a central commercial area and transit stop. Village and town centers will allow for a mix of residential, retail, office, green space and public uses within a comfortable walking distance, making it possible for residents and employees to travel by bicycle, foot or transit, as well as by car.

- B. Neighborhood Residential Area.** Village and town centers shall be surrounded by a supporting neighborhood residential area that includes lower density housing, golf courses or other open spaces, public schools, community parks and a limited number of convenience retail centers.
- C. Core Commercial Areas.** Village and town centers must have centrally located mixed-uses, core commercial areas and contiguous residential areas of such size, density and intensity to permit the ability to include a feeder bus transit stop. Each core commercial area shall include a centralized shopping area, offices and public uses such as a post office, library, civic services, and village green. A smaller scale core commercial area with a similar mix of uses may be provided for each neighborhood.
- D. Employment Centers.** Employment centers must be included as a component of design in all TNDs. The core commercial centers will provide additional employment opportunities. Employment centers may include office, light industrial, and research, as well as convenience retail and commercial services oriented toward serving the needs of workers.
- E. Multimodal Transportation Design.** The development shall be designed in a manner that encourages multiple modes of transportation, walking, bicycling, park-and-ride, and transit. Both walking and transit is encouraged by locating residential neighborhood within 1,600 feet of transit stops.
- F. Urban Design Standards.** All applications for TND shall include an Urban Design Standards and must address the building types to be included in the TND and the related requirements for use, placement, easements, parking, height, density, FAR, landscaping, street design and general architectural details relative to materials, configurations and technique unless or until Orange County approves a TND District. (Policy 1.6.1)

FLU3.1.2 The following density and intensity criteria shall be used for the TND land use classification:

- A. Residential Densities. Residential densities of TND projects shall not exceed 30 units per gross residential acre.
- B. Office Intensity. Office intensities may be permitted up to a Floor Area Ratio (FAR) not to exceed 1.7 FAR. Multi-story parking garages are not permitted in neighborhood centers.
- C. Commercial Intensity. Commercial uses may be permitted up to a maximum of 1.00 FAR. Multi-story parking garages are not permitted in neighborhood centers.
- D. Industrial Intensity. Industrial uses should be permitted for development with a maximum 0.50 FAR. (Policy 1.6.2)

FLU3.1.3 TND shall be implemented through the provisions in the Land Development Code and developer's agreements as necessary. The TND is intended to facilitate high quality mixed-use communities developed under specific design standards. The TND should, at a minimum, incorporate the following performance standards:

- A. A TND shall allow for a mix of residential, retail, office, green space and public uses at a scale and relation that is attractive to pedestrian and cycling activity, as well as at an intensity that makes transit a viable alternative to the automobile.
- B. A TND shall include one or more core commercial areas that are centrally located to residential components. These core areas shall include uses such as, but not limited to, retail, office, light industrial, day care centers, and public uses, such as a post office, library, or village green.
- C. The residential component of a TND shall be a mixture of building types, densities, and costs.

- D. The design standards of the TND shall address land use, building placement, parking, landscaping, recreation, street design and general architectural controls relative to materials, configurations, and technique.
- E. An application for TND approval shall include specific mechanisms to ensure the development will be connected to a regional mass transit system.
- F. Specific requirements for public uses and public buildings, such as parks, plazas, and schools, shall be included in the design standards to facilitate their maximum accessibility to residents and employees of the TND.
- G. The TND design criteria shall include street design criteria that promote construction of an interconnected road system. Cul-de-sacs shall be avoided.
- H. The TND design criteria shall include requirements for pedestrian and bicycle systems.
- I. The TND design criteria shall require stormwater management systems to be designed as amenities. The TND design criteria shall ensure ~~the~~that lakes and other natural resources are an amenity, visually accessible to the public. (Policy 1.6.4)

OBJ FLU3.2 ~~**RESERVED. MIXED-USE DEVELOPMENT ACTIVITY CENTERS. Orange County shall promote pedestrian-friendly, compact, transit-ready and transit-oriented development in Mixed-Use Development Activity Centers as a means of making more efficient use of land, infrastructure and services within the Urban Service Area (USA) boundary. Mixed-Use Development Activity Centers (MXDACs) will help achieve energy conservation and reduce automobile use through greater multi-modal connectivity, supporting transit services, and opportunities for workforce housing, while encouraging quality urban design standards to achieve attractive pedestrian-friendly environments. This option does not require a Future Land Use amendment if the following policies are met. (Amended 10/10, Ord. 2010-13)**~~

Staff recommends deleting OBJ FLU3.2 and associated policies as the Mixed-Use Development Activity Center concept was cumbersome to comply with and never implemented.

POLICIES

FLU3.2.1 ~~**RESERVED. Intent, Types and Elements of Mixed-Use Development Activity Centers.**~~

~~A. **Intent.** Mixed-Use Development Activity Centers are intended to:~~

- ~~1.—Occur within the USA at locations where relatively higher intensities of urban activity already exist;~~
- ~~2.—Encourage a balanced mix of land uses, including a variety of residential, office, commercial, recreational, educational, cultural, open space, and, when appropriate, institutional and industrial facilities;~~
- ~~3.—Ensure development intensities and densities at locations that would make transit a viable alternative to the automobile;~~
- ~~4.—Provide opportunities for multi-modal mobility:
 - ~~a.—At the regional scale with a variety of high-capacity travel choices and connections;~~~~

- b.—Within the Mixed-Use Development Activity Center, to ensure that the circulation network is designed to be safe, comfortable, and attractive and encourages more walking, bicycling, and transit use, while still providing options for some automobile movement, and
 - c.—At the local scale, to enhance connectivity to surrounding development and the regional transportation network;
- 5.—Promote best environmental practices for:
- a.—Protecting and enhancing natural systems, such as drainage systems and hydrological connections;
 - b.—Encouraging the treatment of surface water, conservation lands, and environmental open space as a visual amenity by avoiding the placement of surface parking and service areas next to these areas and, in as much as possible, using open space requirements to provide landscaped buffers and passive parks along their borders;
 - c.—Protecting or enhancing wildlife corridors by minimizing road crossings over wetlands and floodplains and designing crossings to allow for unimpeded passage of wildlife, and
 - d.—Achieving the County's goals for reductions of greenhouse gas emissions, energy efficiency, environmental protection green building and green development, in addition to high performance building practices that protect the quality of our natural resources and that provide both employees and the public with safe and healthy environments;
- 6.—Recognize, enhance and protect existing and well-established neighborhoods;

- 7.—Ensure that new development provides appropriate scale, massing, design features, and active ground floor uses that are conducive to pedestrian activity, including, but not limited to, clusters of retailing, personal services, entertainment, eating and drinking establishments, and climate protection elements, such as arcades, colonnades, and awnings;
- 8.—Promote reduced and shared parking standards and ensure that parking facilities are shielded from public view along primary pedestrian corridors through the use of appropriate positioning, liner shops, well-designed permeable facades, and/or landscaping;
- 9.—Ensure that new development incorporates transitional intensities and design elements conducive to achieving compatibility with surrounding development, particularly neighborhoods; and
- 10.—Ensure sufficient infrastructure capacity and services to meet the needs of the development in the Mixed-Use Development Activity Centers, which shall be required to be reflected in the annual update of the County's Capital Improvements Element (CIE) 5-year plan.

B. Types of Mixed-Use Development

Activity Centers (MXDAC). Mixed Use Development Activity Centers shall be defined and designated by the scale of the area they serve and function, as follows:

- 1.—*Regional Mixed-Use Development Activity Centers* are intended to serve a regional purpose and promote moderate to high concentration of density and intensity of uses.
- 2.—*Community Mixed-Use Development Activity Centers* are intended to serve community wide needs and functions and promote low-moderate to moderate density and intensity development in a compact area.

- 3.—*Transit-Oriented Development Mixed-Use Development Activity Centers* are intended to provide users of high-capacity premium transit service—such as commuter rail, light rail, or express bus service—access to a walkable environment with a varied mix of services, housing, and parking choices in areas surrounding the stations.
- 4.—*Neighborhood Activity Nodes* are intended to serve a neighborhood purpose by allowing a compact mix of non-residential uses that meet a local need generated by the surrounding neighborhoods.
- 5.—*International Drive Activity Center* is another type of Activity Center, which is defined separately under FLU3.2.14 and in the International Drive Element of the Orange County Comprehensive Plan. The policies contained under Objective FLU3.2 do not apply to the International Drive Activity Center.

~~C.—Mixed-Use Development Activity Center Elements: Size, Sub-Districts, and Master Plan.~~ The Mixed-Use Development Activity Centers (MXDAC) size and location of its sub-districts will be determined through a Master Plan or unified Planned Development Land Use Plan (PD-LUP) as defined in FLU3.2.9. Mixed-Use Development Activity Centers (MXDAC) shall have distinct Core and Edge sub-districts and Gateways.

The Core sub-district will contain the highest intensities and densities within the MXDAC and will be defined primarily by level of multi-modal accessibility, proximity to transit stations or stops, and parcel size. Primary and Secondary MXDAC Eligibility Criteria, per FLU3.2.2. B & C will be used to determine location and extent of the MXDAC Core sub-district.

Transitional densities and intensities will be required in the Edge sub-district, which will be located between the Core sub-district and less intense development immediately outside the MXDAC boundary. The Edge subdistrict can be further subdivided into medium intensity and low-medium intensity subdistricts, which may be defined in the MXDAC master plans and land development regulations. Heights in portions of the Edge sub-district may be limited to one or two stories above the height of the adjacent development outside the MXDAC boundary.

Gateways generally will be associated with the intersection of the MXDAC boundary with major roadways and with the spaces adjacent to passenger rail stations, bus stations, and/or transit super stops. The purpose of a Gateway is to help provide a sense of place, which may be accomplished through a combination of branding and pedestrian-friendly elements, such as signage (wayfinding), main building façade oriented 45 degrees relative to the intersection, streetscape, hardscaping and landscaping, public art, and/or the placement of plazas or public open space.

(Amended 10/10, Ord. 2010-13)

FLU3.2.2

~~RESERVED **Mixed-Use Development Activity Center Eligibility.**~~ The following criteria shall be applied to determine the appropriateness for promoting a Mixed-Use Development Activity Center at a specific location. Consideration for Regional, Community, or Transit-Oriented Development (TOD) Mixed-Use Development Activity Center designation is dependent upon the number of points accumulated by the proposed location and transit service availability. Neighborhood Activity Nodes are subject to separate criteria and not subject to designation criteria contained in Tables B and C below. Designation approval procedures are described under FLU3.2.9.

A. Eligibility Points. The points required for each level of activity center eligibility will be as follows:

1. Regional Mixed Use Development Activity Center designation requires at least 14 points;
2. Community Mixed Use Development Activity Center designation requires at least 10 points;
3. Transit Oriented Development (TOD) Mixed Use Development Activity Centers (TOD-MXDAC) — per County Ordinance 2008-2, the area within a half mile of the nearest Central Florida Commuter Rail station is subject to interim transit oriented development ("TOD") criteria, standards, and guidelines applicable to new developments and is designated as an eligibility area for Mixed Use Development Activity Center policies. Additional TOD-MXDAC may be designated at transit hubs related to other high capacity premium transit corridors;
4. Neighborhood Activity Nodes are subject to separate criteria per FLU3.2.3.

B. Table. Minimum Primary Criteria for Mixed Use Development Activity Center Eligibility.

| Primary Criteria | | Points |
|-------------------------|---|---|
| 1- | Required Condition: The parcel must be located within the Orange County Urban Service Area. (Amended 10/10, Ord. 2010-13) | N/A |
| 2- | Existing Employment: (1) Within one-half mile of a building occupied by a top fifty (50) private employer with the greatest number of employees per InfoUSA or Census data, or other major public employer such as a large government building, major university or community college campus, or major entertainment facility with over 100 onsite employees. | 1-point for each such employer within a half-mile of the subject site |
| | Proposed Onsite Employment: The proposed development will be occupied by a large employer that meets the employee criteria below. The County will determine the documents needed for the applicant to demonstrate that such employer will occupy the proposed development and that the employees will be located onsite. | |
| | Employs at least 100 employees | 1 |
| | Employs over 100 and less than 400 employees | 2 |
| | Employs 400 or more employees | 3 |
| | Commercial Clusters: Defined by distance to larger shopping centers, large clusters of commercial activity located within the USA boundaries (identified using DOR codes), and clusters of Commercial contiguous FLUM designations totaling 10 acres in size or greater. | |
| | Within one-half of a mile of a parcel or group of parcels with major commercial or office activity | 1 |
| | Within one-quarter of a mile | 2 |
| | Within one-eighth of a mile | 3 |
| | Clusters of Medium to High Density Residential: the parcel is adjacent to or has LMDR, MDR or HDR Future Land Use Map designation (Amended 10/10, 2010-13) | 1 |
| | Central Florida Commuter Rail: defined by proximity to the stations along the proposed Central Florida Commuter Rail line | |
| | Within one mile of a station | 1 |
| | Within one-half of a mile | 2 |
| | Within one-quarter of a mile | 3 |
| | Proximity to proposed Orlando International Airport (OIA)/Sand Lake Road Connector Light Rail Corridor or any adopted high capacity transit corridor | |
| | Within one-half of a mile of the corridor | 1 |
| | Within one-quarter of a mile of the corridor | 2 |
| | Proximity to a Multi-Modal Corridors: located within a quarter-mile distance of multi-modal roadway corridor, including the proposed Innovation Way corridor, where the transportation system will be designed around opportunities for automobile, high capacity premium transit (such as light rail, bus rapid transit, or streetcars), pedestrian and bicycle travel to become part of the level of service determination (Amended 10/10, 2010-13) | 3 |
| | Location on a Bus Rapid Transit (BRT) Corridor: Located on a roadway corridor where BRT is planned and is on the Orange County Long Range Transportation Plan | 1 |
| | Located on the roadway corridor where Bus Rapid Transit service exists or will be implemented within 5 years (Amended 10/10, Ord. 2010-13) | 2 |

| <i>Primary Criteria</i> | | <i>Points</i> |
|-------------------------|--|---------------|
| | Location within a designated Transportation Concurrency Exception Area (TCEA) or Alternative Mobility Area, as defined in the Orange County Transportation Element | 1 |
| | Location within a designated Transportation Concurrency Management Area (TCMA) (Amended 10/10, 2010-13) | 1 |
| | Location within an area identified in the Infill Master Plan (Amended 10/10, Ord. 2010-13) | 2 |
| | Location within an area identified in the of a mile of a trailhead of an Orange County Trail, such as the West Orange Trail, Cady Way Trail, or other similar component of the Orange County Trails Master Plan | 1 |
| | Certified "Green" Development: The developer or development is registered with the US Green Building Council and there is an intent to apply for certification of each building under the Leadership in Energy and Environmental Design (LEED) rating program, or the development is registered by an alternate green building rating system that Orange County finds appropriate, by resolution | 1 |
| | Existing concurrency capacity: The applicant can demonstrate that there is sufficient capacity to meet all county mandated concurrency requirements, including schools to meet the needs of the proposed development | 1 |

C. Secondary Criteria for Mixed-Use

Development Activity Center Eligibility.

The following factors also shall be considered to determine eligibility for Mixed-Use Development Activity Center designation on a parcel or group of contiguous parcels:

1. Position relative to natural or manmade obstacles to connectivity to other potential activity center parcels, including environmental, land use, and infrastructure factors, and major roadway or highway arteries.
2. Level of connectivity to surrounding development and how deficiencies will be addressed by the proposed development. Primary connections through local residential streets shall be considered during the planning process.
3. Obstacles/Opportunities for Development—whether or not the parcel is of sufficient size to promote the desired type of development or redevelopment.
4. Proximity to other Activity Centers in adjacent municipalities or other adjoining jurisdictions or existing or proposed Mixed-Use Development Activity Centers.

5. Adjacency and potential impacts to existing well-established neighborhoods.
6. Potential to assemble multiple adjacent parcels to be developed as an integrated project.
7. Capacity of infrastructure, existing or proposed, to support the proposed development.

D. Minimum and Maximum Mixed-Use Development Activity Center Size. The minimum size for Mixed-Use Development Activity Center eligibility is 40 acres for Regional Activity Centers, 25 acres for Community Activity Centers, and two acres for Neighborhood Activity Nodes. The County may consider allowing smaller activity centers if additional criteria and/or requirements are met, particularly at TOD-MXDAC eligibility areas. The County reserves the right to limit the Mixed-Use Development Activity Center size to ensure that development in the center is compact and that the proposed development is consistent with the intent of the MXDAC policies.

E. Location. Within the MXDAC Location Eligibility Areas, the following locations will have priority consideration for approving a MXDAC PD:

1. The MXDAC Core shall be located generally adjacent to or in close proximity to one or more of the following: two major arterials that serve the MXDAC, an existing or planned bus or rail transit station, an existing or planned multi-modal transportation center or corridor, or a limited access freeway or interstate highway.
2. Where a transit station or corridor does not exist, the MXDAC shall be designed to be "transit ready" by providing land and rights of way for future transit stations or corridors as specified by Orange County, where applicable.

- 3.—A MXDAC shall be planned in a manner that maximizes internal circulation and minimizes conflicts on the Florida Intrastate Highway System and other major arterial roadways that have the primary function of moving high volumes of statewide and regional traffic. (Amended 10/10, Ord. 2010-13)

FLU3.2.3

RESERVED. Neighborhood Activity Nodes.

Orange County shall promote mixed-use, neighborhood-scale nodes to serve existing neighborhoods by allowing a compact mix of residential and non-residential uses that provide for the needs generated by the adjacent neighborhoods. Neighborhood Activity Nodes (NANs) shall have the following characteristics:

- A.—Neighborhood Activity Nodes shall be compact and range from 2 to 24 acres in size. To ensure compatibility with the surrounding neighborhoods, projects greater than 9 acres must include a mix of residential and non-residential land uses and projects greater than 15 acres may be required to complete a master plan, described in FLU3.2.9.
- B.—Neighborhood Activity Nodes may be located only at roadway intersections with the following characteristics:
 - 1.—Any quadrant of a three-way or four-way roadway intersection where either right-of-way does not exceed 80 ft. in width.
 - 2.—Where all roads have sidewalks on both sides and all roads meet County construction standards.
 - 3.—The FLUM designation of the proposed site is either Commercial (C); Office (O); Low-Medium, Medium, or High-Density Residential; Neighborhood Corridor (NC) or Neighborhood Activity Center (NAC); or Planned Development that contains any combination of the above-listed FLUM designations and meets the intent of this policy.
 - 4.—Bicycle and pedestrian access also shall be considered in determining the location of Neighborhood Activity Nodes, as well as accessibility requirements.

- C. ~~Parcels greater than one (1) acre in size that are located in an existing Neighborhood Activity Node and meet the size and location criteria listed in FLU3.2.3.B, above, with a residential designation of Low-Medium, Medium, or High-Density Residential may be rezoned to a mixed-use neighborhood activity node designation. However, at least 50% of the square footage of the land use mix of the proposed development program must be dedicated to residential uses.~~
- D. ~~Neighborhood Activity Nodes may be allowed in mid-block locations, if a combination of the following additional transportation access criteria is met: opportunities for safe pedestrian crossings, existing or proposed bicycle lane or trail, or dedicated transit stop within a short walking distance.~~
- E. ~~With the exception of existing drive-through facilities (at, for example, gas stations, banks, pharmacies), no new drive-through style commercial uses will be allowed in Neighborhood Activity Nodes.~~
- F. ~~All development in Neighborhood Activity Nodes shall provide the required Mixed-Use Development Activity Center site and building standards described in FLU3.2.6. Projects may be eligible for additional incentives of up to 15% intensity or density increases, if required site and building design elements are provided, per FLU3.2.6.~~

(Amended 10/10, Ord. 2010-13)

FLU3.2.4

~~RESERVED **Mixed-Use Development Activity Center Land Use Mix. By December 31, 2011,**~~ Orange County shall adopt a land development code to guide design and mixing of uses in Regional, Community, and Transit-Oriented Mixed-Use Development Activity Centers, as well as Neighborhood Nodes. For tracking purposes, requests for single-use projects will be considered against the list and percentages of Desired Mix of Land Uses for the applicable type of activity center to determine whether the thresholds for the requested use already have been met. A desirable mix of land uses in MXDACs includes residential, office/commercial, institutional, public/civic and public open space. Desired types of industrial uses include those allowed in I-1A and I-1/I-5 zoning designations. Other industrial uses shall be limited to those with existing entitlements as of May 19, 2009. The County may consider allowing expansion of industrial uses in MXDACs where they are allowed based on compatibility with surrounding existing or proposed uses. Industrial uses shall be highly discouraged within ¼ of a mile radius of a commuter or passenger rail station platform. (Amended 10/10, Ord. 2010-13)

~~**Table—Desired Mix of Land Uses by Type of Mixed-Use Development Activity Center.**~~

~~(Percentage of land use floor area measured in square feet of construction; surface parking shall be counted towards square footage of the use for which it is being provided; shared parking shall be proportionately distributed by use.)~~

| Land Uses | Type of Mixed Use Development Activity Center | | | |
|---|---|-----------|---------|---------------|
| | Regional | Community | TOD | Neighborhood |
| Residential | 20%—50% | 25%—75% | 10%—75% | 0%—50% |
| Office/Institutional ¹ | 10%—40% | 10%—30% | 10%—30% | 10%—40% |
| Commercial ² | 5%—40% | 5%—40% | 5%—40% | 10%—100% |
| Public and Civic | 10%—60% | 10%—40% | 0%—40% | 0%—75% |
| Public Open Space/ Recreational ³ | 5%—20% | 5%—20% | 5%—20% | 5%—20% |
| Industrial ⁴ | 5%—15% | 5%—20% | 5%—15% | not permitted |
| Notes | | | | |
| <p>1—Includes libraries, educational, religious, and medical institutions. Religious institutions shall be urban in character and meet the requirements and intent of the Mixed Use Development Activity Center (MXDAC) policies.</p> <p>2—Only uses that are allowed in C-1 or C-2 are allowed in MXDACs.</p> <p>3—Includes space dedicated to plazas and squares or recreational space located on private property that is open to the public; golf courses or private courts and fields shall not be used to count towards public open space or recreational and shall be limited to a maximum of 15% of the MXDAC.</p> <p>4—This percentage applies only in MXDACs where industrial uses are allowed. Desirable industrial uses include those allowed in I-1/I-5 and I-1A zoning designations. Industrial uses allowed in industrial zoning designations of I-2, I-3, and I-4 shall be discouraged in MXDACs. (Amended 10/10, Ord. 2010-13)</p> | | | | |

FLU3.2.5 ~~RESERVED. **Densities and Intensities of Development.**~~ In order to help make transit a viable alternative to the automobile in Mixed-Use Development Activity Centers, the following minimum and maximum residential densities and non-residential intensities shall apply by activity center type. Densities and intensities shall be defined by the type of transit service available. Rail shall consist of light, commuter, streetcars and/or high speed rail service. The highest densities and intensities shall be allowed within the core sub-district and along major roadway corridors and shall taper towards the outer edges of the Mixed-Use Development Activity Centers to provide transition and ensure compatibility with surrounding development. Densities and floor area ratios (FARs) are based on net developable land area, as defined in FLU1.1.2, and shall be determined at the time of rezoning. Projects designated through the procedure outlined under FLU3.2.9, within transit ready, Mixed-Use Development Activity Center eligibility areas will be eligible for the densities and intensities provided in the table below.

Higher or lower densities or intensities may be established in the MXDAC Master Plan to address compatibility with surrounding development.
(Amended 10/10, Ord. 2010-13)

~~**A. — Tables. Minimum and Maximum Densities and Intensities by Type of Mixed-Use Development Activity Center**~~ (Densities and intensities based on net developable area as defined in FLU1.1.2).

| Regional MXDAC | Density/Intensity* | | | |
|---|--|--|--|--|
| Subdistrict | Minimum Residential (Dwelling units/acre) | Maximum Residential (Dwelling units/acre) | Minimum Non-Residential ¹ (Floor/Area Ratio) | Maximum Non-Residential ¹ (Floor/Area Ratio) |
| Core (up to 1/4 mile) | Rail: 30 du/acre Bus: 11 du/acre | Rail: 100 du/acre Bus: 45 du/acre | 1.0 FAR | 3.0 FAR ¹ |
| Medium-Intensity (1/8 – 1/2 mile) | Rail: 15 du/acre Bus: 7 du/acre | Rail: 35 du/acre Bus: 20 du/acre | 0.4 FAR | |
| Low-Medium Intensity (1/4 – 3/4 mile) | 7 du/acre | 20 du/acre | NA | |
| ¹ Except Industrial uses. Where allowed, the maximum FAR for industrial uses is 0.75, except that the County may consider up to 3.0 FAR for I-1/I-5 and I-1A uses, subject to the standards in FLU3.2.6. | | | | |

| Community MXDAC | Density/Intensity* | | | |
|---|--|--|--|--|
| Subdistrict | Minimum Residential (Dwelling units/acre) | Maximum Residential (Dwelling units/acre) | Minimum Non-Residential ¹ (Floor/Area Ratio) | Maximum Non-Residential ¹ (Floor/Area Ratio) |
| Core (up to 1/4 mile) | Rail: 21 du/acre Bus: 11 du/acre | Rail: 75 du/acre Bus: 35 du/acre | 1.0 FAR | 3.0 FAR |
| Medium-Intensity (1/8 – 1/2 mile) | Rail: 15 du/acre Bus: 7 du/acre | Rail: 35 du/acre Bus: 15 du/acre | 0.4 FAR | |
| Low-Medium Intensity (1/4 – 3/4 mile) | 7 du/acre | 15 du/acre | NA | |
| ¹ Except Industrial uses. Where allowed, the maximum FAR for industrial uses is 0.75, except that the County may consider up to 3.0 FAR for I-1/I-5 and I-1A uses, subject to the standards in FLU3.2.6. | | | | |

B. ~~Transit-Oriented Development (TOD) Mixed-Use Development Activity Center (MXDAC) Density/Intensity Requirements.~~ A TOD MXDAC shall meet the requirements of either a Regional or Community MXDAC, if the location meets the respective location eligibility criteria. However, if a proposed development within a designated TOD area does not meet the minimum location eligibility criteria for MXDACs, the County shall consider the site to allow TOD MXDAC development if the sum of the location eligibility criteria points are at least 7 points and the property is located in a TOD Overlay Zone, in which case the Community MXDAC use mix, density, and intensity requirements shall apply.

~~C. Projects that incorporate workforce housing units shall be eligible for additional density bonuses of up to 50%; however, all of these bonus units must be workforce housing units. The provision of workforce housing units shall be subject to County requirements for maintaining the units affordable over time. Workforce housing units shall be mixed with other income/market rate units onsite to be eligible for any bonuses.~~

~~(Amended 10/10, Ord. 2010-13)~~

~~RESERVED. **Site and Building Placemaking Design Standards.** The following lists contain the required minimum site and building design standards. Unless otherwise specified through a master planning process for specific Mixed Use Development Activity Centers (MXDAC), heights in MXDAC Cores will be limited by the maximum applicable FAR (per FLU3.2.5) or by applicable height limitations for properties near an airport, and in no case will be higher than 200 feet. The height of structures within the outermost edge of the Edge sub-districts of MXDACs may be limited to up to two stories above the height of development on adjacent parcels located outside of the MXDAC boundaries. The minimum standards listed below will be required of all development within Mixed Use Development Activity Centers. Development standards for the Mixed Use Development Activity Centers will be implemented through a land development code, per FLU3.2.4.~~

~~A. **Minimum Required Standards for Mixed Use Development Activity Center Projects.** All projects proposed within Mixed Use Development Activity Centers must, at a minimum, provide the site and building design elements and standards listed below, in addition to those required in the Orange County land development code:~~

- ~~1. Active ground floor uses that are conducive to pedestrian activity along all primary roadway frontages; however, parking is not considered an active ground floor use. The footprint of retail or service commercial establishments, or institutional or civic uses (excluding movie theaters) shall be no greater than 30,000 square feet of gross floor area within the Core and Medium Intensity sub-districts, and shall not exceed 50,000 square feet within the Low Medium Intensity sub-district.~~

- ~~2.—*Crime Prevention Through Environmental Design (CPTED)* principles shall be followed in site and building design.~~
- ~~3.—Pedestrian friendly urban design elements including appropriate site design, scale, massing, design, façade and roof articulation, and streetscape features that are supportive of pedestrian activity.~~
- ~~4.—Streetscape features including wider sidewalks, on street parking, traffic calming elements, appropriate lighting heights and intensity for location and function, landscaping, and seating and other street furniture elements.~~
- ~~5.—Internal and external connectivity, mobility plans, and any other applicable transit supportive and mobility requirements established in the Transportation Element.~~
- ~~6.—To enhance multi-modal connectivity in the area, development and redevelopment projects shall be subdivided into or simulate traditional "Main Street" block face lengths and widths. The maximum permitted block length is 600 feet, and total length of block perimeters shall range from 1,200 to 2,400 feet. Block faces that range from 300-450 feet in length are preferred. However, greater block face lengths may be allowed to accommodate for variations in geography or location. New development that results in block face lengths greater than 600 feet shall provide a wide, visible, paved, and safely lighted mid-block pedestrian pass-through easement, unless environmental conditions dictate otherwise.~~

- 7.—~~Parking shall be provided to the rear or side of the property, except when deemed necessary due to site constraints, and shall be designed to consider pedestrian amenities and safety, minimizing potential conflicts with vehicular access. Structured parking will be lined with active ground floor uses along the main frontage. The design of vehicular access points will clearly address pedestrian visibility and safety. Bicycle parking and facilities shall be required, and the County will develop standards for this purpose. Shared parking arrangements may be used to reduce parking requirements. A parking study will be required as part of the development proposal to determine the actual percentage of parking reductions. When offsite parking is being provided, it must be located within a short walking distance, as defined by Orange County code.~~
- 8.—~~Energy saving and water saving features that meet local, state, federal, and/or nationally recognized guidelines or standards shall be provided.~~
- 9.—~~At least ten percent (10%) of the dwelling units shall be workforce housing units, unless otherwise determined by the findings of the Mixed-Use Development Activity Center Master Plan, per FLU3.2.9, or a workforce housing study. Such units shall be mixed with other income/market rate units in the project.~~

10. Buildings at Gateways designated in an MXDAC Master Plan or PD land use plan shall provide a combination of pedestrian friendly elements such as streetscape, hardscaping, landscaping, public art, and/or the placement of plazas or public open space in the front setback. If a building is located adjacent to a passenger rail station, bus station, and/or transit super stop, a primary entrance shall be provided facing the transit facility and shall include a combination of the pedestrian friendly elements listed above. If located on a corner in a gateway sub-district, the main building façade shall be oriented 45 degrees relative to the intersection.
11. In non-residential areas of a project, the open space requirements can be met through a combination of highly accessible, well designed landscaped areas, including plazas, squares, and/or courtyards that are connected to the public sidewalk system. Stormwater ponds designed as accessible open space amenities may count towards a percentage of the open space requirements which shall be defined in the land development code. Residential areas of the project shall be located so that they are highly visible and easily accessed by all residents. The County shall also promote water saving landscape features as well as features that increase water absorption and retention, such as providing rain gardens, St. Johns River Water Management Waterwise program elements, and urban Low Impact Development features and/or any water conservation program adopted by the County.

12. ~~Additional energy savings, water savings, or other "green" features that meet nationally recognized energy or water saving or "green" building standards are eligible for County incentives when the developer or development is registered with the US Green Building Council and there is an intent to apply for certification of each building under the Leadership in Energy and Environmental Design (LEED) rating program, or the development is registered by an alternate green building rating system that Orange County finds appropriate, by resolution.~~
13. ~~The County may consider reductions in parking and/or open space requirements if the project includes a mix of two or more uses within a single unified project. Vertical mixing of uses within the same building will be considered more favorably than horizontal mixing of uses. Residential uses shall provide transition between non-residential uses within the MXDAC and residential uses abutting the outer edge of the MXDAC.~~

~~**B. Compatibility Requirements.** In all cases, proposed projects shall consider physical and functional relationships with existing or potential future development on adjacent parcels that may be impacted by the proposed development, including opportunities for connectivity, access, and multi-modal options; and appropriate scale and massing, particularly in transitional or edge areas.~~

~~(Amended 10/10, Ord. 2010-13; Amended 11/12, Ord. 2012-20)~~

FLU3.2.7

~~**RESERVED Connectivity Requirements for Mixed-Use Development Activity Center Designation.** Development within Mixed-Use Development Activity Centers shall be subject to connectivity and mobility requirements located in the Transportation Element.~~

FLU3.2.8 ~~RESERVED **Prohibited and Limited Uses.**~~
Drive-through facilities in Mixed-Use Development Activity Centers shall be restricted in number, spacing and design. Drive-through standards shall be implemented through land development code. Signs may be limited to those allowed in the Neighborhood Activity Centers (NAC) zoning designation in the Orange County Code, unless otherwise stated by the Orange County Land Development Code. (Amended 10/10, Ord. 2010-13)

FLU3.2.9 ~~RESERVED Mixed-Use Development Activity Center Application, Procedure and Designation and Expansion Procedures.~~—Mixed-Use Development Activity Centers may be established through the development and approval of a Mixed-Use Development Activity Center Master Plan (MXDAC Master Plan) and/or the approval of Mixed-Use Development Activity Center Planned Development (MXDAC-PD). The following requirements apply to MXDAC Master Plan and/or MXDAC-PD zoning designation or modification:

A. — Demonstrate Eligibility for Mixed-Use Development Activity Center (MXDAC) designation. The applicant must demonstrate that:

1. — The proposed project is located in a Mixed-Use Development Activity Center Eligibility Area and meets Primary and Secondary Eligibility Criteria, as well as the points, size and location conditions stipulated in FLU3.2.2.

2. — The cumulative size of the subject parcel(s) is at least 25 acres in size for a Community MXDAC or 40 acres for a Regional MXDAC, unless otherwise permitted per FLU3.2.2.D and/or FLU3.2.5.B. The subject parcels seeking MXDAC Master Plan or MXDAC PD designation must be substantially contiguous to each other. In the case of MXDAC expansion, the requirements of FLU3.2.11 must be met.

3. — The parcel(s) for the proposed project currently has one or more of the following FLUM designations:

Commercial (C)

Office (O)

Low-Medium Density Residential (LMDR), Medium-Density Residential (MDR), or High-Density Residential (HDR); except that residential FLUM designations will not automatically be allowed to develop onsite commercial.

Industrial (I), except that new industrial uses will be highly discouraged within ¼ mile of the nearest passenger station platform or within Neighborhood Activity Nodes. In MXDACs where industrial uses are allowed, only uses allowed in I1/15 or I1A zoning designations are considered desirable within MXDACs. Uses allowed in I-2/I-3 or I-4 zoning designations are considered undesirable and incompatible with Mixed-Use Development Activity Center development and will therefore be discouraged with MXDACs.

Planned-Development (PD) with entitlements that include any of the above listed FLUM designations.

~~B. Mixed-Use Development Activity Center~~

~~Master Plan.~~ A staff or privately initiated MXDAC Master Plan may be developed to include multiple parcels needed to meet the cumulative size and eligibility requirements for a Regional, Community or TOD MXDAC. The approved Master Plan will provide guidance for future development approval decisions. The following requirements shall apply to the MXDAC Master Plan:

- ~~1. All parcels contained in the proposed MXDAC Master Plan boundaries must meet the primary and secondary location eligibility criteria per FLU3.2.2. An MXDAC Boundary can be approved as part of a Master Plan or a site-specific Planned Development Land Use Plan.~~
- ~~2. A public charrette style process shall be conducted, which at a minimum shall:
 - ~~a. Hold an information workshop open to the public to present proposed boundaries, intent and goals of the Mixed-Use Development Activity Center designation, description of the different sub-districts, and description of the MXDAC approval process and public hearing schedules.~~~~

- b. Hold a public input workshop that shall include the participation of the property owners within the proposed MXDAC boundaries. All property owners within the proposed MXDAC Master Plan boundary and within 300 ft. of the proposed MXDAC boundary perimeter shall be notified of the charrette process and public meeting dates. Additional efforts shall be made to notify other property owners, residents and business owners in the area, including the use of posters and posting information of the County's website. The public input workshop shall provide a discussion of Core and Edge sub-district boundaries, and Gateway locations; recommendations for design guidelines; and issues and concerns. The proposed master plan boundary may be modified as a result of the charrette process.
- c. Develop a MXDAC Master Area Plan containing the following elements:
 - (i) Proposed boundary for the Mixed-Use Development Activity Center;
 - (ii) Proposed boundaries for Core, Edge subdistricts and Gateway locations;
 - (iii) Mobility plan as described in the Transportation Element Policy T3.1.2;
 - (iv) Open space plan, showing location of existing and proposed open spaces and relationship with multi-modal circulation system, and may also show potential location for stormwater management systems;
 - (v) Generalized location of buildings and parking;

- (vi) ~~Design guidelines that standards for site design; build to lines along specific frontages; building design guidelines, including a theme for the MXDAC; Gateway design standards; landscaping; and streetscape design elements, including street furniture, and lighting; among others determined by the County.~~
 - (vii) ~~Discussion of potential funding mechanisms for infrastructure, and services~~
 - (viii) ~~Proposed location of school sites, if there is an anticipated need.~~
 - (ix) ~~Recommendations for implementation.~~
 - d. ~~Hold a third workshop to discuss the proposed MXDAC Master Plan.~~
 - e. ~~The County shall strive to work with a Steering Committee composed of property owners within the proposed MXDAC boundaries, representatives of other stakeholders from the area where the MXDAC will be located, and staff from the County Planning Division, and others as needed.~~
3. ~~The MXDAC Master Plan shall be reviewed by the Planning and Zoning Commission prior to being considered by the Board of County Commissioners for approval at a public hearing. Notification standards set by the County for public hearings shall apply.~~

C. ~~MXDAC PD Pre-Application~~

~~Conference.~~ As part of the procedure for approval of a Mixed-Use Development Activity Center Planned Development (MXDAC PD), the applicant shall request a Planned Development pre-application conference, as set forth in the Orange County Code, and shall submit the following additional information:

- ~~1.— Demonstrate proposed project is located within a Mixed-Use Development Activity Center Eligibility Area per FLU3.2.22 or within an existing MXDAC Master Plan boundary;~~
- ~~2.— Discussion of how the required site and building placemaking standards listed in FLU3.2.6 are to be met;~~
- ~~3.— Discussion of how the County concurrency requirements are to be met; and~~
- ~~4.— Discussion of how the proposed development will enhance placemaking and connectivity within the area.~~

D. ~~Mixed-Use Development Activity Center Planned Development (MXDAC PD) Zoning Designation.~~

~~The MXDAC PD Rezoning process is not a substitute for DRI review or requirements, if applicable, which must also be met if the proposed development meets or exceeds Orange County DRI development thresholds. MXDAC PD rezoning application requires that the following information be provided:~~

- ~~1.— Demonstrate eligibility for MXDAC designation per FLU3.2.9.A or that the proposed project is located within an existing MXDAC Master Plan boundary.~~
- ~~2.— A plan showing conceptual boundaries or approved boundaries for the Mixed-Use Development Activity Center Master Plan, per FLU3.2.9.B, if part of County record, identified by a heavy dashed line;~~
- ~~3.— A list of participating landowners accompanied by applicable signed and notarized agent/applicant authorizations.~~

4. ~~A Mixed-Use Development Activity Center Planned Development Land Use Plan (MXDAC-PD-LUP): Until such time as the County develops specific mixed-use land development codes for the MXDAC implementation, development within MXDACs shall meet the procedural requirements of a PD-LUP, Orange County Code, and provide the following additional information:~~

- a. ~~MXDAC Land Use Plan (LUP), containing the following elements:~~
 - (i) ~~approved Mixed-Use Development Activity Center Master Plan boundary (identified by a heavy dashed line) and project location within the boundary (identified by a heavy solid line), or project boundary for the Mixed-Use Development Activity Center, if no approved boundary exists; project location relative to approved Core, Edge Medium-Intensity, Low-Medium-Intensity sub-districts, and Gateways, if existing, or identification of the sub-districts and Gateways within the project boundary, as applicable;~~
 - (ii) ~~proposed land uses and densities, intensities and square footage for each use;~~
 - (iii) ~~mobility plan, or acceptable equivalent per County policy or code, showing internal multi-modal circulation system, multi-modal connections to the surrounding transportation systems (including sidewalk, transit station and stop locations, bike paths, and on-street parking locations, as well as any traffic-calming elements);~~

- (iv) ~~open space plan, showing location of existing and proposed open spaces, including but not limited to outdoor plazas, squares, greens and stormwater management, and how the spaces are linked by the multi-modal circulation system;~~
 - (v) ~~number and location of workforce units, provided onsite, distributed throughout the development;~~
 - (vi) ~~land use plan requirements shall include residential, office, commercial, civic/institutional, and industrial, where allowed; and~~
 - (vii) ~~design guidelines, including site, building, and landscaping.~~
- b. ~~In order to meet the intent and standards of the MXDACs, additional information may be requested during subsequent stages of the development approval process (such as Preliminary Subdivision Plan or Development Plan), to be determined by the Planning Manager.~~
- c. ~~Public participation. At least one community meeting will be held to provide information and receive community input, prior to the public hearing where the Board of County Commissioners shall consider the MXDAC PD LUP. The standard notification process established by the County shall be followed, unless otherwise specified by the County.~~
- d. ~~The County shall determine the appropriate stage at which infrastructure and service funding requirements shall be met, including, but not limited to developers agreements. The County shall reserve the right to request that these requirements be met prior to LUP adoption.~~

e.—The County may require the applicant to submit additional transportation analyses or Parking Assessment Study, if applicable.

~~E. Mixed Use Development Activity~~

~~Center Separation Criteria.~~ to ensure the viability of existing Mixed Use Development Activity Centers, a proposed Mixed Use Development Activity Center (MXDAC) must be separated from the nearest existing MXDAC or other type of Activity Center by at least one mile distance in any direction. A market study shall be required, if the proposed MXDAC is within 2 miles of an approved or other proposed MXDAC, or an existing Activity Center.

~~F. Entitlements are not automatic.~~

Nothing stated under Objective FLU3.2 and related Policies FLU3.2.1—FLU3.2.13 shall be construed as creating entitlements that do not currently exist at the time these objective and policies are adopted.

~~G.~~ The County may determine whether a proposed change to an MXDAC Master Plan or MXDAC PD requires that any of the designation steps listed under FLU3.2.9 be repeated. Substantial changes to adopted MXDAC PDs shall be subject to County code requirements.

(Amended 10/10, Ord. 2010-13; Amended 11/12, Ord. 2012-20)

FLU3.2.10

~~RESERVED~~ Orange County shall develop land development regulations for Planned Development Mixed Use Development Activity Centers (PD-MXDAC) by 2011.

FLU3.2.11 ~~RESERVED~~ **Mixed-Use Development Activity Center Expansion.**

~~**A. Applications.** Applications for MXDAC expansion may be considered for parcels that exhibit the following characteristics:~~

- ~~1. At least twenty five percent (25%) of the parcel boundary is contiguous to an approved MXDAC PD or Master Plan boundary.~~
- ~~2. The parcel meets the primary MXDAC eligibility criteria and also meets the following secondary MXDAC eligibility criteria:
 - ~~a. The parcel is not disconnected or isolated from the MXDAC due to natural or manmade obstacles.~~
 - ~~b. Demonstrate that accessibility to the MXDAC and surrounding transportation network is sufficient, and connectivity potential to surrounding development.~~
 - ~~c. The parcel is of sufficient size to promote the desired type of development or redevelopment.~~
 - ~~d. Impacts to adjacent existing neighborhoods will be minimized.~~
 - ~~e. The applicant is able to demonstrate that there will be adequate public facilities to support the proposed expansion.~~~~
- ~~3. An expansion to a Community MXDAC may be considered for Regional MXDAC designation approval if it meets the Regional MXDAC requirements. The County reserves the right to request additional planning and procedural requirements to ensure that the change meets the intent of Objective FLU3.2.~~

~~**B. Application Requirements.**~~

- ~~1. The applicant will be required to amend the Master Plan and will be subject to the design guidelines approved for the MXDAC.~~
- ~~2. Demonstrate how the expansion will relate to and benefit the existing MDXAC and surrounding neighborhoods and development.~~
- ~~3. Provide a vacant land analysis demonstrating that there is no or insufficient vacant land within the MXDAC designated for similar uses.~~
- ~~4. A market analysis also may be required for the proposed uses.~~
- ~~5. The application will be subject to the requirements set forth in FLU3.2.9, unless otherwise waived by Planning Manager or his/her designee.~~

~~(Amended 10/10, Ord. 2010-13)~~

- FLU3.2.12 ~~RESERVED~~ **Developments of Regional Impact (DRI) and Mixed-Use Development Activity Centers (MXDAC).** If a new DRI or substantial DRI expansion is proposed within 500 ft. of an existing or proposed MXDAC boundary, the DRI or expansion may be required to be partially or entirely included in the Mixed-Use Development Activity Center boundary and meet all of the multi-modal connectivity requirements of the MXDAC, in addition to other requirements defined by the County. The MXDAC boundary will be expanded as part of the DRI application. If not included, the DRI will still be required to provide adequate connectivity to the MXDAC.
- FLU3.2.13 ~~RESERVED~~ **Concurrency and Capital Improvements Element Requirements.** Nothing in Objective FLU1.9 exempts projects from the County concurrency requirements and Mixed-Use Development Activity Center development shall be consistent with other Federal, State, and County regulations. Subsequent to the approval of an MXDAC Master Plan or PD-MXDAC, the County's Future Land Use Element shall be updated concurrently with the County's Capital Improvements Element to reflect the approved MXDAC designations.
- FLU3.2.14 ~~RESERVED~~ **International Drive Activity Center and other planned centers of activity.** The International Drive Activity Center is a special activity center that was adopted with a Strategic Development Plan and shall be subject to the policies contained in the Orange County International Drive Activity Center Element. The Buena Vista North Overlay, Horizon West Town Center and Villages, and Innovation Way Overlay (Scenario 5) are not subject to the policies set forth in Objective FLU3.2.

GOAL FLU4 HORIZON WEST. It is Orange County's goal to ensure sustainable, quality development in Southwest Orange County to allow a transition from rural to urban uses while protecting environmental quality. (Added 5/97, Ord. 97-07)

OBJ FLU4.1 Orange County shall use a Village Land Use Classification to realize the long range planning vision for West Orange County created through the Horizon West planning process. The Village land use classification has been designed to address the need to overcome the problems associated with and provide a meaningful alternative to the leap-frog pattern of sprawl ~~now occurring in western Orange and eastern Lake County~~; create a better jobs/housing balance between the large concentration of employment in the tourism industry and the surrounding land uses; create a land use pattern that will reduce reliance on the automobile by allowing a greater variety of land uses closer to work and home; and, replace piecemeal planning that reacts to development on a project by project basis with a long range vision that uses the Village as the building block to allow the transition of this portion of Orange County from rural to urban use through a specific planning process that uses a creative design approach to address regional, environmental, transportation, and housing issues. Properties with Village Future Land Use Map (FLUM) designation, as well as six villages adopted to date, are depicted on Map 2 of the FLUM series. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07, Obj. 6.1; Amended 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

POLICIES

FLU4.1.1

General Village Principles. Each Village ~~Specific Area Plan (SAP)~~ Special Planning Area (SPA) shall be designed based on an urban development pattern, which encourages the formation of a suburban village while ensuring the provision of adequate public facilities and services concurrent with development and protection of environmental quality.

- A. Planning for the Village shall be in the form of complete and integrated neighborhoods containing housing, shops, workplaces, schools, parks and civic facilities essential to the daily life of the Village residents.
- B. Village size shall be designed so that housing is generally within a 1.2 mile radius of the Village Center (shops, services and other activities). This radius may be relaxed where natural or community facilities and services interrupt the design.
- C. A Village shall contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries.
- D. The Village and each neighborhood shall have a center focus that combines commercial, civic, cultural and recreational uses. Higher density residential development should be encouraged in proximity to these centers, with the highest density/attached housing encouraged in proximity to the Village Center District. These residential and adjacent uses shall be sufficiently integrated to support convenient and comfortable pedestrian and bicycle movement and enhance the viability of future transit connections. (Amended 11/16, Ord. 2016-26)
- E. The Village shall contain an ample supply of specialized open space in the form of squares, greens and parks whose frequent use is encouraged through placement and design.
- F. Each Village shall have a well-defined edge, such as greenbelts or wildlife corridors permanently protected from development.

- G. Local and collector streets, pedestrian paths and bike paths shall contribute to a system of fully connected and interesting routes from individual neighborhoods to the Village Center District and to other villages. Their design should encourage pedestrian and bicycle use by being spatially defined by buildings, trees, and lighting; and by discouraging high-speed traffic.
- H. Wherever possible, the natural terrain, drainage and vegetation of the area shall be preserved with superior examples contained within parks or greenbelts.
- I. The Village Center District shall be designed to encourage and accommodate future linkage with the regional transit system. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07; Amended 05/01, Ord. 01-11, Policy 6.1.1; Amended 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.1.2

Village Size. Except as noted in FLU4.1.3, each Village shall be designed so that it includes no less than one thousand (1,000) and no greater than three thousand five hundred (3,500) acres of developable land area. Developable land area within the Village Land Use Classification is based on the total land area, excluding the area of natural water bodies as measured to the Normal High Water Elevation, and designated conservation (wetland) areas. The net density refers to the total number of units divided by the net developable area. The net developable land area is defined as developable land area less the following: upland greenbelts and land for Adequate Public Facilities (APFs) identified in FLU4.2.2 and/or APF Agreement; then less public open space as required by FLU4.6.8 and estimated stormwater areas.

Example of density calculation:

120-acre parcel designated as Village Home District with 15 acres of wetland/conservation and 5-acre APF park.

Developable Area (less wetlands/conservation):
105.0 acres

Less 5-acre APF Park:
100.0 acres

Less 7.5% public open space:
92.5 acres

FLU4.1.3

Each Village shall be composed of up to four (4) but no less than two (2) neighborhoods, with an average neighborhood size as noted below. The minimum overall net density within the Village shall be five (5) units per net developable acre, unless an alternative density was approved at the time of adoption of a Village. The total gross land area incorporated into the Village of Bridgewater shall not exceed 4,515 acres. The size of the village exceeds the requirements of FLU4.1.2 because of the physical features such as lakes, natural areas, major ecological systems, and major road rights-of-way that will create a well-defined village boundary. This special provision of the Village of Bridgewater is required in order to maintain the design principles of FLU4.1.4 and to preserve environmentally sensitive areas, consistent with OBJ FLU5.5.

| Village | Number of Neighborhoods | Average Net Developable Area of Each Neighborhood |
|-------------|-------------------------|---|
| Lakeside | 4 | 510 acres |
| Bridgewater | 4 | 430 acres |
| Village H | 2 | 640 acres |
| Village F | 2 | 500 acres |
| Village I | 2 | 400 acres |

(Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.1.4

Each Village shall demonstrate consistency with Policies FLU4.1.1, FLU4.1.2 and FLU4.1.3 by providing a compact, integrated development pattern with neighborhood centers generally located within a 1/2-mile walking distance of the residences, and by establishing a population density for each neighborhood that can support the neighborhood school. Modifications to these minimum ~~densities~~densities may be approved subject to a Comprehensive Plan Amendment. Such amendments, however, shall not reduce the minimum density of any Village below four (4) dwelling units per net developable acre. Amendments may be based on, but not limited to, the following:

- To provide more diversity in lot sizes and the land use mix;

- To recognize existing geographic features or environmentally sensitive areas;
- To provide additional buffering to preexisting development;
- To make use of updated student generation rates; and
- To provide for enhanced environmental corridors.

The use of TDRs (transfers of development rights) shall be evaluated for impacts to the neighborhood schools as a part of the development review process. Notwithstanding any density reduction, development shall continue to adhere to the General Village Principles outlined in FLU4.1.1.

The minimum densities approved for each Village (Lakeside, Bridgewater, Village H,

Village F, Village I and the Town Center) are as noted in the following table:

| Village | Minimum Overall Density per Net Developable Area | Notes |
|-------------|--|--|
| Lakeside | 5.0 DU/Ac | |
| Bridgewater | 5.0 DU/Ac | <p>In order to maintain the design principles of Policy FLU4.1.1 and to preserve environmentally sensitive areas, consistent with FLU4.5.6 and as recommended in the Village of Bridgewater Ecological Summary Report, the net density for the Village of Bridgewater may be reduced to 4.3 dwelling units per acre for the Fourth Neighborhood.</p> |
| Village H | 4.0 DU/Ac | <p>The maximum number of residential units allowed for each parcel will be determined with the <u>(Preliminary Subdivision Plan (PSP) or Development Plan approval for each parcel using the surveyed upland acres within the parcel, including stormwater management areas and parks/upland open space multiplied by the density for each parcel designated within the Village H. The residential density for any district shall not fluctuate from the required density range as specified in FLU4.6.3, unless modified in accordance with the Transfer of Development Rights (TDR) Ordinance adopted by the County or through internal density transfers as described in this policy or as provided in Policy FLU4.2.6.</u></p> <p>More specifically, the ability to transfer residential density from certain Townhome, Condominium or Apartment Districts within Village H to other districts within the Village shall not undermine the intent of providing a mixture of residential densities within any Village H neighborhood, and shall promote the Horizon West planning principle of having higher density/intensity land uses within or in close proximity to the Village Center <u>District</u> and Neighborhood Centers. Should internal density transfers be authorized as part of a PD Land Use Plan approval or amendment, the affected districts shall be developed consistent with the applicable development standards of the resulting land use district, and the range of applicable residential densities in accordance with the TDR Ordinance.</p> <p>All wetlands and upland greenbelts within Village H are designated as TDR Sending Areas, and all development parcels are designated as Sending and Receiving Areas. As a matter of right and without use of TDRs, the actual density for any district or parcel within Village H may decrease by 20% from the maximum density allocated to that district or parcel.</p> <p>Residential units from one development parcel that are not</p> |

| | | |
|-------------|------------|---|
| | | <p>needed to maintain the required minimum density in that parcel may be transferred to a different parcel, regardless of whether the parcels are owned by different entities or are in different Planned Developments.</p> <p>The parcels in the northern part of Village H will be outside the 1/2-mile radius, but will be proximate to the Town Center.</p> |
| Village F | 4.95 DU/Ac | The identified net density is needed to maintain the Village design principles outlined in Policy FLU4.1.1, and aids in the preservation of environmentally sensitive areas. |
| Village I | 5.0 DU/Ac | The identified net density is needed to maintain the Village design principles outlined in Policy FLU4.1.1 and aids in the preservation of environmentally sensitive areas. |
| Town Center | 4.0 DU/Ac | To ensure compatibility with existing rural development, the density for property adjacent to the Lake Avalon Rural Settlement and depicted on the Horizon West Special Planning Area Land Use Map shall be 2.0 DU/ac. |

(Added 05/03, Ord. 03-03, Policy 6.1.3.1; Amended 11/13, Ord. 2013-22, Policy FLU4.1.5-r; Amended 11/16, Ord. 2016-26; Amended 07/19 Ordinance 2019-04)

FLU4.1.5 Neighborhood Development. Residential neighborhoods shall offer neighborhood facilities and services including passive and active recreation facilities, school sites, sidewalks and bikeways. Each neighborhood shall contain a Neighborhood Center as a central public focal point consisting of an elementary school site, a minimum five (5) acre park in conjunction with the elementary school, and may include other public facilities such as churches or community centers or neighborhood commercial uses as described in FLU4.1.6. The development of a variety of lot sizes and housing types is encouraged, with generally higher densities located in proximity to the village center and neighborhood center (focal point). Public open space shall be provided within each neighborhood. Where physically possible, each neighborhood shall be designed so that most housing units are within a 1/2-mile radius of the Neighborhood Center. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07; Amended 3/99, Ord. 99-04; Amended 5/01, Ord. 01-11, Policy 6.1.4; Amended 11/13, Ord. 2013-22, Policy FLU4.1.5.1-r)

FLU4.1.6

Neighborhood Center. The location of Neighborhood Centers is flexible and shall be identified on the PD Land Use Plan and boundaries fixed no later than the time of the final development plan approval. Commercial development shall be permitted in Neighborhood Centers in association with the following standards:

- Total land area of the commercial development may not exceed two (2) acres.
- Floor area ratio (FAR) may not exceed 0.4 FAR with maximum gross floor area as follows:
 - Lakeside 20,000 square feet
 - Bridgewater 20,000 square feet
 - Village H 20,000 square feet
 - Village F 20,000 square feet
 - Village I 10,000square feet.
- Located within walking distance (generally no greater than ½ mile) of most neighborhood residents.
- Must be generally located central to the neighborhood, separated from major collector or arterial roads, and adjacent to the Neighborhood Park or Green but separated from neighborhood school/civic uses by no more than 2,000 feet.
- Access shall be limited to local and collector roadways.
- Site design that places parking behind or beside buildings and incorporates the use of landscaping and pedestrian amenities such as benches, bike parking and coordinated architectural scheme must be linked to the adjoining neighborhood by sidewalks and bike paths.
- Residential dwellings shall be permitted only above ground floor commercial uses (not to exceed five (5) dwelling units per net developable acre unless increased through the use of TDRs).
- Uses shall be limited to convenience retail service operations and offices, which are designed to serve the immediate neighborhood population.

When a neighborhood elementary school is located adjacent to the Village Center, the Neighborhood Center commercial uses District should be located adjacent to or within the Village Center. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07; Amended 3/99, Ord. 99-04; Amended 5/01, Ord. 01-11, Policy 6.1.5-r; Amended 11/13, Ord. 2013-22, Policy FLU4.1.6.A-r)

FLU4.1.7

Village Center. The Village Center District should function as a community of compatible uses in a compact setting serving the adjoining neighborhoods. The Village Center District should provide for a mix of land uses including residential, commercial and office uses, personal and household service establishments, institutional uses, public facilities, parks, playgrounds, and other similar services designed to meet the needs of the adjoining neighborhoods. The Village Center District shall be generally located central to the Village that it serves. In order to account for student population, the Village Center District shall be incorporated into the boundaries of a neighborhood. The design of the Village Center District shall not be oriented primarily to serve "pass-by" trips, but the focus shall be on serving the immediate neighborhood needs. The size and location of the Village Center District shall be determined at the time of adoption of each Village and, for reference purposes, shall be shown on the Horizon West Special Planning Area Land Use Map. The final location of the Village Center District is flexible and shall be identified on the PD Land Use Plan and boundaries fixed no later than the time of the final development plan approval. The following standards should be used in designing the Village Center District:

| | |
|--------------------|---|
| Minimum Density | 5.0 units/net developable acre as applied to residential land area only |
| Maximum FAR | .40 |
| Density Incentives | Up to 16 units/net acre with Transfer of Development Rights (TDRs) |

| <i>Land Use Mix</i> | <i>Minimum Land Area Required</i> | <i>Maximum Land Area Permitted</i> |
|--|--|---|
| Residential* | 25% | 40% |
| Commercial Retail and Services* | 20% | 60% |
| Office | 10% | 25% |
| Overall Commercial and Office Combined | 30% | 60% |
| Public and Civic | 10% | No Maximum |
| Public Parks and Open Space | 5% | No Maximum |
| *Residential dwellings are permitted above the ground floor commercial and office uses at a density of 5.0 units/net developable acre, unless increased through the use of TDRs. | | |

| Village | Maximum Village Center Size | Maximum Commercial Square Footage | Notes |
|-------------|-----------------------------|-----------------------------------|--|
| Lakeside | 60 acres | 400,000 square feet | Office and Retail |
| Bridgewater | 60 acres | 400,000 square feet | Offices and Retail |
| Village H | 60 acres | 400,000 square feet | Maximum square footage is for first floor retail and services only. Office uses shall be in addition to this square footage limitation. |
| Village F | 35 acres | 250,000 square feet | Office and Retail |
| Village I | 60 acres | 350,000 square feet | Office and Retail An Office District designation allowing consideration of up to 56,000 square feet of professional office activity shall be established with Village I. This designation is intended for parcels with existing office development or small isolated tracts along the east side of C.R. 545 across from the Village Center <u>District</u> . Development within the Office District shall be consistent with the Village Center <u>District</u> development standards in the Village PD Code. |

The Village Center District should be located on a collector road serving the village or at the junction of two (2) collector roads. The Village Center District may be located on an arterial road, provided that it is not a principal arterial road and that the center is not designed to be located on both sides of the arterial road. The Village Center District shall be designed to accommodate future linkage with the regional transit system. The transit stops should be located so that they are easily accessible to commercial uses. The Village Center District may not be consolidated into a larger commercial complex serving more than one Village. The Village Center District should maintain a minimum separation of approximately 10,000 feet from another Village Center District and 2,640 feet from a Neighborhood Center. Prior to approving a development plan or subdivision for a Village Center District, a middle school site within the Village shall have been conveyed, or a developer's agreement for such conveyance shall have been approved by Orange County. School sites shall not be included in the computation for maximum size of the Village Center District.

Rezoning in any Village Center District shall not be approved until the following conditions have been met:

- Lakeside Village: Land for the middle school site has been conveyed to Orange County.
- Bridgewater: An elementary school site has been conveyed to the County and development in the first neighborhood has begun.
- Village H: Land for the middle school site has been conveyed to Orange County.
- Village F: The elementary school sites have been conveyed to the County and residential development in at least one of the two neighborhoods has been approved.

(Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07; Amended 3/99, Ord. 99-04; Amended 5/01, Ord. 01-11, Policy 6.1.5-r; Amended 11/13, Ord. 2013-22, Policy FLU4.1.6.B-r; Amended 11/16, Ord. 2016-26)

FLU4.1.7.1

Minimum Residential Density. The minimum 5.0 residential units/net developable acre density and land area percentage requirements addressed in the preceding Policy section may be implemented through the following procedures:

- A. The minimum residential density and land area percentage requirements may be applied on a cumulative Village Center District basis when the net developable land area of the entire Village Center District is known at the time of any Planned Development Land Use Plan (PD-LUP) submittal, and provided that the entire Village Center District is either under common ownership or when all affected Village Center District property owners agree. The total number of required or approved dwelling units may be assigned in any combination throughout the designated Village Center District as depicted on the PD-LUP(s).
- B. If the net developable land area of the overall Village Center District is unknown or undetermined at the time of any PD-LUP submittal, the number of required dwelling units shall be based on the "estimated net developable land area" within the designated Village Center District parcels/tracts for the affected PD-LUP only. Should the amount of required Village Center District dwelling units fluctuate at the time of Preliminary Subdivision Plan (PSP) or Development Plan (DP) review, and based on more accurate net developable acreage data or due to reassignment as addressed in section "A" above, a non-substantial change to the PD-LUP shall be required for tracking purposes only.
- C. Parcels/lots within designated Village Center Districts shall be configured and sized to yield the minimum number of required dwelling units per the estimated net developable land area. In the case of parcels/lots within designated Village Center Districts that predate the adoption of these requirements, and where their estimated net developable residential acreage yields less than 30 units, the following options shall be considered:

1. The units may be transferred to other designated Village Center District parcels and/or Planned Developments within the same Village, provided that written consent of such property owners is provided; or
2. The requirement to develop such units may be waived by the County, provided that the applicant adequately demonstrates that the minimum residential density and land area percentage requirements for the overall Village Center District within a specific Village have been satisfied.

(Added 11/13, Ord. 2013-22; Amended 11/16; Ord. 2016-26)

FLU4.1.7.2

Civic, Institutional and Medical Office

District. The Civic, Institutional and Medical Office (CIM) District is intended to complement Village and Neighborhood Centers by accommodating community-serving functions that meet the needs of a Village and its associated neighborhoods and are essential to the daily life of the Village residents. It should be a specialized district that can be justified as a building block to the public, civic, and wellness needs of the community. Furthermore, those specialized public, civic, and wellness uses may be of a size and scale that may not be able to be accommodated in a Neighborhood Center or Village Center. The CIM District shall be subject to the following standards:

- General. A maximum of one District may be allowed for each Village. The District shall be accessible to the applicable Village and its neighborhoods but generally shall not be located internal to a neighborhood. Automobiles, bicycles, and pedestrian paths shall be viable modes of transportation to access the District. No residential or free-standing commercial development shall be permitted in the District.

- District Size. Total land area of the District shall be ten (10) acres (with a permitted 15% deviation, plus or minus). The non-residential Floor Area Ratio (FAR) shall not exceed 0.25 with maximum gross floor area of 25,000 square feet per building unless otherwise approved by the Board of County Commissioners as part of a Development Plan.
- Permitted Uses. The primary services offered by facilities in the District shall be limited to the following principal uses: health/medical services, offices and clinics; government offices; and community centers. Supporting commercial or personal services uses such as restaurants with no drive-thru or walk-up windows, coffee or gift shops, or newsstands shall also be permitted subject to the limitations set forth herein. All supporting commercial or personal service uses shall be located internal to a building in which the principal use is health/medical services, offices and clinics, government offices or community centers; limited to a maximum of ten (10) percent of the gross floor area of the principal building in which the supporting use is located; limited to a maximum of ten (10) percent of the total gross floor area permitted in any given district; and supportive of the principal permitted uses. A specific set of principal and supporting uses, consistent with this policy, shall be included in the Planned Development-Land Use Plan along with appropriate development standards. Supporting commercial or personal services uses shall not be permitted as a principal use in a freestanding building. (Commercial uses on outparcels are prohibited.) Religious uses may be permitted by special exception.

- Design Standards. In order to diminish the perceived horizontal scale and massing of buildings within the District, facades and rooflines which face and/or are visible from an adjacent street and/or are located adjacent to a residential development shall incorporate rhythmic and prominent horizontal and vertical projections and recesses across their full width. Multi-story structures should express the individual floors with projected or recessed banding or finished material patterns. Structure roofs can be flat, incorporating horizontal (banding and parapet walls) elements, and/or gabled to add vertical elements to diminish scale and massing or to enhance the residential appearance of a structure when located in view of adjacent residential uses. Individual building entryways should be inviting and express human scale by incorporating arcades and protruding visually-prominent overhead components like trellises and canopies with pedestrian-scaled trim and surrounds. Building heights shall be limited to thirty-five (35) feet. To support compatibility of the District with surrounding residential neighborhoods, appropriate visual and noise buffers, hours of operation and night time lighting standards shall be addressed in the Planned Development-Land Use Plan.
- Open Space. Open space shall be provided as per the requirements of a specific Village in which the District is located and in accordance with FLU4.6.8.

Detailed performance standards for any development within the District, including specific uses allowed and prohibited, shall be established in the Planned Development-Land Use Plan but shall generally be consistent with the Village Planned Development Code included in Chapter 38 of the Orange County Code. (Added 6/14, Ord. 2014-13)

FLU4.1.8

Reserved.

(Added 6/95, Ord. 95-13; Amended 3/99, Ord. 99-04; Amended 5/01, Ord. 01-11; Amended 10/10, Ord. 2010-13, Policy 6.1.6-r; Amended 11/13, Ord. 2013-22, Policy FLU4.1.7-r; Amended 11/16, Ord. 2016-26)

FLU4.1.9

Beyond the approved boundaries of the six Villages, properties with the Village Land Use Classification shall maintain the future land use designation existing prior to the Village Land Use Classification Amendment (e.g. Rural: 1 dwelling unit per 10 acres, Conservation, Rural Settlement), except for those projects that are vested, or properties within designated Rural Residential Enclaves (FLU2.5.2), where a property's existing zoning district standards may be applied. All applications for development approval (i.e. lot splits, special exceptions, variances, etc.) on any property within the Village Land Use Classification shall be reviewed on a case-by-case basis to determine the effects of such development approval on adopted Villages. (Amended 8-31-18, Ord. 2018-17; Amended 07/19, Ord. 2019-04)

The property in the Village Land Use Classification that is adjacent to the boundaries of an approved Village may apply to amend the Village boundary to include said property through a Comprehensive Plan Amendment. Addition or deletion of properties to/from an existing Village shall not result in creation of remnant areas or fragmented Villages.

Within the approved Village boundaries, all applications for development approval (i.e. lot splits, special exceptions, variances) under the existing zoning shall be evaluated for compatibility with all applicable policies of the Comprehensive Plan.

Changes and adjustments to the land use designations for each Village shall be processed as a Planned Development (PD) rezoning (if property does not yet have a PD zoning designation), or PD Land Use Plan Amendment, or Change Determination Request (CDR) to the existing PD. Such changes and adjustments shall be evaluated for consistency with the following, and shown on the Horizon West Special Planning Area Land Use Map when approved:

- General Village principles outlined in FLU4.1.1;
- Minimum densities for each Village summarized in FLU4.1.4;
- Consistency with Adequate Public Facilities (APF) and open space requirements for each Village identified in FLU4.2.2, FLU4.6.8 and/or APF Ordinance; and
- Consistency with Village Greenbelt requirements of FLU4.5.1 and Transfer of Development Rights (TDR) provisions for each Village identified in FLU4.5.3, FLU4.5.4 and/or TDR Ordinance.

(Added 3/99, Ord. 99-04; Amended 5/01, Ord. 01-11; Amended 10/10, Ord. 2010-13, Policy 6.1.6.1-r; Amended 11/13, Ord. 2013-22, Policy FLU4.1.8-r; Amended 11/16, Ord. 2016-26)

FLU4.1.10

Each property within an approved Village shall retain its current zoning designation until such time as the property owner, its successors or assigns enters into an agreement with the County to provide the Adequate Public Facilities (APF) lands as required by FLU4.2.1 and FLU4.2.2 or to purchase APF credits from other property owners that have APF credits prior to commencing development of its property. The valuation for APF credits shall be based on the provisions of the Adequate Public Facilities Ordinance, OCC Chapter 30, Article XIV, Division 2, Sec. 30-714(d), unless an updated appraisal is approved by the County or the property owners of the affected Village notify the County that they have agreed on the per acre valuation for APF credits. In addition, the properties within Village I and Village F shall not be rezoned consistent with the adopted SAPs until such time that the County has approved a financially feasible plan for the provision of central water and wastewater for the Village.

Notwithstanding anything contained herein to the contrary, Orange County shall not be obligated to extend utility services at Orange County's expense, except as provided by Orange County's adopted utility policies. Prior to Orange County constructing a new sewer treatment plant to serve a Village, Orange County may, at its discretion, require developers that will be served by the plant to prepay connection fees necessary to fund their proportionate share of the required improvements. (Added 11/13; Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.1.11

Planned Developments within the Lakeside Village boundary approved prior to June 6, 1995 and developments that have received a Vested Rights Certificate (VRC) for consistency with the Comprehensive Plan in accordance with Policy FLU8.5.3 are not subject to the provisions of the Village Future Land Use Classification and implementing regulations to the extent the overall densities/intensities do not exceed those specified on the Future Land Use Map prior to June 6, 1995, or as specified in the VRC. Subject to compliance with other provisions of the Orange County Code, excluding those provisions related to the Lakeside Village, any amendments to such previously approved Planned Developments shall be considered consistent as long as the densities do not exceed those depicted on the Future Land Use Map as of June 6, 1995, or as specified in the VRC. Any such previously approved Planned Development that proposes to exceed the densities depicted on the Future Land Use Map as of June 6, 1995, or as specified in a VRC, shall be required to be consistent with the Comprehensive Plan. All dwelling units within approved and vested developments located within the boundaries of Lakeside Village shall be included in the calculations for the Lakeside Village. (Added 5/97, Ord. 97-07; Amended 5/01, Ord. 01-11, Policy 6.2.1.1; Amended 11/13, Ord. 2013-22, Policy FLU4.2.2-r; Amended 11/16, Ord. 2016-26)

FLU4.1.12

Town Center Conceptual Regulating Plan and Final Regulating Plan.

Owner(s) of property within the Horizon West Town Center shall have the right, as an alternative to processing a Planned Development/Unified Neighborhood Plan (PD/UNP) under the Town Center Code, to process a Conceptual Regulating Plan (CRP) and a Planned Development / Regulating Plan (PD/RP). A Regulating Plan is an illustrative representation of a proposed development and the location of form-based transect zones/districts.

FLU4.1.12.1

Town Center Conceptual Regulating Plan:

A Conceptual Regulating Plan (CRP) is a general illustrative representation of a proposed development and the location of form-based transect zones/districts. A CRP shall be submitted for review to the Planning Division prior to formal submittal of a Planned Development/Regulating Plan (PD/RP).

- a. A CRP shall be submitted prior to the submission of a Planned Development/Regulating Plan (PD/RP). The purpose of the CRP is to allow Orange County Planning Division staff the opportunity to review the proposal. The applicant and Planning staff shall work together to collectively refine the CRP in order to meet the intent of this section.
- b. The CRP shall not be adopted as part of the Future Land Use Map or Map Series or included as an attachment, but rather the CRP will be used as a general guide for a final PD/RP.
- c. Should a Comprehensive Plan Text Amendment be required by the applicant, the CRP shall be transmitted along with the requested text amendment to the State for review.
- d. The following components shall be depicted on, or attached to, a CRP at the time of the Comprehensive Plan Amendment Application submittal:
 - i. General location of form-based transect zones/districts,
 - ii. Gross and net developable land area,

- iii. Initially proposed development program,
- iv. General description of proposed transect zones/districts
(character, mix of land uses, product types, block/street patterns, etc.),
- v. General location any types of open space or preservation areas,
- vi. General location of neighborhoods based on a quarter-mile radius,
- vii. General location of existing planned road system, trails, and other transportation modes, and
- viii. General location of existing and planned public facilities, including, but not limited to, schools (as coordinated with Orange County Public Schools), parks, fire stations, etc.
- e. In addition to the specific components listed above, review of a CRP should ensure that the following elements are addressed or followed:
 - i. **Consistency with the Comprehensive Plan:** A project justification statement should be provided that identifies any relevant and supporting Comprehensive Plan policies and explains how the project is consistent with the identified policies.
 - ii. **Coordinated Development:** Planning for development will occur in a coordinated, comprehensive, and integrated manner. The CRP will establish a general guide for connectivity and coordinated development.
 - iii. **Community Meetings/Public Participation:** A community meeting/public workshop shall be held for any proposed CRP prior to the submittal of the final PD/RP. The purpose of the community meeting is to provide surrounding property owners a proposed project overview consistent with the CRP.

FLU4.1.12.2 **Transportation Road Network Agreement:** Prior to submittal of a PD/RP, an applicant shall meet with Transportation Planning Division staff regarding a required Transportation Road Network Agreement to address all road right-of-way, design, and construction obligations, including any related terms or conditions with respect of right-of-way contributions and/or transportation impact fee credits. The agreement shall be processed through the Road Agreement Committee (RAC) for concurrent approval consideration by the Board of County Commissioners with the final PD/RP.

FLU4.1.12.3 **Adequate Public Facilities Agreement:** A Town Center PD/RP shall be subject to the Adequate Public Facilities (APF) provisions outlined in Policy FLU4.2.2 including concurrent approval consideration by the Board of County Commissioners with the final PD/RP/.

FLU4.1.12.4 Town Center Final PD Regulating Plan (PD/RP): Upon Orange County Planning Division staff review and acceptance of a CRP, in accordance with FLU4.1.12.1, and in lieu of a Planned Development/Unified Neighborhood Plan (PD/UNP), applicants shall submit a PD/RP rezoning application for the subject property.

A. Development within a PD/RP may be subject to the provisions of the Town Center Planned Development Code, but only to the extent that those certain regulations, standards, and procedures are not addressed within the PD/RP. The Village Planned Development Code shall not apply to the PD/RP unless specifically stated in the PD/RP. In the event of a conflict or ambiguity between the provisions set forth in Orange County Code and those within the PD/RP, the PD/RP shall control. In the event Orange County Code and an approved PD/RP is silent as to a performance or development standard, the Development Review Committee (DRC) shall establish the stanards or make the determination, which in turn can be appealed by an applicant to the Board of County Commissioners. Notwithstanding the foregoing, the Village Planned Development Code shall not apply to the Town Center unless specifically stated in the Town Center Planned Development Code, applicable PD/UNP, or applicable PD/RP.

- B. At a minimum, the following components must be identified or addressed by a PD/RP:
- Final transect zone/district boundaries,
 - Final gross and net developable acreage,
 - Final land uses and development program,
 - Final location and types of open space or preservation areas,
 - Transferable Development Rights (TDR) calculations,
 - Street types, and
 - Intersection density analysis/diagram.
- C. In addition to the required components listed above, review of a P/RP should ensure that the following elements are addressed or provided:
- **Transect Zones/Districts and Development Program:** A PD/RP shall reflect a development program that is consistent with the CRP. The final configuration of the PD/RP transect zones/districts may vary from the CRP provided they are generally consistent with the intent of the CRP and with the written descriptions of the transect zones/districts on the CRP. Upon adoption by the Board of County Commissioners, the final PD/RP transect zones/districts shall be depicted and referenced on the staff-maintained Horizon West Special Planning Area Land Use Map.
 - **Connectivity:** All development within a PD/RP shall provide for an interconnected transportation network (including pedestrian trails, multi-modal systems, trail systems, etc.) and achieve an overall intersection density between 100 and 140 intersections per square mile. Eligible intersection types shall include those along roads, streets, trails, and designated pedestrian passageways

- **Green Infrastructure:** A PD/RP shall include a plan for a connected network of natural resources, open spaces, recreational areas, and constructed nature-based systems, including but not limited to, :Low Impact Development (LID) features and stormwater management areas.

FLU4.1.12.5 PD/RP Amendments and Expedited Development Review Process:

- A. Amendments to an approved PD/RP shall be subject to the Land Use Plan and Development Plan alterations process and criteria addressed in the Orange County Code.
- B. Following approval of a PD/RP, any subsequent Preliminary Subdivision Plan (PSP), Master Development Plan (MDP), or Development Plan (DP) may be submitted for concurrent review with related construction permits; however, final permits shall not be issued until an approved PSP, MDP, or DP has become effective.
- C. Any waiver approved by the BCC at the time of PSP approval shall deemed an approved waiver under the PD/UNP or PD/RP, as applicable, without additional application or review required of the PD/UNP or PD/RP.

OBJ FLU4.2 ADEQUATE PUBLIC FACILITIES AND SERVICES. Each Village shall include regulatory measures which require the provision of Adequate Public Facilities and services concurrent with development. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.2.1 **Adequate Public Facilities and Services.** Orange County shall use an Adequate Public Facilities Ordinance (APFO) as a growth management tool for directing the timing and location of future development within the Horizon West Village Classification. Prior to commencing development within any Village, the following adequate public facilities shall be determined to meet the standards, as established by the APFO:

- Distance to workplace
- Regional roadway network
- Road rights-of-way
- Stormwater management
- Water supply
- Wastewater treatment
- Solid waste collection and disposal
- Regional, community and local parks
- School sites
- Distance to transit
- Environmental preservation/constraints
- Police and fire protection
- Relationship to existing urban development
- Distance to community shopping centers
- Employment generation
- Incentives for infrastructure completion

Prior to or in conjunction with approval of the land use plan for any **Village Planned Development** within any particular neighborhood or the Village Center District, a developer's agreement addressing the conveyance of adequate public facility lands in accordance with the APFO, where applicable shall be approved by Orange County to include, but not be limited to the following:

- Land for the neighborhood elementary school
- Land for the minimum five (5)-acre park in association with the elementary school
- Land for APF Park Sites
- Right-of-way for all roads necessary to serve the particular development
- Land for bicycle/pedestrian facilities

- Land for the water and wastewater treatment sites
- Right-of-way for all utilities necessary to serve the particular development
- Land for the middle school as required for the Village Center District.

Subsequent to approval of the land use plan and prior to approval of the development plan or subdivision for any Village Planned Development, the APF lands identified above that fall within the boundaries of that development plan, for the following adequate public facilities shall be conveyed to Orange County in accordance with the APFO and the approved developer's agreement.

Prior to, or in conjunction with approval of the land use plan for any **Village Center Distict**, a developer's agreement addressing the conveyance of the following adequate public facility lands in accordance with the APFO shall be approved by Orange County:

- Middle school site
- Village Center District park and community space, including any land provided for transit facilities.

The valuation for such adequate public facilities shall not exceed \$22,500 per acre. These criteria shall be in addition to and shall not replace or supersede any provisions of the Orange County Concurrency Management System. The following additional adequate public facilities shall be provided, as needed to support development:

- Town Center: High School Site.

Each Village shall be evaluated to determine that adequate facilities and services are or will be available. Where facilities or services are determined to be inadequate, the developer(s) shall have the option of entering into a Development Agreement with Orange County to correct any deficiency and allow development to proceed. All development in the Village will be served by central sewer and water service operated by Orange County or other utility providers as approved by Orange County Public Utilities. Septic tank use shall be discouraged. However, on-site utilities, temporary septic tanks and potable water wells, where approved by Orange County Utilities, may be used in initial stages of development until adequate demand is available to support a central water and wastewater system. On-site utilities may be used only where soil and water table conditions will permit their use, and where the developer will install the necessary water and sewer lines (dry lines) to ultimately connect the development to the central utility system; and the area is included in a capital improvement program or enforceable development agreement, pursuant to the APFO referenced in this policy and the Village Code referenced in FLU4.6.2, that provides for central utility services to be in place in the next five (5) years.

Where it is determined that services and facilities are adequate to permit development, the project shall be deemed in compliance with the Urban Service Area requirements in the Orange County Comprehensive Plan.

In order to ensure that new development adequately pays for growth-related impacts, the Board of County Commissioners shall have the authority to determine the valuation or date of valuation of property for the purpose of impact fee credits for property deemed as a required adequate public facility. The terms of this valuation shall be incorporated into the developer's agreement for a specific development.

Trails that are not part of the County trail system identified in the Trails Master Plan or are in excess of the width required by the County subdivision standards will be required to be in a tract owned and maintained by a Homeowner's Association (HOA) or Property Owners' Association (POA) and the maintenance responsibility will be solely that of the related HOA or POA. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07; Amended 3/99, Ord. 99-04; Amended 5/01, Ord. 01-11, Policy 6.1.7; Amended 6/08, Ord. 08-09, Policy 6.1.7.1-r; Amended 11/13, Ord. 2013-22, Policy FLU4.1.10-r; Amended 11/16, Ord. 2016-26)

FLU4.2.2

Adequate Public Facilities. The Adequate Public Facilities (APF) Ordinance shall require each property owner to make provisions to set aside a portion of their land for public facility use in exchange for APF credits, based upon the total public land area needs for each adopted Village. The APF Ordinance shall be amended to include the following APF ratio requirements:

| Village | Adequate Public Facilities Ratio Net Developable Acreage/ Required Public Facilities |
|-------------|---|
| Lakeside | 6.5/1 |
| Bridgewater | 5.5/1 |
| Village F | 8.0/1 |
| Village I | 7.25/1 |
| Village H | 7.6/1 |
| Town Center | 5.1/1 |

For properties that do not include public facilities lands or for which public facilities lands have been provided, a fee in lieu of donation shall be required. Such APF revenues shall be allocated first to re-payment to properties with excess approved APF credits, then for public facilities land acquisition, support, and maintenance within the subject Village or Town Center. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.2.3

Prior to obtaining approval of a Preliminary Subdivision Plan and/or a Development Plan for any portion of its property within Village H, the property owner shall deliver evidence satisfactory to the County that the owner or its predecessor in title has entered into an agreement with the County to convey APF lands or purchase APF credits available for sale and has also entered into an agreement with the County or with other property owners in the Village that is satisfactory to the County to:

1. ~~Pay the owner's proportionate share of the costs of providing the Master Utility Systems for the Village;~~

2. Pay the owner's proportionate share of costs associated with mitigating the projected impacts that development within Village H will have on the off-site road system, including C.R. 545;
3. Pay the costs associated with providing any necessary school capacity that is not funded through the collection of school impact fees;
4. Pay the principal and interest that may be due if another landowner in Village H was required to pay a disproportionate share of ~~the cost to install the Master Utility Systems or~~ the costs associated with mitigating off-site road impacts, or the costs associated with providing necessary school capacity that were not paid earlier by the owner of the land on which the development is proposed or by the owner's predecessor in title; and
5. Pay the costs associated with services provided by an escrow agent, if any, retained by property owners in Village H to track various payment obligations, APF credit sales, TDR sales, and to issue receipts for payments made. Interest charged for advancing another property owner's proportionate share of ~~utility costs, off-site road costs,~~ or other costs specified herein shall not exceed the applicable prime rate as reported in the *Wall Street Journal*. (Added 6/06, Ord. 06-08, Policy 6.18.2; Amended 11/12, Ord. 2012-20; Amended 11/13, Ord. 2013-22, Policy FLU4.15.2-r)

FLU4.2.4

Plan Implementation. Orange County will continue to examine and recommend a variety of funding mechanisms that will be considered by the Orange County Board of County Commissioners to accomplish the extension of public facilities and services as well as allow for the acquisition of environmentally sensitive areas within the Village District Center. Alternate financing methods should consider the funding for both capital and operation and maintenance of facilities. The County shall also consider the establishment of a Special Taxing Districts for each adopted Village for the construction and maintenance of common open space and civic uses and Adequate Public Facilities required to support development in the village. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-04; Amended 5/01, Ord. 01-11, Policy 6.1.12; Amended 11/13, Ord. 2013-22, Policy FLU4.1.15-r)

FLU4.2.5

Water, wastewater, and reclaimed water.

~~Water, wastewater, and reclaimed water facilities shall be provided in accordance with the conceptual utility plan outlined in each adopted Village, which illustrates the conceptual phased provision of centralized utility services. With the exception of the Estate Rural District in Village F, all development within each adopted Village shall receive service from the central water, wastewater and reclaimed water facilities operated by Orange County or other utility providers as approved by Orange County. Interim facilities may be provided in accordance with County requirements. All development shall also be required to install reclaimed water lines to service the entire property of the development and such systems shall be designed to facilitate future extensions.~~ (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

For water, wastewater, and reclaimed water utilities, the following conditions are required for all development within all Villages:

The property owners shall be responsible for building master utilities transmission and collection infrastructure adequate to serve the Planned Development and to accommodate the ultimate flows for the entire Village. Utilities infrastructure shall be built connecting to the build-out points of connection approved in the Village Master Utility Plan.

Prior to construction plan approval, all property owners within the Village, excluding public entities, shall be required to sign an agreement between the parties addressing their proportionate share of funds for the costs of the offsite and onsite master utilities sized to Village requirements. Property owners may elect to use alternate financing in lieu of the private proportionate cost share agreement provided master utilities sized for Village requirements are constructed.

Property owners shall coordinate with the Orange County Utilities Director, or their designee, with respect to any utility easements necessary to accommodate appropriately-sized wastewater sewer mains or lines, potable water mains or lines, and/or reclaimed water mains or lines.

FLU4.2.6

Village H. The method for allocating all shared costs within Village H, including costs associated with ~~the provision of utilities and~~ the mitigation of transportation impacts, shall be based on Total Two-way PM Peak Hour Trips (Trips) determined for each property owner's development program. The *Institute of Traffic Engineers Trip Generation Report, 8th Edition*, shall be used to determine the Trips for development within Village H through full build-out of the Village, and later editions of this Report shall not be used. In addition, the following provisions shall apply for Village H:

- A. Within 120 days following the effective date of the Specific Area Plan, each property owner, for itself, its successors and assigns, informed the ~~County's Utility Director and the County's Planning Manager~~ in writing of the specific type of land uses and the maximum number of residential units that will be developed on that owner's property within the range of land uses and densities approved in the Village as applied to the property owner's actual acreage. The maximum density allocated to each parcel can only be exceeded through the purchase of TDRs, or through internal density transfers as provided in Policy FLU4.1.5, or as provided in this policy. The owners of land approved for non-residential uses have informed the ~~County's Utility Manager and the County's Planning Manager~~ in writing of the maximum square footage for each type of

non-residential use that will be developed on that owner's land. The information provided by each property owner has been used to determine the appropriate sizing of the Village H Master Utility Systems and each property owner's proportionate share of the cost of providing the Master Utility Systems. Once the Master Utility Systems for Village H have been designed based on the information provided by the various property owners in the Village, the development plans subsequently proposed for each owner's property shall not exceed the maximum land use/density/intensity projections on which the design of Master Utility Systems was based, unless development rights that were not used by an owner are assigned to the owner seeking to exceed its maximum land use/density/intensity projections using the same process applicable to TDR transfers.

- B. With the exception of those property owners within the Rural Enclave, each property owner within Village H, its successors or assigns, shall pay a proportionate share of the cost of providing the Village H Master Utility Systems and of mitigating the Village H transportation impacts on CR 545. Each property owner's proportionate share of the costs of providing the Village H Master Utility Systems and the Road Mitigation Costs shall be determined in the following manner:
1. The maximum land use/density information provided by each property owner, in accordance with FLU4.6.3, shall be used to determine the projected Trips that will be generated by each owner's property (the Property Owner's Trips);
 2. The trip generation projections for each owner's land shall be added to determine the cumulative projected total Trips for Village H (the Cumulative Trips);
 3. The Property Owner's Trips shall be divided by the Cumulative Trips to determine that owner's proportionate share of the Cumulative Trips, expressed as a percentage figure (the Property Owner's Percentage); and

~~4. The total cost of the Village H Master Utility Systems shall be multiplied by the Property Owner's Percentage to determine that owner's proportionate share of the cost.~~

~~C. No building permit shall be issued until the applicant has submitted to the County evidence satisfactory to the County that the property owner, a predecessor in title, or the applicant has paid that portion of the property owner's proportionate share contribution for the Village H Master Utility Systems that is applicable to the development program reflected in the Preliminary Subdivision Plan and/or Development Plan.~~

~~D.C.~~ No building permit shall be issued within any Neighborhood or the Village Center unless the APF lands necessary to support a specific development proposal (including an elementary school and a middle school) have been conveyed to the Orange County Board of County Commissioners or have been provided for in a developer's agreement that also requires the purchase from other landowners within Village H of any APF credits that may be required in addition to the APF land conveyance. A Preliminary Subdivision Plan or Development Plan for lands within any specific Neighborhood may be obtained only when a development agreement between the property owner and Orange County has been executed addressing the conveyance of public land necessary to support the provision of adequate facilities and services to the Neighborhood.

(Added 6/06, Ord. 06-08, Policy 6.18.3; Amended 11/12, Ord., 2012-20; Amended 11/13, Ord. 2013-22, Policy FLU4.15.3-r, Amended 11/16, Ord. 2016-26)

FLU4.2.7

Town Center. The Town Center Code will require all property owners within each of the identified Town Center Neighborhoods to address, at a minimum, the planning and funding of public utilities and major transportation facilities consistent Town Center Neighborhood planning requirements and applicable Comprehensive Plan policies. All applicable property owners will be required to participate in Neighborhood-based Adequate Public Facilities/Developer Agreements to address the provision and funding of public infrastructure. Approval by the Board of County Commissioners of such agreements shall be required prior to, or in conjunction with, approval of a Planned Development (PD) application. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

OBJ FLU4.3

TRANSPORTATION SYSTEM. Within each Village, there shall be a balanced transportation system that offers, with equal priority, multiple transportation options. This will include local and regional transit options, bicycle and pedestrian ways, and both higher speed thoroughfares and lower speed local roads for automobiles. (Added 12/04, Ord. 04-21, Obj. 6.11; Amended 11/13, Ord. 2013-22, OBJ FLU4.11-r; Amended 11/15, Ord. 2015-21; Amended 11/16, Ord. 2016-26)

FLU4.3.1

Transportation System. Each Village shall be designed with a transportation system designed to encourage connectivity between internal land uses and allow connection of major streets to existing or planned streets outside the Village. The street network shall adhere to the following principles:

- Create a hierarchy of interconnected streets to allow access between neighborhoods and to promote alternate routes.
- The distance between intersections and the roadway cross sections shall be designed to promote walkability.
- The Village Development Code shall establish street cross sections and maximum block lengths in order to provide safe travel conditions for pedestrians, bicyclists and motorists, as well as providing an integrated, interconnected sense of community.
- Street networks within a Village Center shall be generally designed on a grid system. Street networks outside of the Village Center may be more curvilinear in design, depending on environmental constraints.

(Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.3.2

Limited Access Expressways and Principal Arterial Roadways. To protect the Village form of complete and integrated neighborhoods, and to maintain a center focus that combines commercial, civic, cultural, and recreational uses accessible within a system of fully connected routes from neighborhoods to the village center at distances that encourage pedestrian and bicycle use; limited access expressways or principal arterials shall not be located within Villages.

Except as planned in adopted Villages, limited access expressways or principal arterials shall not be located so as to sever any Village and, where practicable (as determined by the applicable governmental authority), shall be located within the greenbelt area in a manner that provides a separation from the Town Center or Village perimeter to the edge right-of-way of not less than 150 feet. The area of separation shall be maintained as a permanent greenbelt and buffer.

Area sufficient to accommodate long-range plans for mass transit shall be considered when acquiring rights-of-way for limited access expressways and principal arterial roadways serving the area included in the Village Land Use Classification.

Any owner or developer of property located within the Village Land Use Classification and within the right-of-way of the limited access expressways or principal arterial roadways may donate the right-of-way in exchange for on-site density. Prior to approval of any new or revised Horizon West Special Planning Area Land Use Map adjacent to or including right-of-way or an interchange for a limited access expressway, or directly connecting feeder road, a developers agreement must be approved that includes, but not limited to, valuation of property for impact fee credits, if applicable, donation of rights-of-way, and transfer of density.

To encourage provision of rights-of-way for limited access expressways or principal arterial roadways necessary to support the Villages, Orange County will allow Transfer of Development Rights from the rights-of-way to developable receiving areas. Transfer will be limited to the property on which the right-of-way is located or within 1/4 mile of the rights of way sending area, whichever is greater.

The County shall also consider other incentives to promote higher densities. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07; Amended 3/99, Ord. 99-04; Amended 11/12, Ord. 2012-20, Policy 6.1.9; Amended 11/13, Ord. 2013-22, Policy FLU4.1.12-r and Policy FLU4.1.13-r; Amended 11/16, Ord. 2016-26)

FLU4.3.3 **Roadway Design.** In order to enhance the effectiveness of proposed environmental corridors, the design of proposed major roadways shall take into account maintenance of natural hydrology and movement of wildlife. (Added 3/99, Ord. 99-04, Policy 6.7.4; Amended 11/13, Ord. 2013-22, Policy FLU4.7.4-r)

FLU4.3.4 **Mass Transit.** Each Village and the Town Center shall be designed to accommodate access to a hierarchical system of mass transit opportunities, including regional, sub-regional and local routes when and if implemented. The regional system would provide service between the Horizon West Town Center and employment/activity centers outside of Horizon West. The sub-regional system would provide service between each of the Village Centers and the Horizon West Town Center. The local system should be internalized within each neighborhood and the Village Center. (Added 11/13, Ord. 2013-22)

FLU4.3.5 **Bike and Pedestrian Paths:** Bike trails and pedestrian paths shall be an integral part of each Village and the Town Center. These facilities, where practicable (as determined by the County), shall be incorporated within street design and may also be located within public open space and utility corridors or other corridors, as approved by the County. Upon completion, this bike and pedestrian system shall form a hierarchical system of connections to promote walkability and connectivity within Village or Town Center. Parcels that are isolated from the primary development area of a Village shall also be required to provide bicycle and pedestrian paths that connect to the other APF paths, neighborhood schools and the Village Center. Where applicable, the Bike Trail System shall provide future connections to the Town Center and other Villages within Horizon West and surrounding areas. (Added 11/13, Ord. 2013-22)

FLU4.3.6 **Concurrency.** All development within an adopted Village shall be subject to the provisions of the Concurrency Management System, unless a separate agreement has been entered into with the County to establish an alternative method for offsetting road impacts, such as proportionate fair share agreement or other form of mitigation agreement. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.3.7 The arterial and collector roadway systems that serve each of the adopted Villages and Town Center shall be designed to accommodate transportation impacts through a 20-year planning horizon. Upon completion of any segment of the collector or arterial network, that road segment shall become part of the overall Orange County transportation network and shall be periodically evaluated in conjunction with future updates to the Orange County Comprehensive Plan. (Added 11/13, Ord. 2013-22)

FLU4.3.8 **Town Center Street Network.** The street network in the Town Center shall be designed for a high degree of connectivity between uses, districts and neighborhoods within the Town Center and connection of major streets to existing or planned streets outside the Town Center. The distance between intersections and the roadway cross sections shall be designed to create walkable streets. Street networks in the Traditional Town Center Core should be designed on a grid system. Pedestrian, bike and recreational paths shall be an integral part of the Town Center. They shall be incorporated within street cross-sections, and shall be encouraged within public open space, along storm water management areas (when used as an amenity), and within utility corridors. Equestrian trails should be considered as part of the recreational trail system, as demand warrants. (Added 11/13, Ord. 2013-22)

FLU4.3.9 **Road Network Agreements.** Prior to County approval of the first Preliminary Subdivision Plan or Development Plan in Village F, H or the Town Center, a Road Network Agreement that substantially conforms with the Horizon West Global Road Term Sheet, originally approved on September 20, 2011, by the BCC and as amended, must be signed by the owners of a majority of the undeveloped acreage in the particular Village or the Neighborhoods it addresses. No building permit shall be issued until the applicant has submitted to the County evidence satisfactory to the County that the property owner, a predecessor in title or the applicant has paid that portion of the property owner's proportionate share contribution for the Road Mitigation Costs that is applicable to the development program reflected in the Preliminary Subdivision Plan and/or Development Plan. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.3.10

Village I. Prior to commencing development beyond Phase I per Table 7.5 of the document entitled *Village I Specific Area Plan (the "SAP")*, Village I developers/owners will assess the projected cumulative transportation impacts of Village I and demonstrate that any significant and adverse impacts, including impacts outside Orange County's jurisdiction, will be mitigated. The SAP will be amended to reflect any improvements needed to serve the approved Future Land Uses. Development beyond County approval of zoning, rezoning, and zoning amendment requests shall be subject to, and may not proceed without, a Board of County Commissioners-approved global road network agreement (the "Road Network Agreement") in place that is determined to be financially feasible by the County and that substantially complies with a term sheet for Village I and unless adequate public facilities are demonstrated to be available or planned to be available in a financially feasible manner in Orange County's Capital Improvements Element, consistent with Chapter 163, Florida Statutes.

The Road Network Agreement, which must substantially conform with the Horizon West Village I Term Sheet reviewed and accepted by the BCC on November 13, 2018, must be signed by the owners of a majority of the undeveloped acreage in Village I and approved by the BCC prior to approval of the first preliminary subdivision plan ("PSP") and/or development plan ("DP") in Village I. The foregoing notwithstanding, any project that has been issued a capacity encumbrance letter ("CEL") prior to November 13, 2018, may proceed with the applicable development in Phase I, pursuant to and in compliance with the terms of such CEL, prior to entering into such a Road Network Agreement pursuant to a Global Road Network Term Sheet for Village I; provided, however, that such development shall be required to enter into and join the Road Network Agreement prior to approval of any subsequent PSP and/or DP request beyond that applicable to the aforementioned CEL. In the event any such project does not timely obtain a capacity reservation certificate in connection with the CEL, such project shall be subject to the County's concurrency management system, as if the CEL had not been issued. If a development project is

proposed after the Road Network Agreement has been finalized, then such proposed development shall be subject to the County's concurrency management system (and, potentially, entering into a proportionate share agreement), unless all of the signatories of the Road Network Agreement agree to amend such Road Network Agreement in order to add such development to the Agreement. (Added 02/10, Ord. 10-01; Amended 11/13, Ord. 2013-22, Policy FLU4.21.7.1-r; Amended 11/15, Ord. 2015-21; Amended 11/16, Ord. 2016-26; Amended 07/19, Ord. 2019-04)

FLU4.3.11 In order to account for extra-jurisdictional transportation impacts, for development that otherwise would be subject to the provisions of Section 380.06, F.S., the County may require, in all villages except Village H, in addition to the requirements of Future Land Use Element FLU4.1.8 IV 2.b., monitoring and modeling for transportation facilities impacted by a Village Recommended Land Use Plan (RLUP). In addition, future RLUPs shall include a list of candidate roadways for such monitoring and modeling. The County may require mitigation based on the RLUP or subsequent monitoring and modeling. Any required monitoring and modeling will be in addition to concurrency requirements otherwise required by the Orange County Code. (Added 11/99, Ord. 99-19, Policy 6.1.14.3-r; Amended 11/13, Ord. 2013-22, Policy FLU4.1.20-r; Amended 11/15, Ord. 2015-21; Amended 11/16, Ord. 2016-26)

FLU4.3.12 Orange County shall coordinate with Osceola County regarding significant and adverse impacts to extra-jurisdictional roadways related to development in Village I, which are summarized in Table 7.5 of the *Village I Specific Area Plan* adopted by the Board of County Commissioners on June 10, 2008. Pursuant to Policy FLU4.3.10, a transportation analysis will be performed to identify these impacts within both Orange and Osceola Counties. Osceola County will be provided a copy of the analysis by Orange County and will be given 30 days upon receipt to respond with comments. Upon determination by Orange County of the transportation impacts and mitigation for substantial impacts to regional roadways within both jurisdictions, Orange County shall amend the Horizon West Special Planning Area Land Use Maps to include the

agreed-upon mitigation, including the identified improvements, timing of construction, and funding of such improvements. (Amended 11/13, Ord. 2013-22, Policy FLU4.21.7.2-r; Amended 11/15, Ord. 2015-21 Amended 11/16, Ord. 2016-26)

OBJ FLU4.4 SCHOOLS. Villages are comprised of neighborhoods which are defined by a neighborhood center with an elementary school site and neighborhood park. Each Village shall be designed with school facilities as a focal point of the community. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.4.1 Each Village shall contain space for up to four Elementary Schools and one Middle School. High school requirements are included in FLU4.4.5. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.4.2 The exact location of the school sites are not fixed in the approved SAP and may be relocated by the Board of County Commissioners through the Planned Development process, provided that the site remain in the same village or neighborhood and review and comment has been solicited by Orange County Public Schools (OCPS).

When a school site is to be relocated, the original site shall be re-designated through the Planned Development process with land uses of comparable densities and/or intensities of surrounding properties. Such land uses shall be deemed compatible by Orange County.

OCPS may agree to allow the school sites to be sized as an urban prototype of less acreage than provided in the Orange County School Siting Ordinance. Through the Planned Development process, the balance of any planned school site not used for such facilities shall also be re-designated with land uses of comparable densities and/or intensities of surrounding properties, provided that such land uses are deemed compatible by Orange County.

If a middle school is located in the Village Center, the site shall be excluded from the computation for the maximum Village Center size limit of 60 acres, as outlined in FLU4.1.7. (Added 11/05, Ord. 05-14, Policy 6.3.8.1; Amended 11/13, Ord. 2013-22, Policy FLU4.3.9-r)

FLU4.4.3 The Signature Lakes and Fourth Neighborhoods of Bridgewater, Village F and Village I have been designed and sized such that, at build-out, the neighborhoods will support an elementary school that is designed in accordance with the Florida State Class Size Amendment requirements. However, per the design requirements of Horizon West and Orange County, at build-out, these schools will have excess capacity and may accommodate the residential development from Neighborhoods 1 and 2 of the adjacent Horizon West Town Center. Excess school capacity should not be considered justification for increased densities in the Signature Lakes or Fourth Neighborhoods of Bridgewater or Village F. (Added 12/04, Ord. 04-21, Policy 6.6.1.2; Amended 11/13, Ord. 2013-22, Policy FLU4.6.3-r)

FLU4.4.4 The adopted Villages shall contain space for the following school facilities:

- Lakeside: One elementary school per neighborhood and one middle school;
- Bridgewater: One elementary school per neighborhood and one middle school;
- Village H: One elementary school per neighborhood and one middle school;
- Village F: One elementary school per neighborhood and one high school site in accordance with the requirements of Town Center Policy FLU4.4.5. ;
- Village I: One middle school and the necessary elementary schools to serve surrounding areas and Horizon West;
- Town Center: One elementary school.

(Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.4.5 In addition to the planned school facilities stated in Policies FLU4.4.3 and FLU4.4.4, special conditions apply for the following:

Village of Bridgewater

The Fourth Neighborhood of the Village of Bridgewater includes a potential High School Site that is intended to serve portions of Horizon West and surrounding areas. The underlying use of the high school site is Garden Home District. In the event that Orange County Public Schools chooses not to purchase the High School at this location, the underlying land use of Garden Home District shall apply. Prior to construction of any residential development within the Fourth Neighborhood in the Village of Bridgewater, Orange County Public Schools must have closed on the purchase of land for one of the two high schools projected to serve the Horizon West area.

Village H

Parcel 17 of Village H shall be one of the two elementary school sites. Parcel 43a shall be the other elementary school site. Executed warranty deeds for both elementary school sites have been placed in escrow with an escrow agent satisfactory to the County. Note 5 on the Village H Master Development Plan is no longer applicable.

Village F

A high school site within the Village F boundary has been provided by Horizon West Town Center property owners and rezoned for the high school. This site, however, shall be reflected only in the gross Village F acreage and not affect the net developable acreage or APF calculations. The high school site shall not interrupt the walkability, connectivity or compactness of the Village. The location of the high school provides access to a collector road and does not divide a neighborhood, Neighborhood Center or the Village Center.

Prior to approval of the first Planned Development (PD) within Village F, a developer's agreement with Orange County for conveyance of both elementary schools and the co-located parks must be executed.

Village I

Prior to approval of the first Planned Development (PD) within Village I, a developer's agreement with Orange County for conveyance of all public school sites and the co-located parks must be executed.

Town Center

Prior to approval of any Development Plan or Preliminary Subdivision Plan containing residential uses within the Town Center, a development agreement between the property owner and Orange County must be executed that would convey the land for the elementary school. However, this requirement may be satisfied for Town Center Neighborhoods 1 and 2 pursuant to FLU4.4.3, to the extent that excess school capacity is available to serve the residential development in Town Center Neighborhoods 1 and 2.

A high school site located in Village F has been provided to Orange County Public Schools for the purpose of serving students of the Town Center and rezoned to Planned Development. The high school site shall be considered the Town Center APF site. Though included in the Village F gross estimate, the high school site shall be depicted on the Town Center Recommended Land Use Plan. Furthermore, the high school acreage only shall affect the Town Center APF calculations.

(Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

OBJ FLU4.5 ENVIRONMENT. Development standards shall be adopted and implemented that ensure protection of the natural and built environmental through the provision of greenbelts, transfer of development rights, storm water management, water-wise development standards and preservation of ecosystems through the creation of open space linkages. (Added 11/13, Ord. 2013-22)

FLU4.5.1 Village Greenbelts. In addition to requirements for formal parks and neighborhood greens, greenbelts surrounding each Village and the Town Center averaging 500 feet in width shall be required at the perimeter of each Village, except for those perimeters located adjacent to designated water Conserv II lands that otherwise provide the permanent undeveloped edge contemplated by this policy. This greenbelt must be provided to discourage sprawl by creating a definable Village and provide a permanent undeveloped edge, except as set forth in FLU4.3.2, so that planning a Village within limited spaces takes on meaning. Topography and other physical features may allow this width to be reduced where visual separation can be accomplished with less distance. Where it may be beneficial to concentrate the acreage to enhance wildlife corridors, wetland connections, or preserve valuable uplands and protect sites critical for Floridan Aquifer protection, the greenbelt may be concentrated in one section of the Village Perimeter. In no case shall the greenbelt separation between villages be less than 300 feet. Subject to subdivision regulations and conservation area protection requirements, access drives and bicycle/pedestrian paths may be allowed within the greenbelt/buffer to connect properties that would otherwise be denied reasonable access. Development standards for access drives and pedestrian/bicycle paths through greenbelt/buffer shall be addressed in the Village and Town Center Development Codes. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07; Amended 3/99, Ord. 99-04, Policy 6.1.8; Amended 11/13, Ord. 2013-22, Policy FLU4.1.11-r; Amended 4/20, Ord. 2020-08)

FLU4.5.2 **Density in Greenbelts.** Development in the greenbelt at a maximum density of 1 unit/10 acres shall be permitted to be clustered in upland areas where the land owner(s) is willing to dedicate development rights for the balance of the property to Orange County. (Added 11/13, Ord. 2013-22)

FLU4.5.3 **Transfer of Development Rights (TDRs).** In order to encourage the implementation of the greenbelt requirements in FLU4.5.1, preserve other important uplands, agricultural areas, water reuse areas, Floridan aquifer recharge, wetland connections and wildlife corridors, Orange County may allow the Transfer of Development Rights from these sending areas to receiving areas in Orange County. To provide rights-of-way for limited expressways or principal arterial roadways necessary to support the villages, Orange County will allow Transfer of Development Rights (TDR) from the rights-of-way to developable receiving areas. Transfer will be limited to the property on which the right-of-way is located or within 1/4 mile of the right-of-way sending area, whichever is greater. Net density in Village Centers and the Town Center may be increased from 5.0 DU/net developable acre up to 16 DU/net developable acre where TDRs are used. Net density in the Town Center may be increased from 4 DU/net developable acre up to 30 DU/net developable acre where TDRs are used or through internal density transfers and use conversions permitted within a PD/UNP or PD.RP. However, the implementation of the greenbelt requirements in FLU4.5.1 and the preservation of other important uplands, agricultural areas, water reuse areas, critical Floridan Aquifer recharge sites, wetland connections and wildlife corridors will not be limited to Transfer of Development Rights. Orange County may allow for purchase of these areas through special taxing districts and special impact fees for a specific Village to be used in the establishment of that Village. Orange County has adopted an ordinance implementing Transfer of Development Rights. The TDR ordinance enhances the preservation of ecologically sensitive areas and reinforces the defined village edge by identifying TDR sending areas within the Village Greenbelt as identified in FLU4.5.1. The use of TDRs also provides for protection of private property

rights within the sending areas. Additionally, limits are placed on the amount of development rights that can be transferred within any neighborhood to ensure a compact and integrated development form that has a population density to meet the requirements of a neighborhood school while providing for a diversity of housing types. The TDR limits established for each Village do not create entitlements for their use within any particular development. The use of TDR credits is subject to approval by the Board of County Commissioners on a case-by-case basis. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07; Amended 3/99, Ord. 99-04, Policy 6.1.9; Amended 11/13, Ord. 2013-22, Policy FLU4.1.13-r; Amended 11/16, Ord. 2016-26. Amended 04/20, Ord. 2020-08)

FLU4.5.4

TDR Ratios. Development within Lakeside Village, the Village of Bridgewater, and Villages F, H and I shall be subject to the provisions of the Orange County Ordinance 97-10, Village Land Use Classification Implementation, Orange County Code Chapter 30, Article XIV, Division 3 (TDR Ordinance). Residential densities may also be increased or decreased within the applicable density range allowed for each respective land use district, in conjunction with the requirements of the TDR Ordinance and the following TDR ratios:

| Village | Upland Greenbelt TDR Ratio | Wetland TDR Ratio |
|-------------|---|---|
| | Units / Acre | Units / Acre |
| Lakeside | 11 units / 1.0 acre | 1 unit / 3.5 acres |
| Bridgewater | 17.1 units / 1.0 acre | 1 unit / 2.9 acres |
| Village F | 17. 1 units / 1.0 acre | 1 unit / 2.9 acres |
| Village H | 25.5 units / 1.0 acre | 1 unit / 2.9 acres |
| Village I | 38.9 units / 1.0 acre | 1 unit / 2.9 acres |
| Town Center | 5.8 units / 1.0 acre or 8,700 sq. ft. / 1.0 acre | 1 unit / 3.3 acres (non-residential – N/A) |

(Added 11/13, Ord. 2013-22)

FLU4.5.4.1

Reams Road Corridor Study Area. In Lakeside Village, the Reams Road Corridor Study Area is established in recognition of the changing character of properties fronting Reams Road, increased densities in the area, and the area's proximity to a major employment center. The Corridor Study Area is limited to several properties located along Reams Road, which, combined, constitute the largest greenbelt system in the Horizon West Special Planning Area that separates Lakeside Village and Village of Bridgewater. The goal of establishing the Corridor Study Area is to achieve the mix of residential uses and desired minimum overall density of 5 DU/ac within the Village and to provide a residential transition zone within the largest greenbelt system while protecting the local environmental systems by connecting Lake Spear with the ecosystem within the Reedy Creek Improvement District on the west and south. The general principles and procedures for acquiring a residential land use designation within the Corridor Study Area are as follows:

- The Reams Road Corridor Study Area boundary shall be depicted on the Horizon West Special Planning Area Land Use Map.
- Uses on properties within the Corridor Study Area shall be limited to residential.
 - Residential uses within the Corridor Study Area shall be limited to areas currently designated as Greenbelt (GB) on the Horizon West Special Planning Area Land Use Map.
 - Requesting a residential land use district designation within the Corridor Study Area requires Planned Development Review.
 - The maximum residential density considered to be appropriate within the Corridor Study Area is 6 DU/ac. Additional density increases may be allowed, consistent with the provisions of the Transfer of Development Rights (TDR) Ordinance.
 - At the time of the Comprehensive Plan Amendment, an applicant shall enter into an agreement with the County to provide the right-of-way necessary for the Reams Road widening project.

- Any future development within the Corridor Study Area shall provide cross-access to adjacent developments, requirements for which shall be determined at the time of PD-LUP approval. The County might also require connectivity of recreational facilities, including multi-purpose trails, between the properties included in the Corridor Study Area and development north and south of the study area.
- Development proposals that are inconsistent with this policy shall meet the standards of the adopted Future Land Use designation.
(Added 07/15, Ord. 2015-14; Amended 11/16, Ord. 2016-26)

FLU4.5.5 Up to 20% of designated greenbelt tracts may be used for permitted stormwater ponds. Passive not-for-profit recreation facilities may also be permitted in greenbelts. (Added 11/06, Ord. 06-22, Policy 6.16.2; Amended 11/13, Ord. 2013-22, Policy FLU4.19.2-r)

FLU4.5.6 Additional greenbelt requirements apply as follows:

Lakeside Village

The Village greenbelt requirement for Lakeside Village shall be provided by utilizing the environmental systems connecting Lake Spear with the ecosystem within Reedy Creek Improvement District on the west and south.

Village of Bridgewater

The Village greenbelt for the Village of Bridgewater shall provide for the connection of the environmental systems connecting Lake Speer and Lake Hancock with the ecosystem within Lakeside Village, and Reedy Creek Improvement District.

Golf courses shall be permitted to form a portion of the Village of Bridgewater greenbelt/buffer only where it can be demonstrated that such greenbelt/buffer does not contain environmentally sensitive uplands and where it is not providing connectivity of wetland/wildlife corridors. The golf course within the greenbelt/buffer shall not supplant any requirement to provide connectivity of wetland/wildlife corridors, or protection of environmentally significant uplands elsewhere within the Village. The golf course shall provide

public open space as permanent Village edge. The golf course shall provide connectivity and access to other public open spaces within the Village. The golf course shall contribute to compactness of the Village, and not isolate residences from the Village or Neighborhood Centers.

Village F

The Village F greenbelt shall include the environmental systems connecting Saw Grass Lake and Reedy Lake and the wetlands between Lakeside Village, the Village of Bridgewater and the Reedy Creek Improvement District.

Orange County National Golf Course shall be permitted to form a portion of the Village F greenbelt/buffer.

Village I

The Village I greenbelt shall include the environmental systems connecting Lake Oliver, Lake Gifford, Lake Dennis and Doe Lake and the wetlands between adjacent Horizon West Villages and the Reedy Creek Improvement District. The extensive wetlands, conservation areas and other designated greenbelt areas shall provide a well-defined edge to Village I and shall be protected from the influence of urban development patterns.

Town Center

Town Center will develop at urban densities and intensities; therefore, upland greenbelt areas shall not be required as a buffer between SR 429 and development in Town Center.

The Upland Greenbelt requirement between the Village of Bridgewater and Town Center may be accomplished as depicted on the adopted Recommended Land Use Plan (RLUP) for both Villages or by an alternative location within the Village of Bridgewater as may be approved through a rezoning to Planned Development (PD), PD Land Use Plan Amendment, or Change Determination Request (CDR) to the existing PD. The portion of the existing Urban Greenbelt for which an

alternative may be proposed shall be limited to adjacency with Parcels CCMU-1 and CCMU-3 depicted on the Town Center RLUP. An alternative location of the Upland Greenbelt shall:

1. be consistent with the requirements of FLU4.5.1;
2. provide a similar degree of physical separation between the Village of Bridgewater and Town Center as provided through the existing Urban Greenbelt designation;
3. include upland areas;
4. be fully capable of accommodating any planned trail or pedestrian/bicycle facility intended for inclusion within the Upland Greenbelt; and
5. be planned to minimize impacts to adjoining property owners that may be associated with any type of public facilities or private development located within the Urban Greenbelt.

(Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.5.7

Aquifer Recharge. Prior to permitting any urban development on recharge soils, (as defined in accordance with the Orange County Land Development Code), an analysis shall be completed to insure that appropriate water recharge of the Floridan Aquifer can be maintained. The analysis must demonstrate that the recharge characteristics of water anticipated to enter the soil in the post-development condition shall be comparable to that anticipated in the pre-development condition. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-04; Amended 5/01, Ord. 01-11, Policy 6.1.10; Amended 11/13, Ord. 2013-22, Policy FLU4.1.14-r)

FLU4.5.8

Regionally Significant Natural Resources.

With respect to protecting regionally significant natural resources, an SAP must identify such resources and shall meet the requirements of Rule 9J-2.041, Florida Administrative Code.

This rule requires an evaluation of the development impacts on listed plants and wildlife species and listed wildlife species habitats. The rule also sets forth appropriate methods to mitigate or avoid said impacts. If an SAP impacts such natural resources, the applicant will evaluate the impacts and mitigate the impacts consistent with the requirements of Rule 9J-2.041, Florida Administrative Code. (Added 11/99, Ord. 99-19, Policy 6.1.14.2; Amended 11/13, Ord. 2013-22, Policy FLU4.1.19-r)

OBJ FLU4.6 VILLAGE DEVELOPMENT CODE. The design principles of the Horizon West planning process shall be implemented through adoption of the Village Development Code, Town Center Planned Development Code, and ultimately, a Planned Development/Land Use Plan (PD/LUP), Planned Development/Unified Neighborhood Plan (PD/UNP)/ or Planned Development/Regulating Plan (PD/RP).. (Added 11/13, Ord. 2013-22; Amended 04/20 Ord. 2020-08)

FLU4.6.1 Density. The density shown on the Village Land Use Plan for any particular Village Planned Development may be increased or decreased in conjunction with the requirements of the Transfer of Development Rights Ordinance adopted by Orange County for the area designated on the Orange County Comprehensive Plan as "Village," subject to meeting the density requirements of FLU4.1.4 for each neighborhood and subject to approval by the Board of County Commissioners on a case-by-case basis. However, such transfers shall not denigrate the intent of providing a mixture of residential densities within any Village or Town Center neighborhood. (Added 5/97, Ord. 97-07; Amended 5/01, Ord. 01-11, Policy 6.2.3.1; Amended 11/13, Ord. 2013-22, Policy FLU4.2.6-r)

FLU4.6.2 Land Development Code Update. All development within the boundary of an adopted Village shall comply with the provisions of the Village Planned Development of the Orange County Code and the Planned Development District processing and site development regulations. Where the performance standards in the Village Development Code conflict with said regulations, the Village Development Code shall govern, except as noted in the adopted Village Development Code. Orange County shall amend the Adequate Public Facilities, and Transfer of Development Rights Provisions of the Orange County Code to incorporate the requirements for the adopted Villages as needed. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-04; Amended 3/99, Ord. 99-04; Amended 5/01, Ord. 01-11, Policy 6.1.13; Amended 6/12, Ord. 2012-14, Policy FLU4.1.16-r; Amended 11/13, Ord. 2013-22, Policy FLU4.1.16.1-r; Amended 11/16, Ord. 2016-26)

FLU4.6.3

The following residential districts and densities are established for the adopted Villages:

| Residential District | Density |
|-----------------------------|----------------|
| Estate Rural | 1 |
| Estate | 2 |
| Estate Home | 3 |
| Garden Home | 4 |
| Village Home | 6 |
| Townhome | 8 |
| Townhome/Apt | 12 |
| Condominium/Apartment | 16 |

Notes:

- In order to accommodate the design principles of FLU4.1.4, the boundary between two adjacent residential districts may be blended within any particular Village Planned Development and the density of the adjacent districts may be blended. Such boundary revisions and density mixes may not be allowed at the perimeter of the Planned Development.

Lakeside Village

- In order to provide for compatibility with existing and approved development abutting Lake Mabel, any redevelopment within the boundaries of the existing Lake Mabel Shores Subdivision shall be limited to a minimum one (1) acre lot size. Development of existing platted lots within the Lake Mabel Shores Subdivision shall be permitted in accordance with the existing zoning and subdivision as recorded in Plat Book Q, page 151, Orange County Records.

Village of Bridgewater

- Development within the Townhome/ Apartment district of the Fourth Neighborhood shall be limited to Townhomes only (no apartments) and shall allow the density within the Townhome District of the Fourth Neighborhood to be reduced from a net density of 12.0 dwelling units per acre to 8 to 10 dwelling units per acre, which shall be designated on the land use plan for the Fourth Neighborhood.

- In order to achieve the required density of 6.0 dwelling units per acre in the Village Home District while maintaining the housing diversity of the overall Village, townhomes shall be considered a permitted use in the Village Home District. Approval of Townhomes within the Village Home district shall only be allowed as a component of the PD. The PD shall indicate compliance with the principles of the Horizon West Policies and the Village Development Code.

Village H

- Village H Master PD LUP allows minimum and maximum densities within identified parcels that vary from the above standards.
- Estate District Parcel 9 may develop at a minimum density of 1.0 DU/AC based upon commitments made to the Hickory Nut Lake Estates Rural Enclave homeowners during adoption of the Village. Minimum densities in the PD LUP are without the use of TDRs.
- New homes within the Rural Enclave may be developed at up to one dwelling unit per developable acre. Homes and lands in the Rural Enclave shall not be included in determining the overall density of Village H or requirements for Adequate Public Facilities. The Rural Enclave is not subject to the Adequate Public Facilities' requirements of Village H, unless determined otherwise by the County for new development.

Village F

- Minimum lot size in the Estate Rural District is 1 acre.
- In order to achieve the required density of 6.0 dwelling units per acre, while maintaining the housing diversity of the overall Village, townhomes shall be considered a permitted use in the Village Home District. Approval of townhomes within the Village Home District shall only be allowed as a component of the PD and shall be in compliance with Village Development Code.
- To ensure a mix of housing types in the Garden Home District, townhomes shall be considered a permitted use, provided that lots are no less than 25 feet in width.

- Consistent with the density requirements outlined in FLU4.1.4, the Village F Townhome District shall be limited to either single family detached units or attached townhomes (no apartments). In Townhome Districts adjacent to the Village Center, live-work units with ground floor office or residential uses shall be permitted.
- Approval of townhomes within the Village Home District shall only be allowed as a component of the PD and shall be in compliance with Village Development Code.
- Apartments are permitted as a residential use in the Village Center.
- The minimum density for the Estate Rural district in Village F is 0.

Village I

- In order to reflect an appropriate development transition from the adjacent and more intense U.S. Highway 192 Tourist/Commercial Growth Center, a minimum average net density range of 16.0 to 18.0 dwelling units per acre may be considered in the Apartment Districts located in the Village I East Neighborhood. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.6.4 Housing product types shall be allowed in each district, as established in the following table. The Planned Development Land Use Plan shall specify the location for each housing type proposed for development. Following approval of the Land Use Plan, any proposed change in housing type shall be subject to a substantial change determination.

| <i>District</i> | <i>Product Type</i> | | | | |
|--|---------------------|---------------|-----------------|---------------|---------------|
| | <i>Apts.</i> | <i>Condos</i> | <i>Townhome</i> | <i>Duplex</i> | <i>Single</i> |
| Estate Rural | No | No | No | No | Yes |
| Estate | No | No | No | No | Yes |
| Estate Home | No | No | No | No | Yes |
| Garden Home (single-family only) | No | No | No | No | Yes |
| Garden Home | No | Yes | Yes | Yes | Yes |
| Village Home | No | Yes | Yes | Yes | Yes |
| Townhome | No | Yes | Yes | Yes | Yes |
| Condominium | No | Yes | Yes | Yes | No |
| Apartment | Yes | Yes | Yes | Yes | No |
| Village Center/ Neighborhood Center | Yes | Yes | Yes | Yes | No |

Properties within the Lakeside and Bridgewater Villages that are designated as Townhome/Apartment District shall identify on the PD Land Use Plan the specific location and use of townhomes or apartments, consistent with the adopted Village Development Code, as amended. Properties within the Lakeside and Bridgewater Villages that are designated as Garden Home District shall identify on the PD Land Use Plan the specific location of townhomes, consistent with the adopted Village Development Code, as amended. (Added 6/06, Ord. 06-08, Policy 6.17.11; Amended 11/13, Ord. 2013-22, Policy FLU4.14.11-r; Amended 11/16, Ord. 2016-26)

FLU4.6.5

Design Standards. The Village Development Code shall establish design standards to control building location, landscaping and signage. In addition, the Village Development Code shall include the following:

- To encourage appropriate residential neighborhood design, the Village Development Code shall establish maximum block lengths and require mixing of block sizes and regulate on-site parking for residential uses.
- The design standards of the Village Development Code shall apply, except that waivers or variances may be approved for such features as garage setbacks, building heights, Village Center parking lot landscaping, lot coverage, building setbacks, lots sizes, other items, when determined by the Board of County Commissioners to further the design objectives of Horizon West through the application of design measures suitable to offset the waived or varied Village Development Code standard.
- To encourage appropriate Neighborhood Center Design, the Village Development Code contains parking controls, including provisions for on-street parking and controls on garage location.
(Added 11/13, Ord. 2013-22)

FLU4.6.6

Lake access. Subject to County approval and all applicable permitting requirements, each single-family lakefront lot may have a boat dock. Private boat docks and boat ramps may also be allowed in Village H lakefront parks subject to County approval and all applicable permitting requirements. (Added 6/06, Ord. 06-08, Policy 6.17.24; Amended 11/13, Ord. 2013-22, Policy FLU4.14.24-r)

FLU4.6.7

Park/Civic Use. Land designated for park and civic use by the Recommended Land Use Plan for each adopted Village shall allow for public community buildings including meeting halls, libraries, schools, police and fire station, post offices, cultural facilities, and other governmental buildings. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.6.8 **Open Space.** In addition to the Adequate Public Facility (APF) parks and civic use areas shown on the Horizon West Special Planning Area Land Use Map, a minimum of seven and one-half (7.5) percent of the developable land area less APF lands of any development project within each Village and seven (7.0) percent of developable land area less APF lands within the Town Center shall be permanently allocated to public open space tracts for neighborhood parks, linear parks or squares. These neighborhood parks and squares should be distributed throughout all land use districts within the village and shall be accessible, centrally located and designed to create focal points for the development. Useable landscaped and unfenced stormwater ponds may be included to satisfy this requirement as allowed by the Village Development Code, but if included may not be counted toward the required amount of recreational area in the applicable Planned Development.

As part of the Planned Development rezoning process, the County may allow all or a portion of the designated APF parkland on the east side of Lake Spar to contribute towards the 7.5% open space requirement in the design of the Lakeside Village Center. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.6.9 **Stormwater.** To the extent feasible, all stormwater facilities within the Horizon West area shall be designed as an amenity, and should incorporate pedestrian/bike trails where doing so contributes to connectivity of the community. (Added 11/13, Ord. 2013-22)

FLU4.6.10 The coordination of master stormwater management planning shall be encouraged through the Unified Neighborhood Plans and/or the Planned Development zoning processes. (Added 11/13, Ord. 2013-22)

FLU4.6.11 Stormwater management systems shall be designed to meet the requirements of the Orange County Subdivision Regulations and the regulations of the South Florida Water Management District, including specific requirements for recharge areas and for land-locked basins, where applicable. (Added 12/04, Ord. 04-21, Policy 6.12.6; Amended 11/13, Ord. 2013-22, Policy FLU4.12.6-r)

FLU4.6.12

Village H Master Property Owners

Association. All residential subdivisions, townhome developments and condominium developments shall be members of a Village H Master Property Owners Association (the "Master Association") formed for the purpose of promoting community activities and social interaction within Village H. The Master Association documents shall be prepared and recorded in the Public Records of Orange County at the time the first residential subdivision plat within Village H is recorded. Thereafter, all residential subdivision plats, conditions of approval for townhome developments, and declarations of condominium shall include a provision establishing membership in the Master Association. The Master Association shall be organized and managed by a voluntary committee of interested residents (the Master Association Committee). Membership on the Master Association Committee shall not be an elected office. The Master Association Committee shall not have the authority to levy assessments but shall be able to accept donations, hold fundraising events and other functions for the benefit of the Village H residents. The Master Association shall not have any regulatory or enforcement authority. Each residential subdivision, townhome development or condominium association that levies assessments on its residents shall include a nominal annual assessment to fund the Master Association's community activities. (Added 6/06, Ord. 06-08, Policy 6.18.17; Amended 11/13, Ord. 2013-22, Policy FLU4.15.17-r)

OBJ FLU4.7 EMPLOYMENT AND HOUSING. Town Center shall serve as the sole regional retail and employment center for Horizon West, west Orange County and southeastern Lake County, providing nearby employment opportunities for residents of Horizon West and diverse housing opportunities for employees to live near their workplace. (Added 11/13, Ord. 2013-22)

FLU4.7.1 **Town Center.** The purpose of the Town Center is to provide a place for residential, office, retail and light industrial land uses with a more regional market base that serves as an employment center, the scale of which is not permitted in the villages. The Town Center shall be oriented towards serving the residents of the Villages and surrounding area and not designed as a tourist destination. The Town Center shall be planned and established with limited access expressways within the greenbelt (as defined in FLU4.5.1) of the Town Center. In order for development to take place, the Town Center must be located so that it has immediate access to an interchange or interchanges of the Western Beltway, or similar facility with connections to the regional market base. The Town Center must be designed to encourage and accommodate future linkage with the regional transit system and must provide for connections to, and be integrated with, the collector streets, pedestrian and bike path system provided in individual villages. One high school site and one activity-based community park site shall be provided to serve the Town Center and Horizon West.

The Town Center will be integrated with the regional transit system. The design shall include designated locations for establishment of transit stations as a component of a mixed-use development. (Policies 6.1.2.1, 6.1.3; Amended 6/12, Ord. 2012-14; Amended 11/13, Ord. 2013-22, Policy FLU4.1.2-r; Amended 11/16, Ord. 2016-26; Amended 04/20, Ord. 2020-08)

FLU4.7.2

Town Center – Development Linkage and Timing. Prior to approval by Orange County of any application for a Planned Development (PD) Land Use Plan (PD-LUP)/Unified Neighborhood Plan (UNP), or Regulating Plan (RP) within Corporate Neighborhoods 1, 2, 3 and 4, or within the Town Center Core Neighborhood (as depicted on the Horizon West Special Planning Area Land Use Map), the following conditions intended to address the traffic needs as determined by the County shall be met:

- A. A developer’s agreement(s) shall be approved by the Board of County Commissioners addressing, at a minimum, those roadway facilities assigned by location within one or more of the Corporate Neighborhoods or the Town Center Core as identified below. The agreement shall, at a minimum, identify the responsibility for planning, funding, and scheduling of design, permitting, right-of-way acquisition, and construction of roadway segments based on the location of the property as prescribed below.
- Location – Corporate Neighborhood 3 and 4, and Town Center Core Neighborhood:
Responsibility – Avalon Road from Old YMCA Road to New Independence Parkway
 - Location – Town Center Core Neighborhood:
Responsibility – Horizon Boulevard from Porter Road to Valencia Parkway; Valencia Parkway from Horizon Boulevard to Schofield Road/Karl Kahlert Parkway; and Schofield Road/Karl Kahlert Parkway from Valencia Parkway to Avalon Road
 - Location – Corporate Neighborhood 1 and 2:
Responsibility – Hamlin Groves Trail from Horizon Boulevard to New Independence Parkway; Horizon Boulevard/Porter Road from CR 545 to Hamlin Groves Trail; and extension of New Independence Parkway to S.R. 429

In the event an alternate roadway segment provides a comparable service area and capacity, it may substitute for portions of one or more of the roadway segments identified above. The developer's agreement(s) shall be consistent with all required roadway improvements and conditions of approval specified in the Horizon West Global Road Term Sheet, originally approved on September 20, 2011, by the BCC and as amended.

- B. Right-of-way values shall not exceed \$22,500 per acre.
- C. Condition of approval on the PD stating, "Should the level of service on CR 545 fall below LOS 'E,' no construction plan approvals will take place until a developer's agreement(s) is approved among the owners of property in Neighborhoods 3, 4, and 5 (exclusive of any property owner whose responsibility has been met through a pre-existing developer's agreement), and the Board of County Commissioners. The agreement shall, at a minimum, address the responsibility for planning, funding, and scheduling of design, permitting, right-of-way acquisition, and construction of necessary improvements to CR 545." (Added 12/04, Ord. 04-21, Obj. 6.13; Amended 6/12, Ord. 2012-14; Amended 11/13, Ord. 2013-22, Objective FLU4.13-r; Amended 11/16, Ord. 2016-26; Amended 04/20 Ord. 2020-08)

FLU4.7.3

Town Center Planned Development Code.

Orange County adopted a Town Center Planned Development Code with innovative standards and guidelines based upon traditional city planning and design principles to ensure an urban development pattern that encourages a mix of compatible uses within the Town Center neighborhoods and a well-defined, mixed-use Traditional Town Center Core Area. All development within the boundary of the Town Center shall comply with the provisions of the Town Center Planned Development Code or any alternative provisions outlined within an approved Town Center Planned Development/Regulating Plan (PD/RP).. (Added 11/13, Ord. 2013-22; Amended 04/20, Ord. 2020-08)

- FLU4.7.4 The Town Center Planned Development Code shall encourage development through either Unified Neighborhood Plans (UNPs) or optional Regulating Plans (RPs). The development program associated with a UNP or RP shall generally reflect a proportionate share of the allocated development program for the subject property, as identified in Policy FLU4.7.9 – Table 1.1 and as depicted on the originally-adopted Town Center Recommended Land Use Plan Map. A development program may also be adjusted to account for internal Town Center unit (DU whether originally programmed in Table 1.1 as DU or converted from commercial square footage into DU) transfers and use conversions. (Added 12/04, Ord. 04-21, Policy 6.8.8; Amended 5/13, Ord. 2013-11; Amended 11/13, Ord. 2013-22, Policy FLU4.8.8-r; Amended 04/20, Ord. 2020-08)
- FLU4.7.5 Through provisions of the Town Center Development Code, dwelling unit and/or commercial square foot increases may be granted for this dedication of functional open space over the minimum seven percent requirement. (Added 12/04, Ord. 04-21, Policy 6.8.9; Amended 11/13, Ord. 2013-22, Policy FLU4.8.9-r)
- FLU4.7.6 To encourage innovative planning and design solutions and creative development in Town Center, Orange County shall include provisions in the Town Center Development Code that allow for transfer of development units within and between proposed Town Center Neighborhoods. (Added 12/04, Ord. 04-21, Policy 6.8.10; Amended 11/13, Ord. 2013-22, Policy FLU4.8.10-r)

FLU4.7.7

The Town Center Development Code shall include development standards for placemaking, key elements and design guidelines and a sufficient, yet flexible streamlined review process for each of the Town Center Land Use District Classifications, consistent with the purpose and intent of each district, described as follows:

A. Urban Residential District. Urban Residential districts should be developed to reflect the character and quality of traditional neighborhoods. The Urban Residential districts are expected to develop with a mix of attached and detached housing, civic uses, neighborhood parks and recreational facilities. Neighborhood type and scale commercial and office uses may be permitted within this District as either ancillary to a principal use, or freestanding at sites permitted and specifically identified as appropriate for such uses as part of the applicable Unified Neighborhood Plan/Planned Development. The Town Center Development Code shall include provisions to address the following aspects of neighborhood scale commercial and office uses permitted by location: compatibility with adjoining uses; location of sites relative to Framework or Urban Collector streets; scale and types of uses; and, standards that would control the number of non-residential uses that may be permitted by location.

The districts should be developed such that the typical street and block pattern will be fully interconnected to accommodate pedestrians, bicyclists and motor vehicles. All pedestrian and bike trail systems within the districts should be linked to the APF bike and recreational trail system of Town Center.

B. Corporate Campus Mixed-Use District.

Corporate Campus Mixed-Use districts should have a mix of attached and detached housing, office, hotel, limited warehouse and associated light industrial uses, and civic, open space, and recreation uses. Limited support retail uses may be allowed as: ancillary uses within buildings where the primary use is office or residential; or as freestanding uses on one or more sites specifically identified as appropriate for such uses as part of the applicable Unified Neighborhood Plan/Planned Development. The Town Center Development Code shall include provisions to address the following aspects of support retail uses permitted by location: compatibility with adjoining uses; location of sites relative to Framework or Urban Collector streets; scale and types of uses; and, standards that would control the number of freestanding support retail uses that may be permitted by location. Within Corporate Campus Mixed-Use districts, office uses will dominate, and the residential development will be of a higher density than Urban Residential districts.

C. Corporate Neighborhood Center

District. The Corporate Neighborhood Center (CNC) district is intended to provide attached residential, retail and service support to and within walkable distance from the adjacent Urban Residential and Corporate Campus Mixed-Use districts. The Corporate Neighborhood Centers will provide neighborhood-serving retail, service and civic activities. When attached residential uses are proposed for inclusion in a CNC District, the applicant shall demonstrate that sufficient land area will remain in the applicable CNC district to accommodate at least 80% of the non-residential development program entitlements described in Table 1.1 of Policy FLU4.7.9.

D. Retail/Wholesale District. The Retail/Wholesale district is intended to accommodate regional retail business, personal services, office, warehouse, and warehouse showroom uses for the Horizon West area. Transit stops and on-site parking for such stops shall be provided. Attached residential uses may be allowed pursuant to the Town Center Code (once adopted) as: an ancillary use within buildings where the primary use is office, retail, or hotel; or as freestanding uses on one or more sites specifically identified as appropriate for such uses as part of the applicable Unified Neighborhood Plan/Planned Development. The Town Center Development Code shall include provisions to address the following aspects of attached residential permitted by location: compatibility with adjoining uses; location of sites relative to Framework or Urban Collector streets; scale and types of uses; and, standards that would control the number of attached residential sites and/or units that may be permitted by location. The manner in which buildings relate to streets within this type of District shall be governed by the provisions of the Town Center Planned Development Code.

E. Traditional Town Center Core. The Traditional Town Center Core will serve as the civic and retail heart of Horizon West and the surrounding area. The Traditional Town Center Core will be a vital, mixed-use center that contains a variety of residential, retail, office, hotel, civic, and entertainment uses. The Traditional Town Center Core will be designed as the primary pedestrian-oriented activity center of the entire Town Center. Building fronts will have a primary orientation to streets and parks. Civic spaces and public buildings will be encouraged, designed and located as focal points throughout the Traditional Town Center Core.

F. Civic, open space and recreation. Open space shall be interspersed throughout Town Center as a common thread that, when sited and designed properly, can tie districts, neighborhoods, land uses, and residents together, creating community character, image, and identity. Open space may include passive uses and should be in the form of publicly accessible squares, greens, formally designed parks, small but intensely used civic activity and special event areas, and elements of the master stormwater system. Particularly in expansive commercial sites, landscaped pedestrian plazas can provide access from public streets, through parking lots, and to individual buildings. (Added 3/99, Ord. 99-04; Policy 6.8.2; Amended 6/12, Ord. 2012-14; Amended 5/13, Ord. 2013-11; Amended 11/13, Ord. 2013-22, Policy FLU4.8.2-r; Amended 11/16, Ord. 2016-26)

FLU4.8.2
.1-r;
Amended
11/16,
Ord.
2016-26;
Added
04/20,
Ord.
2020-08)

FLU4.7.7.1

Land Use District Boundary Adjustment.

The Horizon West Special Planning Area Land Use Map depicts the approximate location and boundaries of all land use districts (districts) or form-based transect zones (transects) within the Town Center. These districts and transects are required to be depicted as part of each Town Center Planned Development – Unified Neighborhood Plan (PD/UNP) or optional Town Center Planned Development/Regulating Plan (PD/RP), as approved by the Board of County Commissioners. Changes or adjustments to the land districts and/or transects may be considered and processed as a Planned Development (PD) rezoning (if the property does not yet have a PD zoning designations), or PD Land Use Plan Amendment, or Change Determination Review (CDR) to request an existing PD. Such changes and adjustments shall be evaluated for consistency with the criteria outlined in Policy FLU4.1.9, and shown on the Horizon West Special Planning Area Land Use Map when approved.

Such changes and adjustments shall be evaluated for consistency with the criteria outlined in Policy FLU4.1.9 and shown on the Horizon West Special Planning Area Land Use Map when approved. (Added 5/13, Ord. 2013-11; Amended 11/13, Ord. 2013-22, Policy

FLU4.7.8 Town Center open spaces and recreation areas should serve the dual function of providing both passive and active recreation opportunities and reinforcing the urban form of each district and the Town Center as a whole. Non-APF civic, recreational and passive use open space will be provided at a rate of 7% per useable acreage. Useable acreage shall be defined as the remaining land area of a property after the areas included in natural water bodies, conservation (wetland areas), APF lands and greenbelts have been deducted from the total area within a property or parcel boundary (Added 3/99, Ord. 99-04; Policy 6.8.2; Amended 6/12, Ord. 2012-14; Amended 5/13, Ord. 2013-11; Amended 11/13, Ord. 2013-22, Portion of Policy FLU4.8.2.F-r).

FLU4.7.9 **Development Program.** Each Neighborhood Parcel listed in Table 1.1 below and shown on the Horizon West Special Planning Area Land Use Map shall be allowed to develop when approved pursuant to the Town Center Development Code, applicable PD/UNP, or PD/RP.

Development programs approved as part of the initial PD/UNP or PD/RP may be permitted to vary from those identified in Table 1.1, consistent with provisions of the Town Center Planned Development Code. Proposed variations in development programs may reflect bonus assignments associated with transfers of development rights, land use entitlement transfers, land use conversions, or bonus assignments.

Table 1.1 identifies residential, non-residential and hotel development entitlements assigned to individual Neighborhood Parcels. In addition, the table provides for a bonus residential entitlement of 1,540 dwelling units intended as an incentive for the submittal of a PD/UNP or a PD/RP. In addition, Table 1.1 allocates hotel unit entitlements to Corporate Campus Mixed Use (CCMU), Retail/Wholesale (RW), and Traditional Town Center Districts. The assignment of the bonus residential and hotel entitlements shall be accomplished in the following manner.

- A. The submittal of a complete PD/UNP or PD/RP, consistent with any applicable requirements, shall entitle the applicant to request an assignment of dwelling units from the bonus residential entitlement provided in Table 1.1. The assignment shall be limited to the pro rata share of the number of dwelling units available under the bonus category of entitlements. The share shall be determined by the ratio of the percentage of net developable land area included in the applicable PD/UNP or PD/RP, to the total net developable area included in the Town Center.
- B. Assignment of a share of the hotel unit entitlement available to CCMU, R/W, Traditional Town Center Districts or Transect Zones may be requested by Town Center property owners through the PD-UNP, PD/RP, PSP and/or DP approval process. The conditions of an assignment include:
 - 1. Limited to Neighborhood Parcels that contain CCMU, R/W, or Traditional Town Center Land Use District/Transect Zone designations;
 - 2. Any single assignment is limited to no more than twenty-five (25) percent of the total number (700) available;
 - 3. The assignment shall expire within two years if a building permit for the applicable hotel units has not been approved by Orange County; and
 - 4. Any unused entitlements in a PD/UNP or PD/RP may be transferred to another PD/UNP or PD/RP within the Town Center through the PD Change Determination Review (CDR) request process.

(Added 12/04, Ord. 04-21; Amended 2006-2; Policy 6.8.3; Amended 6/12, Ord. 2012-14; Amended 5/13, Ord. 2013-11; Amended 11/13, Ord. 2013-22, Policy FLU4.8.3-r; Amended 07/15, Ord. 2015-14; Amended 06/16, Ord. 2016-14; Amended 11/16, Ord. 2016-26; Amended 04/20, Ord. 2020-08)

- FLU4.7.10 Infrastructure in Town Center Neighborhoods shall be sized for ultimate build-out to avoid costly upgrades and ROW restoration. (Added 12/04, Ord. 04-21, Policy 6.9.7; Amended 11/13, Ord. 2013-22, Policy FLU4.9.7-r)
- FLU4.7.11 To manage growth in West Orange County, the timely development of Town Center as a retail and employment center for Horizon West, West Orange County and east Lake County is critical. To promote employment opportunities in Horizon West and curb unplanned sprawl development outside Horizon West, Orange County shall consider the use of special financing mechanisms in Town Center. Special financing may be used for the construction and maintenance of common open space, civic uses and public facilities required to support development in Town Center. Special financing mechanisms should also be used for schools, colleges, economic development, and employment generators, particularly within the Corporate Campus Mixed-use Districts and the Town Center Core. (Added 12/04, Ord. 04-21, Policy 6.10.1; Amended 11/13, Ord. 2013-22, Policy FLU4.10.1-r)
- FLU4.7.12 A water balance analysis that evaluated the impacts of urban development on recharge soils within the Town Center and demonstrated that the recharge characteristics of water anticipated to enter the soil in the post development condition is comparable to that anticipated in the pre-development condition was completed prior to the adoption of the Town Center. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

INNOVATION WAY

GOAL FLU5 **INNOVATION WAY.** Orange County continues to recognize the importance of a diverse local economy and the need to protect sensitive resources, specifically as they relate to high tech/clean tech jobs and the protection and preservation of the Econlockhatchee River Basin within the Innovation Way Overlay. The Innovation Way Overlay is illustrated on Map 4 of the Future Land Use Map Series. (Added 08/08, Ord. 06-08; Amended 10/10, Ord. 2010-13, Goal 8-r; Amended 01/16, Ord. 2016-04)

OBJ FLU5.1 **Innovation Way Overlay.** The Innovation Way Overlay is a conceptual transect-based overlay designation where the County envisions a transit-ready, multi-modal mixed-use, walkable community with sustainable economic development, adequate public infrastructure, and the protection and resource management of environmentally sensitive areas. The Innovation Way policies and Environmental Land Stewardship Program ("ELSP") ordinance provide the foundation necessary to support and guide the implementation of the Innovation Way vision. (Added 08/08, Ord. 06-08, Objective 8.2; Amended 10/10, Ord. 2010-13, Obj. FLU5.2-r; Amended 01/16, Ord. 2016-04)

POLICIES

FLU5.1.1 **Prior Development Approvals in the Innovation Way Overlay.** Properties located in the Innovation Way Overlay with development that meets one of the criteria ~~criteria~~ listed below shall not be required to comply with the Innovation Way policies.

- A. Development that has approval as of June 13, 2006, and is developed consistent with such approval; or
- B. Development with a consistency vested rights determination, provided the vested rights do not expire and the development occurs in a manner that is consistent with the vested rights determination; or

- C. Development that is consistent with the uses, densities and intensities allowed by the Comprehensive Plan as of June 13, 2006.
- D. Nothing in these policies is intended to supersede Orange County's existing environmental regulations or the Econlockhatchee River Protection regulations. (Added 01/16, Ord. 2016-04)

FLU5.1.1.1 ~~RESERVED (Policy deleted 01/16, Ord. 2016-04)~~

FLU5.1.2 **Innovation Way Conceptual Urban Form.**
 Map 4 of the Future Land Use Map Series is intended to provide for the generalized and illustrative location and extent of transect zones that collectively depict the desired urban form for the Innovation Way Overlay. This map will guide the preparation of Conceptual Regulating Plans and Planned Development Regulating Plans. Final boundaries and configurations of transect zones and the specific location and type of Innovation Way land use districts, road alignments and trails shall be determined through the adoption of an Innovation Way Planned Development Regulating Plan for individual properties within the Overlay.

The Innovation Way Overlay (Map 4) does not provide any entitlements beyond the underlying Future Land Use Map designations and zoning classifications. As such, Orange County shall, in conjunction with a transect-based approach, use Conceptual Regulating Plans (CRP), the Innovation Way (IW) Future Land Use Map designation, and Innovation Way-Planned-Development-Regulating Plans (IW-PD-RP) to implement the long-range planning vision for Innovation Way. Proposed Future Land Use Map amendments and rezonings in the Innovation Way Overlay, except as permitted by FLU5.1.1 and ~~OBJ FLU5.14~~, must follow the process as outlined in the associated policies. (Added 01/16, Ord. 2016-04)

FLU5.1.3

General Implementation Process.

Development within the Innovation Way Overlay requires a Future Land Use Map designation of Innovation Way (IW) and a zoning designation of Innovation Way-Planned Development-Regulating Plan (IW-PD-RP). A Conceptual Regulating Plan shall be submitted in conjunction with a Future Land Use Map amendment application to change the underlying Future Land Use Map designation to IW. The requested Future Land Use Map designation of IW must be approved by the Orange County Board of County Commissioners and processed as a Comprehensive Plan amendment pursuant to Chapter 163, Florida Statutes. A rezoning to IW-PD-RP is also required and may be processed concurrently with a Future Land Use Map amendment. A PD-Regulating Plan shall be submitted in conjunction with a rezoning application to IW-PD-RP and must be approved by the Orange County Board of County Commissioners. Future Land Use Map amendment and rezoning applications shall be submitted in accordance with the established application submittal requirements. (Added 01/16, Ord. 2016-04)

FLU5.1.4

Innovation Way Study. Future Land Use Map amendments and rezonings shall make reference to the *Innovation Way Economic Development and Resource Management Study*, dated December 15, 2005 (The Innovation Way Study) as a non-binding resource to define the purpose and intent of the Overlay. The Innovation Way Study serves as a tool to guide decision making and interpretation of the Future Land Use map amendments and land development code as it relates to the Innovation Way Overlay.

The vision for the Innovation Way Overlay incorporates the high-technology corridor concept and includes protection of ecologically important lands. This balancing of high technology/high value economic development with environmental protection requires innovative urban form, multimodal transportation concepts and infrastructure, and sustainable development practices. (Added 08/08, Ord. 06-08, Policy 8.2.2; Amended 10/10, Ord. 2010-13, Policy FLU5.2.2-r; Amended 01/16, Ord. 2016-04)

FLU5.1.5

Implementation and Transect-Based

Approach. Transect-based planning shall be used to design complete communities requiring walkable streets, mix of uses, transportation options, and housing diversity. Transect-based planning and incremental urbanism allows for communities to evolve sustainably over generations. The IW-PD-RP shall identify and locate transects and districts to ensure the basis for a complete neighborhood structure within which a development program is planned that includes a mix of residential and non-residential uses and furthers the Innovation Way vision. The Innovation Way transect zones and corresponding Innovation Way districts are described in FLU5.1.5.1 and FLU5.1.5.2, respectively.

The IW-PD-RP shall also include a proposed plan for the provision of housing types including housing supportive of planned workforce in the RP area. In addition, if applicable, strategies shall be included linking the provision of land for high value jobs and economic catalyst industries in balance with the provision of housing within the project. (Added 01/16, Ord. 2016-04)

FLU5.1.5.1

Transects

The Innovation Way transects shall be defined for the Innovation Way Overlay and shall be used as a mechanism to allow development to increase in complexity, density, and intensity over a period of years.

- A. T-1 (Transect Zone -1) Natural Zone (NZ) contains lands approximating or reverting to a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation.
- B. T-2 (Transect Zone-2) Rural Development Zone (RDZ) contains sparsely settled lands in open or cultivated state. These include woodland, agricultural land, grassland. Typical buildings are single-family detached dwellings, farmhouses, and agricultural buildings that are designed consistent with other Innovation Way policies. The RDZ is intended to provide a transition from rural to urban, and, as such, may be located within the Urban Service Area.

- C. T-3 (Transect Zone-3) The Low-Medium Density Zone (IW-LMDZ) contains lower density neighborhood development beyond the boundaries of the Transect Station Area Core (TSAC) and Medium Density (MDZ) zones, but not within the Rural Development or Natural zones.
- D. T-4 (Transect Zone-4) Medium Density Zone (IW-MDZ) includes a full range of medium density/intensity residential, commercial and workplace uses that serve the daily needs of residents and employees from nearby neighborhoods and workplaces. When located in conjunction with a T-5 zone, the T-4 zone will occupy an area between 1/4 to 1/2 mile radius from the transit station/discernible center identified on the IW-PD-RP. When the T-4 zone is established without a companion T-5 zone, the Activity Center will occupy an area within one-half mile of a discernible center.
- E. T-5 (Transect Zone-5) Transit Station Area Core (TSAC) includes a full range of high density/intensity residential, commercial and workplace uses intended to support a high level of transit service in the future. The TSAC includes an area within 1/4 mile of a discernible center that may include a transit station, central park or open space, or other development/feature that is identified as the center of the TSAC on the IW-PD-RP.
- F. T-SD (Transect Zone - Special District) provides the opportunity to plan an area for one or more types of uses in a unified manner. Such uses may include, but are not limited to high-tech/clean tech industrial parks, medical/research catalytic parks, tourist/resort centers, and major public works activities. Generally, T-SD zones will include uses that by their function, disposition, or configuration cannot, or should not, conform to one or more of the five Innovation Way normative Transect Zones. (Added 01/16, Ord. 2016-04)

FLU5.1.5.2 Districts

The Innovation Way districts provide the means to implement the transect based policies through the identification of a variety of urban or rural development standards that address land use, transportation, green infrastructure, utility, site design and permitting procedures. The Innovation Way districts will function to ensure a compatible transition from rural to urban and facilitate a mix of uses that support multi-modal transportation. With the exception of Special Districts, all other districts are intended to be located within a transect zone with which they are compatible.

- A. Transit Station Area Cores (TSAC) are consistent with the T-5 transect zone and Transportation Network. These centers are generally located where access is provided through at least one of the Multimodal Corridors, and it has been identified as a location to be served by a high-capacity transit service. Permitted uses include high tech/clean industry, support commercial/retail, personal and business services, office, light industrial/research, hotel, high-density residential, civic, and parks/open space. Walkable blocks and compact high density/intensity mixed use development characterize this type of district. Vertical mixing of uses shall be highly encouraged within the TSACs. The average perimeter of blocks within each (TSAC) shall be sized to achieve a 5-minute walk.
- B. Town Centers and Innovation Way Activity Center (IWAC) districts are consistent with the T-4 transect zone and are intended to include a variety of uses that support the daily needs of residents within adjoining neighborhoods. When collocated with a TSAC district, the IWAC shall be the appropriate district to provide the land uses necessary to support high capacity transit service. Alternatively, when located independently of a Medium Density Zone, the Town Center district shall be the appropriate option and be located with multimodal access serving the civic, commercial and personal service needs of a larger market area. These districts shall provide a place for a mix of residential,

office, retail, light industrial uses, and high tech/clean tech uses at a scale that should not be permitted in the T-3 (Transect Zone-3). IWAC and Town Center districts must be designed to encourage and accommodate linkage with the regional transit system and must provide for connections to, and be integrated with, the collector streets and pedestrian and bike path systems. The average perimeter of blocks within each Town Center and IWAC shall be sized to achieve a 5 to 10-minute walk.

- C. The Neighborhood district is consistent with the T-3 transect zone and is intended to be walkable, highly connected by streets, trails and pedestrian paths, and adequately served by parks and open space. Standards and requirements for neighborhood development will vary based on several criteria including the mix of housing types provided, overall residential density, inclusion of non-residential uses permitted by location, and placement of dwellings relative to street frontages. The following policy elements provide direction for standards that will be developed for inclusion in an Innovation Way Sustainable Development Code and the Regulating Plans for individual Innovation Way projects.
- 1) Individual neighborhoods should be sized so that dwellings are generally within a maximum five-minute walk of a central focal point or neighborhood node.
 - 2) Developments within neighborhoods that are proposed to develop within a density range of 6-10 dwellings per net developable acre should be located in close proximity to a neighborhood node, or a location that would serve as a transition between a T-3 zone and T-4 or T-5 zone.
 - 3) An elementary school site shall be provided for each 2,500 dwellings and school sites should be centrally located to serve up to four (4) typical neighborhoods.

- 4) Each Neighborhood may contain a maximum of one Neighborhood Node, but shall be required to include a central neighborhood focal point in a form determined through the adopted Regulating Plan. Residential Neighborhoods can be clustered particularly in proximity to the transit corridors.
 - 5) Neighborhoods shall not be gated and perimeter walls will not be permitted.
 - 6) Neighborhoods should be planned with at least seventy-five (75) percent of the blocks having a perimeter length that does not exceed a distance associated with a ten-minute walk.
- D. Neighborhood Nodes are consistent with the T-3 transect zone and may contain a mix of neighborhood serving commercial, business personal service, and civic uses to provide for daily commercial and service needs of a residential neighborhood. Neighborhood retail and office uses shall be characterized by small-scale units, organized in compact nodes, designed to be visually compatible with surrounding development. The following standards shall apply to Neighborhood Nodes:
- 1) Centrally located and grouped as nodes of non-residential or mixed-use development easily accessible on foot or by bicycle to neighborhood residents;
 - 2) Use type and size shall be limited to neighborhood scale commercial, personal service and civic uses, which are designed primarily to serve the needs of residents and/or employees within the immediate area;
 - 3) Residential uses shall be encouraged to be built above ground floor commercial or office uses and may be configured into live/work type of units;
 - 4) Designs shall incorporate access to transit and include bicycle-related facilities; and

- 5) Additional standards regarding design, specific use types, size, and location criteria, shall be adopted in the land development code to ensure compatibility with surrounding development and consistency with the urban development patterns envisioned for the Innovation Way Overlay.
- E. The Rural Residential and Conservation Development districts are consistent with the T-2 transect zone and are intended to provide conventional or clustered single-family detached dwellings in a traditional rural setting. Clustered dwellings shall comply with the County's existing cluster district code. In addition to residential dwellings, the Rural Residential and Conservation Development districts may include and emphasize agricultural lands, conservation areas, and/or passive parks and open space. Dwellings may be included in a conservation subdivision designed to enhance the living environment and promote the ecological well-being of both the built and natural environments. Standards and requirements for neighborhood development will reflect a rural lifestyle in harmony with the non-residential uses permitted by location and shall emphasize placement of dwellings relative to open space, conservation and agricultural vistas. (Added 01/16, Ord. 2016-04)

FLU5.1.5.3 Within the Innovation Way Overlay, all development proposals shall contribute to accomplishing an overall mix of residential and non-residential uses that is consistent with the requirements in the table below and shall meet the requirements of the Innovation Way Jobs-to-Housing Linkage Program (Ord. 2010-05). Additionally, each designated Mixed-Use Center within a proposed or adopted ~~DAP, and/or PD-LU~~ IW-PD-RP, shall also meet the land use mix requirements in FLU5.1.6. (Added 10/10, Ord. 2010-13)

| Land Use | Preferred Overall Mix (Minimum percentage of total land area) |
|---|---|
| Residential | 20% |
| Office/Commercial/Industrial | 30% |
| Institutional/Civic ² | 5% |
| Open Space/ Parks/Recreational ^{1, 3} | 5% |
| ¹ Does not include "Stewardship Lands" as defined in FLU5.5.1. ² Institutional and civic uses are allowed in any Innovation Way use district, except as otherwise restricted by the Orange County land development codes. ³ Within TSA Cores, open space shall consist of urban open spaces, such as but not limited to plazas, squares, and greens; County parks larger than 5 acres shall be designated as "Park" and should preferably not be located within TSA Cores. | |

FLU5.1.5.4

Within the Innovation Way Overlay, each ~~DAP~~ IW-PD-RP and PD-LUP adopted after October 19, 2010 shall accommodate land uses within one or more of the following types of use districts, which shall be designated on the PD-LUP:

1. Mixed-Use Centers, which may consist of any of the following:
 - a. High Tech Centers,
 - b. Town Centers,
 - c. Innovation Way Activity Centers,
 - d. Village Centers, and
 - e. Neighborhood Nodes;
2. Industrial;
3. Residential neighborhoods;
4. Parks, which shall be used to designate public parks larger than five (5) acres that Orange County agrees to maintain subject to BCC approval; and
5. Stewardship Lands, as defined in Objective FLU5.5. (Added 10/10, Ord. 10-13, Policy 5.2.5-r)

FLU5.1.6 Within the Innovation Way Overlay, each IW-PD-RP adopted after January 26, 2016 shall identify the Innovation Way transect zones, districts, and uses and shall contribute to accomplishing an overall mix of residential and non-residential uses.

The following correlation table shall be used in connection with the evaluation of a proposed development's consistency and compatibility with the Innovation Way Overlay policies, the conceptual development framework depicted on Future Land Use Map Series Map 4, and the Innovation Way Regulating Plan document:

| Transect Zones | Allowable Use Districts | General Uses | ¹Preferred Mix of Uses |
|---|--|---|---|
| T1 – Natural Zone (NZ) | N/A | Passive parks and open space, greenbelts, agriculture | ² Passive Parks and Open Space, Agriculture ³ Civic/Institutional |
| T2 – Rural Development Zone (RDZ) | Rural Residential Development Conservation Subdivisions Development | Clustered, conservation, and/or conventional single-family detached residential uses, agriculture, passive parks and open space; | ² Passive Parks and Open Space, Agriculture Residential ³ Civic/Institutional |
| T3 – Low Medium Density Zone (IW-LMDZ) | Neighborhood Nodes Residential Neighborhoods | Single-family attached and detached, neighborhood commercial, business and personal services; | Residential ² Open Space/Parks/Recreation Neighborhood Node ³ Civic/Institutional |
| T4 – Medium Density Zone (MDZ) | Town Center and Innovation Way Activity Center | Single-family attached and detached residential, apartments, business and personal services, employment centers, commercial and retail uses that serve the surrounding market area, high tech/clean tech and light industrial, hotel & entertainment, civic , health care | Non-residential Residential ² Open Space/Parks/Recreation ⁵ High Tech/Clean Tech/Light Industrial |
| T5 - Transit Station Area Core (TSAC) | Transit Station Area Core | Employment centers, commercial and retail uses that serve the surrounding market area, mixed-use buildings that accommodate retail, offices, workspaces, civic buildings, apartments, hotel, and high-tech/clean tech industries | Non Residential Residential ^{2, 4} Open Space/Parks/Recreation ⁵ High Tech/Clean Tech/Light Industrial |
| T-SD - Special District | PD-SD | Established during the Innovation Planned Development Regulating Plan process | Established during the Innovation Planned Development Regulating Plan process |

¹The mix of uses is listed for each transect zone in descending order of the preferred allocation. The mix of uses will be calculated as a percentage of net developable acres

²-Does not include "Stewardship Lands" as defined in Chapter 15 of the Orange County Code.

³ Institutional and civic uses are allowed in any Innovation Way use district, except T-1 Natural Zone and except as otherwise restricted by the Orange County land development codes.

⁴-Within T-5 TSA Cores, open space shall consist of urban open spaces, such as but not limited to plazas, squares, and greens; County parks larger than 5 acres shall be designated as "Park" and should preferably not be located within TSA

Cores.

⁵ The percentage of High Tech/Clean Tech and the type of uses that constitute High Tech/Clean Tech shall be included in the non-residential percentage. (Added 01/16, Ord. 2016-04)

FLU5.1.7 The following densities and intensities shall apply to the transect zones, unless otherwise approved in a DRI, CRP or IW-PD-RP. Maximum development programs shall be established through the CRP or IW-PD-RP, except as exempted in Objective FLU5.14.

| Innovation Way Transect Zone | Residential (Density) | Non- Residential (Intensity) |
|--|--|---|
| T-1 Natural Zone (NZ) | N/A | See FLU5.1.7.1 |
| T-2 Rural Development Zone (RDZ) | Planned yield ¹ of 2 du per net developable acre- with a range of 1-4 du/acre | See FLU5.1.7.1 |
| T-3 Low-Medium Density Zone (LMDZ) | Planned yield ¹ of 3-4 du per net developable acre with a range of 1-10 du/acre | See FLU5.1.7.1 |
| T-4 Medium-Density Zone (MDZ) ¹ | Minimum ² of 7 du per net developable acre with a range of 4-20 du/acre | See FLU5.1.7.1 |
| T-5 Transit Station Area Core ² | Minimum ² of 10 du per net developable acre with range of 7-100 du/acre | See FLU5.1.7.1 |
| T-SD Special District | Established through the CRP process | Established through the CRP process |
| ¹ The specific density will be determined by the IW-PD-RP. ² The term "minimum" refers to the minimum number of units for the net developable area of any given transect. | | |

(Added 01/16, Ord. 2016-04)

FLU5.1.7.1 Maximum building heights, setbacks, floor area ratios, or any combination thereof may be used to regulate the intensity of the development of a mixed use and/or non-residential site within the transect zones defined for the Innovation Way Overlay. The standard(s) for building intensity shall be established as part of the IW-PD-RP and may vary by transect, district or site based on guidelines established in the Regulating Plan. (Added 01/16, Ord. 2016-04)

OBJ FLU5.2 Innovation Way Future Land Use Map amendment (FLUM) and IW-Planned Development – Regulating Plan (IW-PD-RP). The approval of development in the Innovation Way Overlay, shall require an IW Future Land Use Map designation and an approved IW-PD Regulating Plan, which determines the adopted boundaries and location of the transect zones. The proposed location of the transects shall be illustrated on the ~~CRP~~Conceptual Regulating Plan during the Future Land Use Map amendment process and finalized in the approved IW-PD-RP. Nothing in this policy is intended to supersede the exceptions as outlined in FLU5.1.1 and OBJ FLU5.14 and the associated policies. (Added 01/16, Ord. 2016-04)

FLU5.2.1 Innovation Way FLUM. A Future Land Use Map amendment for properties within the Innovation Way Overlay shall require the following:

A. Conceptual Regulating Plan (CRP):

The Conceptual Regulating Plan CRP-is a general and illustrative representation of the proposed development and location of transects, and it is precursory to the IW-PD-RP. The Conceptual Regulating Plan CRP-is provided during the transmittal phase of the Future Land Use Map amendment application and review process, and will be refined throughout the review process. When a CRP is approved by the Board of County Commissioners, the net developable land area allocated for urban development by the Conceptual Regulating Plan CRP-shall be counted against the amount of additional land identified by FLU1.2.4. The following items shall be depicted on the Conceptual Regulating Plan CRP-or included ~~with~~-as an attachment:

1. ~~General~~Location of the transect zones
2. ~~General location~~The location of existing roadways and the proposed location of and planned major roadways, trails, or other transportation modes

3. ~~General location~~Location of any primary utility facilities and operations areas
4. ~~General location~~Location of any fire or emergency response facilities
5. ~~General location~~Location of public school sites
6. ~~OCPS~~Orange County Public Schools Capacity Enhancement or Mitigation Agreement (prior to adoption)
7. Amount of net developable land area for each transect zone
8. Proposed development program
9. Environmental Land Stewardship Program (ELSP) lands

B. Transportation Analysis: Prior to submittal of an application for an IW PD, a pre-application meeting shall be required with the Transportation Planning Division to determine the methodology required for the traffic study. The traffic study shall be submitted in accordance with the deadlines for the associated IW-PD-RP and will evaluate the existing and future conditions of the transportation network in accordance with the agreed upon methodology and will serve as data and analysis for an Innovation Way Transportation Agreement (IW-TA).

C. Environmental Land Stewardship: Identification of the amount and type of land to be dedicated to Orange County to satisfy the requirements of the Environmental Land Stewardship Program (Chapter 15, Article XVIII), consistent with Ordinance 2010-04, as it may be amended from time to time. Data must be based on professionally acceptable standards and analysis and identification of ELSP lands shall be based on the following sources: the Innovation Way Study, Florida Natural Areas Inventory, St. Johns River Water Management District and South Florida Water Management District Databases, Florida Land Use and Cover Classification Systems, Natural Resources Conservation Service, Federal Emergency Management

Agency, Florida Fish and Wildlife Conservation Commission Habitat Model Data, and specific site indicators such as topography, vegetation, soils data, floodplain information, and other field observations.

D. Consistency with the Comprehensive

Plan: The justification statement should:

- 1) ~~identify~~ Identify relevant Comprehensive Plan policies and
- 2) ~~Explain~~ explain how the proposed request is consistent with the identified policies.
- 1)3) Any privately-initiated text amendments related to the application should also be included and explained as part of the justification statement. Proposals for privately-initiated text amendments must also include an evaluation of consistency with the Comprehensive Plan.

E. Infrastructure and Public Services:

Development within Innovation Way is subject to the requirements of Orange County's Concurrency Ordinance and the Capital Improvements Element.

F. Coordinated Development: Although there is separate property ownership within the Innovation Way Overlay, planning for development will occur in a coordinated, comprehensive, and integrated manner. The Conceptual Regulating Plan CRP will establish a general guide for connectivity and coordinated development.

G. Community Meetings/Public

Participation: A minimum of two community meetings/public workshops shall be held. All workshops are subject to the County's notification requirements. The County maintains the discretion to require additional community meetings/workshops as part of the application review process.

Future Land Use Map Amendment: The first community meeting is intended to provide an overview of the proposed change and to present the proposed development program and Conceptual Regulating Plan CRP and receive feedback from residents and property owners.

Rezoning/Planned Development Regulating Plan: The purpose of the second community meeting is to present the IW PD-RP which should incorporate and acknowledge the community input received on the Conceptual Regulating Plan CRP.

Previous Submittals: If a Future Land Use Map amendment application was previously submitted to the County for review and workshops were held consistent with the requirements of the Comprehensive Plan policies requiring a Detailed Area Plan, only one workshop is necessary to explain the proposed revisions from the previous submittal. If the Comprehensive Plan amendment and IW-PD-RP are not processed concurrently, however, the County shall require an additional community meeting when the PD- Regulating Plan is submitted. (Added 01/16, Ord. 2016-04)

FLU5.2.2

Innovation Way – Planned Development – Regulating Plan

The IW-PD-RP requires the following during the rezoning phase of a proposed development in the Innovation Way Overlay:

A. Regulating Plan: The Regulating Plan shall finalize the specific transect locations and establish detailed development performance standards. The performance standards in the regulating plan shall be consistent with the adopted Innovation Way Regulating Plan Structure Guide and, at a minimum, address the following:

1. Classification of streets/street hierarchy
2. Location, boundaries and land area of transect zones
3. Location, boundaries and land area for land use districts within the respective transect zones

4. Block and intersection density standards within the transect zones
5. Open space requirements
6. Identification of ~~ELSP~~Environmental Land Stewardship Program lands
7. Maximum building heights by districts/transects
8. Building frontage and placement standards
9. Landscape and streetscape requirements
10. Proposed location of major infrastructure components including water, wastewater, reclaimed water and stormwater
11. General location of public school sites
12. General location and size of proposed parks and open space based on development standards and park and open space types
13. Storm water management and low impact development standards and facilities where appropriate
14. General location of police substations, fire stations, and government buildings (if any)

B. Planned Development-Land Use Plan:

The IW-PD-RP should be used as a mechanism to promote coordinated development that allows for a transit-ready development pattern and a comprehensive provision of infrastructure and services within the Innovation Way Overlay.

- C. Development Program:** The proposed development program shall be included and adopted as part of the IW-PD-RP. The development program shall be substantially consistent with the program submitted with the Conceptual Regulating Plan CRP and approved with the IW FLUM amendment, with revisions necessary to reflect any changes to the boundaries of transect zones or as required for consistency with the provisions of the Regulating Plan and required Agreements.

D. Connectivity: All development within the Innovation Way Overlay shall provide for an interconnected transportation network. The intersection density shall range between 100 and 140 intersections per square mile. Compliance with the intersection density requirements shall be a condition placed on the IW-PD-RP and subsequent ~~PSPs~~Preliminary Subdivision Plans, DP~~s~~—Development Plans, and amendments to the IW-PD-RP must meet the intersection density requirements.

E. Transportation Analysis: In conjunction with submittal of an application for IW PD, a pre-application meeting shall be required with the Transportation Planning Division to determine the methodology required for the traffic study. The traffic study shall be submitted in accordance with the deadlines for the IW-PD-RP and will serve as the data and analysis for the provision of a financially feasible capital improvements plan as defined by the County and applicable policies in the adopted Comprehensive Plan, including but not limited to Objective CIE1.6 and implementing Policies CIE1.6.5 and 1.6.6.

F. Infrastructure Agreements: To facilitate coordinated infrastructure, the following items are required prior to or concurrent with the adoption of the IW-PD-RP:

1. ~~OCPS~~Orange County Public School Capacity Enhancement or Mitigation Agreement;
2. Financially feasible capital improvements plan as defined by the County and applicable policies in the adopted Comprehensive Plan, including but not limited to Objective CIE1.6 and implementing Policies CIE1.6.5 and 1.6.6;
3. Adequate Public Facilities Agreement for sheriff, fire, utilities, parks and recreation; and

4. Prior to approval of the IW-PD-RP, the developer shall meet with Orange County Utilities to discuss connection points and any facility locations for water, wastewater, and reclaimed water.

G. Environmental Land Stewardship

Program Compliance: Proposed ELSP lands shall be identified on the PD-IW-RP. If a proposed stewardship land is either partially or completely within the Econlockhatchee Basin, the land to be protected or development rights to be dedicated shall be uplands or wetlands, or both, within or abutting the River Protection Zone as defined by Chapter 15, Article XI. Section 15-443(1), as amended from time to time. (Added 01/16, Ord. 2016-04)

FLU5.2.3

Changes to and consistency with an Existing CRP.

Upon adoption of a Comprehensive Plan Amendment and its associated Conceptual Regulating PlanCRP, any addition or deletion of property or substantial changes to the Conceptual Regulating Plan CRP-boundaries shall be processed as an amendment to the Comprehensive Plan and shall include an evaluation and analysis of the impacts to the approved or planned land uses, overall densities, adequate public facilities, green belts, schools and other general urban community principles and the ability to meet the conceptual prototypical urban form size and density requirements. Subject to approval by the Board of County Commissioners, the uses within any particular IW-PD-RP may vary in arrangement from the adopted Conceptual Regulating PlanCRP, provided that the overall density for the Conceptual Regulating Plan CRP continues to meet or exceed the minimum density requirements specified in Policy FLU5.1.7.

Approval of variations shall be based on consistency with the CRP Conceptual Regulating Plan, Map 4 of the Future Land Use Map Series, and the Innovation Way policies. The process for the review or approval of those variations shall be established in the Innovation Way land development code. (Added 08/08, Ord. 06-08, Policy 8.2.11; Amended 10/10, Ord. 2010-13; Amended 01/16, Ord. 2016-04)

OBJ FLU5.3 HOUSING. Orange County will promote the provision of workforce housing as defined by Policy H1.2.1 within the Innovation Way Overlay to ensure a diverse mix of housing types and prices. Development within the Innovation Way Overlay is intended to create complete communities that offer a diversity of housing types to support a variety of lifestyles, family sizes, and opportunities for people to work and live within the same community. (Added 08/08, Ord. 06-08, Obj. 8.3; Amended 01/16, Ord. 2016-04)

POLICIES

FLU5.3.1 Granny flats and garage apartments will not be included in unit or density calculations. Loft apartments and rental units over retail or office may be included in unit calculations for density considered for an exemption from unit calculations for density purposes in the IW-PD-RP, or substantial changes thereto. In accordance with Policy H1.2.6, opportunities to include workforce housing and associated incentives shall be discussed and coordinated with Orange County staff at the time of the IW-PD-RP. (Amended 01/16, Ord. 2016-04)

OBJ FLU5.4

ENVIRONMENTAL RESOURCE MANAGEMENT. To ensure that viable environmental communities are sustained during and after development, Orange County has develop a Natural Resources Conservation Program that includes adoption of an Environmental Land Stewardship Program for the Innovation Way Study Area for key environmental features and existing protected areas.

Key unprotected areas have been identified for protection through mechanisms including development buffers, acquisition, conservation easement, and/or requiring that all development use ecologically friendly design at the neighborhood level by promoting conservation, creating nature trails and boardwalks, providing educational opportunities, and promoting expedited design reviews for projects that are environmentally friendly.

Designs will create a friendlier pedestrian environment (walking and biking), create a wider variety of active and passive recreational uses, maintain large patches of natural vegetation, and minimize fragmentation of natural resources.

Designs will maintain viable habitat areas to include natural vegetation, transitioning through passive uses, and avoid fragmentation of natural resources. (Added 08/08, Ord. 06-08; Amended 10/09, Ord. 2009-28; Amended 06/10, Ord. 10-07, Obj. 8.4)

POLICIES

FLU5.4.1 Wetland and environmentally sensitive corridors significant to the Overlay area shall be identified prior to preparation of regulating plans affecting such corridors. Any new crossings of such corridors shall be evaluated on a case-by-case basis and the number of new crossings shall be minimized to the greatest extent practicable. In addition, effective wildlife crossings will be provided to maintain the continuity of affected wetland and environmentally sensitive corridors. To enhance the effectiveness of these wildlife crossings, Orange County shall require appropriately sized crossings and fencing to direct target species to the crossings. (Added 01/16, Ord. 2016-04)

FLU5.4.2 Orange County’s land development code will be amended, if applicable, by July 1, 2017 to consider and implement appropriate mechanisms to preserve Ecologically Important Lands through acquisition and/or conservation easements. Ecologically Important Lands are defined as lands, with a qualifying environmental characteristic or function based on scientific data or study. Lands that should be protected include key wildlife corridors and key habitat, which are defined as follows: contiguous stands of natural plant communities that have the potential to support healthy and diverse populations of plants and animals, including, but not limited to, state and federal ~~Threatened and Endangered Species of Special Concern~~ Imperiled Species. Orange County has addressed the protection of state and federal ~~Threatened and Endangered Species and Species of Special Concern~~ Imperiled Species with the implementation of Objective FLU5.5 and the underlying policies. (Added 08/08, Ord. 06-08; Amended 10/09, Ord. 2009-28; Amended 06/10, Ord. 10-07, Policy 8.4.4-r; Amended 01/16, Ord. 2016-04)

- FLU5.4.3 Development shall minimize damage to wetland/environmentally sensitive areas by ensuring that public and private roads are sited on lands affording the least environmental impact, including impacts to the hydraulic needs of natural systems, FFWCC designated critical habitats and wildlife corridors. (Added 08/08, Ord. 06-08; Amended 10/09, Ord. 2009-28, Policy 8.4.6; Amended 01/16, Ord. 2016-04)
- FLU5.4.4 The County will collaborate with the Florida Fish and Wildlife Conservation Commission (FFWCC) to develop site development standards that promote preservation of wildlife during construction and focus on the provision of useable habitat post-development. Such site development standards shall include but are not limited to monitoring, low voltage lighting, berms, and fencing. Post-construction measures may include, but are not limited to native plantings, low voltage lights, berms, fencing and controlled burns. ~~This policy will be implemented through the amendment of the land development code by July 1, 2017.~~ (Added 08/08, Ord. 06-08, Policy 8.4.7-r; Amended 01/16, Ord. 2016-04)
- FLU5.4.5 Orange County will collaborate with the FFWCC, the U.S. Fish and Wildlife Service (FWS), the Central Florida Expressway Authority, and Florida Department of Transportation to establish development standards to ensure that wildlife crossings are provided at public roads that cross river systems, wetlands, and other potential wildlife corridors. ~~This policy will be implemented through the amendment of the land development code by July 1, 2017.~~ To facilitate these wildlife crossings, Orange County shall require appropriately sized crossings and fencing to direct species to the crossings. (Added 08/08, Ord. 06-08; Amended 10/09, Ord. 2009-28, Policy 8.4.8-r; Amended 01/16, Ord. 2016-04)
- FLU5.4.6 Orange County will continue to use the County's clustering policies to encourage the preservation of native uplands and to further minimize wetland and floodplain impacts. (Added 08/08, Ord. 06-08, Policy 8.4.10; Amended 01/16, Ord. 2016-04)

- FLU5.4.7 Orange County shall identify transect zones and land use districts through the CRP and IW-PD-RP approval process that establish appropriate densities for lands abutting the Econlockhatchee River Corridor and other regionally significant wetland/environmentally sensitive areas. The transect zones would be implemented through continued use of appropriate low density type land use designations (e.g., 1 DU/acre), clustering and/or through environmental overlay areas. Density and intensity of development permitted on parcels or property wholly or partially within the corridor are encouraged to concentrate or cluster on the most landward portions of the parcel or parcels. (Added 08/08, Ord. 06-08; Amended 10/09, Ord. 2009-28, Policy 8.4.11; Amended 01/16, Ord. 2016-04)
- FLU5.4.8 The County shall amend the land development code by July 1, 2017 to require upland buffers for environmentally sensitive areas within the Innovation Way Study Area and determine the appropriate criteria for such buffers, which may be similar to those used in the Econlockhatchee River Protection Area. (Added 08/08, Ord. 06-08; Amended 10/09, Ord. 2009-28, Policy 8.4.12-r; Amended 01/16, Ord. 2016-04)
- FLU5.4.9 Orange County will continue to coordinate with the Water Management Districts on all development approvals to ensure the continued protection of the water quality standards of the Econlockhatchee River as an Outstanding Florida Water. (Added 08/08, Ord. 06-08, Policy 8.4.13; Amended 01/16, Ord.2016-04)
- FLU5.4.10 To promote wildlife usage and corridors, all proposed development within the Innovation Way Study Area shall incorporate the use of native vegetation in the landscaping. ~~The land development code will be amended by July 1, 2017, to implement this policy.~~ (Added 08/08, Ord. 06-08; Amended 10/09, Ord. 2009-28, Policy 8.4.14-r; Amended 01/16, Ord. 2016-04)

OBJ FLU5.5 ENVIRONMENTAL LAND STEWARDSHIP PROGRAM. In fulfillment of Objective FLU5.4, the following Environmental Land Stewardship Program is established to ensure that a viable network of environmentally sensitive lands is sustained during and after development of approved sites within Innovation Way. (Added 08/08, Ord. 06-08; Amended 10/09, Ord. 2009-28, Objective 8.5)

POLICIES

FLU5.5.1 The requirement for Innovation Way property owners to participate in the Environmental Land Stewardship Program (ELSP) is hereby incorporated into the Comprehensive Plan pursuant to Chapter 163, Florida Statutes. The requirements for the ELSP, referred to in the following Policies as the "Program," have been adopted by Ordinance No. 2010-04.

The ELSP shall include measures to ensure perpetual protection of certain ecologically important lands within the Innovation Way Study Area consistent with the principles identified in FLU5.5.2. These lands include conservation areas, certain developable areas, stewardship lands and preservation areas. The *Innovation Way ELSP Conceptual Map 2009* is a guiding document that shows the conceptual location of lands to be included in the ELSP. (Added 01/16, Ord.2016-04)

FLU5.5.2 Orange County shall coordinate with the owners of land within the Innovation Way Study Area to establish alternative uses consistent with the goals of Innovation Way and the ELS Program. Such alternative uses may include, but are not limited to:

- A. Option agreements for sale to public entities or recognized conservation oriented land acquisition agencies. These agreements may be in the form of fee simple ownership or conservation easement;
- B. Stewardship lands may be used as passive recreation and open space if designed in an environmentally friendly manner; and
- C. Use of stewardship lands as recipient sites for gopher tortoises and/or other protected species.

Stewardship lands are those lands offered for preservation through the ESLP that are determined to be consistent with Comprehensive Plan Objective FLU5.5 and associated policies. Stewardship Lands must meet one or more of the principles of ELSP, which are to:

- A. Provide additional buffers along the Econlockhatchee River;
- B. Provide adequate crossings for wildlife and water conveyance;
- C. Enhance or create wildlife corridors;
- D. Protect habitat on ecologically important lands; or
- E. Protect rare habitat. (Amended 01/16, Ord.2016-04)

FLU5.5.3 All property owners seeking a CRP-Conceptual Regulating Plan and/or IW-PD-RP, within the Innovation Way Overlay must commit to the protection of stewardship lands or dedicate suitable lands to the County or a County-approved conservation-related public or private entity pursuant to the requirements of the ELSP Ordinance. If the proposed stewardship land is either partially or completely within the Econlockhatchee Basin, the land to be protected or development rights to be dedicated shall be uplands within or abutting the River Protection Zone as defined by Chapter 15, Article XI, Section 15-443(1), as amended from time to time. (Added 10-09, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

FLU5.5.4 The *Innovation Way ELSP Conceptual Map 2009*, is hereby incorporated into the Future Land Use Element Map Series as Map 20. (Added 10/09, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

OBJ FLU5.6 GREEN INFRASTRUCTURE. Orange County shall develop a coordinated Green Infrastructure program for Innovation Way to address requirements for the provision of parks and open space, stormwater management and low impact development practices, energy conservation, and site lighting. (Added 01/16, Ord. 2016-04)

POLICIES

FLU5.6.1 Orange County will amend the land development code ~~by July 1, 2017~~, to include ~~"Green Development"~~ practices to guide sustainable development, such as, but not limited to, the Florida Green Development Designation Standard, innovative mechanisms to preserve environmentally sensitive areas that consider development siting and land use issues, ~~energy conservation, water,~~ and energy- and resource-efficient products. (Added 01/16, Ord. 2016-04)

FLU5.6.2 Orange County shall develop education programs and requirements for Innovation Way that encourage ~~Xeriscape~~ and Waterwise landscaping and other water conservation measures. The County will, through development approvals and regulation changes, minimize the amount of impervious surface area for development in the Innovation Way Overlay Area. (Added 01/16, Ord. 2016-04)

FLU5.6.3 Master planning stormwater requirements shall be the preferred method to address the permitting requirements of Orange County and ~~the South Florida Water Management District~~ the Water Management Districts of jurisdiction. Wherever feasible, stormwater facilities should be located and sized to accommodate stormwater from multiple basins. Joint use stormwater facilities intended to serve drainage requirements associated with major thoroughfares as well as adjoining development should also be planned to provide the maximum benefits associated with master planning. It is the County's desire to reduce the number of stormwater facilities for which maintenance is required, and to increase opportunities to utilize master planned facilities as site amenities and as focal points for development within Innovation Way, while still being protective of the hydrologic needs of natural systems. (Added 01/16, Ord. 2016-04)

FLU5.6.4 The use of Low Impact Development (LID) practices will be encouraged by Orange County, particularly for:

- A. ~~Basins~~ Basins that drain to an impaired water body for which a BMAP is applicable; and
- B. ~~For~~ For land use districts that are intended for intense residential and non-residential development.

LID practices should be utilized, at a minimum, to improve water quality of receiving bodies, limit the amount of gray infrastructure required, and to reduce the amount of post development stormwater discharge. (Added 01/16, Ord. 2016-04)

FLU5.6.5

Parks and open space shall be provided for use by residents, employees, and the general public for many different functions, requiring a range of sizes and types. All parks shall be connected to each other by the network of sidewalks, trails, and streets. These spaces should be integrated into the fabric of the community along with other public infrastructure systems such as streets, utilities, and stormwater drainage. Therefore, a multitude of parks of different size and character is better than a small number of larger parks. Different elements of each park fall along a spectrum as described below and standards for these elements will be developed and included in the IW-PD-RPs:

entity.
(Added
01/16,
Ord.
2016-04)

- A. Design ranging from formal to informal;
- B. Use ranging from active to passive;
- C. Activities ranging from planned and structured to spontaneous and unstructured; and,
- D. Sizes ranging from tiny to expansive. (Added 01/16, Ord. 2016-04)

FLU5.6.5.1

Parks and Open Space. In order to accommodate a wide range of park sizes and types, all development within Innovation Way land use districts shall provide park space classified in the following levels:

- A. Adequate Public Facilities (APF) Parks – APF parks are intended to be community-scale parks with a target size of at least twenty (20) acres. The locations of APF parks are identified as part of the IW-PD-RP. These parks are intended to be sized and designed to ultimately fall under County ownership and maintenance and they are to be included in an “Adequate Public Facilities Agreement”.
- B. Parks and Open Space. Parks and open space are intended to serve day-to-day park needs, provide for spatial community organization, and link homes, offices and workplaces with outdoor spaces. Parks and open space shall make up at least seven (7) percent of the net developable acreage of a land use district, and their type and location will be determined based on a service radius linked to the size of the park or open space and other criteria as defined in the standards associated with the IW-PD-RP, except as provided in Policy 5.1.6. These parks and open space shall be owned and maintained by a Home Owners Association or other similar

OBJ FLU5.7 ECONOMIC DEVELOPMENT. Orange County shall promote economic development within Innovation Way through strategic job creation linkages to the University of Central Florida and Medical City/Orlando International Airport and the provision of incentives to attract High Tech/Clean Tech industries. These actions are intended to create economic diversification and increased average annual salaries while making Orange County a recognized national leader in merging development need with transportation system availability and environmental sustainability. (Added 08/08, Ord. 06-08, Obj. 8.6; Amended 01/16, Ord. 2016-04)

POLICIES

FLU5.7.1 ~~By July 1 2017,~~ Orange County will develop a program that includes: incentives to promote Innovation Way as a premiere high-tech/clean-tech community; the identification of public/private partnership opportunities for infrastructure planning and development supporting sites intended for high-tech/clean-tech industries; and, a target industry analysis of high-tech/clean tech companies that provides a framework for economic development strategies designed to attract and site such industries. Orange County will coordinate with the Linkage Program Area property owners in the development of the program.(Added 08/08, Ord. 06-08, Policy 8.6.2-r; Amended 01/16, Ord. 2016-04)

FLU5.7.2 Orange County shall develop programs that provide expedited site and development plan review for Innovation Way development proposals that include high-tech/clean-tech users, similar to the expedited development review process used for certified affordable housing projects. Orange County shall coordinate with appropriate state or regional entities in the expedited processing of approvals and permits for high-tech/clean-tech uses. (Added 08/08, Ord. 06-08, Policy 8.6.3; Amended 01/16, Ord. 2016-04)

Policies FLU5.8.2 through FLU5.8.5 were deleted (10/10, Ord. 2010-13)

OBJ FLU5.9 TRAIL SYSTEM. Innovation Way should include a system of bicycle and pedestrian trails that will accommodate commuters as well as a greenway network that respects the natural environment, buffers incompatible land uses, and provides right-of-way for bicycle and pedestrian trails. (Added 08/08, Ord. 06-08, Obj. 8.9)

POLICIES

FLU5.9.1 Orange County will continue to develop the regional recreational trail system, where appropriate, that connects county parks and other publicly owned environmentally sensitive areas. (Added 08/08, Ord. 06-08, Policy 8.9.1)

FLU5.9.2 Orange County will negotiate with developers and landowners to obtain rights-of-way that further the regional recreational trail system. (Added 08/08, Ord. 06-08, Policy 8.9.2)

FLU5.9.3 Orange County will work with the landowners and developers to ensure that sufficient land, commensurate with the needs of the projected population, is identified and set aside for an Activity-based Community/Regional Park within Innovation Way. (Added 08/08, Ord. 06-08, Policy 8.9.3)

OBJ FLU5.10 INNOVATION WAY FUNDING. Orange County will work with developers, landowners, MetroPlan Orlando, ~~FDOT~~Florida Department of Transportation, Central Florida Expressway Authority, Lynx, and other transportation agencies as needed to ensure adequate funding for the transportation network. (Added 08/08, Ord. 06-08, Obj. 8.10; Amended 01/16, Ord.2016-04)

POLICIES

FLU5.10.1 The County will consider a full range of financing options to facilitate the funding the construction of Innovation Way. (Added 08/08, Ord. 06-08, Policy 8.10.2; Amended 01/16, Ord. 2016-04)

FLU5.10.2 Orange County shall evaluate alternative funding mechanisms to finance adequate public facilities in Innovation Way. The County may require, as a condition of development approval, the participation of the development in such funding programs. (Added 08/08, Ord. 06-08, Policy 8.10.3; Amended 01/16, Ord. 2016-04)

OBJ FLU5.11 PUBLIC SCHOOLS. Recognizing that public schools are one of the key recruiting assets for new businesses, Orange County shall continue to work with the Orange County Public School (OCPS) to provide an excellent school system for Innovation Way and surrounding areas. Orange County in collaboration with OCPS will work to provide adequate resources to ensure public schools are provided in a timely manner to accommodate anticipated school age children and to locate school sites in close proximity to neighborhoods that promotes walking, creates community centers, provides opportunities for multi-use public spaces. (Added 08/08, Ord. 06-08, Obj. 8.11)

POLICIES

FLU5.11.1 Elementary schools shall be centrally located in neighborhoods. Housing units should generally be located within a half-mile of elementary schools. Where feasible, parks should be co-located with school sites. (Added 08/08, Ord. 06-08, Policy 8.11.1)

FLU5.11.2 Orange County shall provide technical assistance to OCPS and developers to ensure that school sites are planned and reserved during project master planning. (Added 08/08, Ord. 06-08, Policy 8.11.2)

OBJ FLU5.12 WATER, WASTEWATER, AND RECLAIMED WATER. Orange County will provide a reliable water supply for the Innovation Way Study Area and will provide adequate wastewater treatment capacities. (Added 08/08, Ord. 06-08, Obj. 8.12; Amended 01/16, Ord. 2016-04)

POLICIES

FLU5.12.1 Orange County will work with the water management districts to explore alternatives to ensure adequate water capacity for qualified high tech users. This capacity may be obtained from a variety of sources to include withdrawal from surficial sources as may be appropriately permitted. (Added 08/08, Ord. 06-08, Policy 8.12.1)

FLU5.12.2 Orange County will require connection to central water, wastewater and reclaimed water collection and transmission infrastructure for all new development approved. (Added 08/08, Ord. 06-08, Policy 8.12.2; Amended 01/16, Ord. 2016-04)

FLU5.12.3 Water, wastewater, and reclaimed water transmission and collection infrastructure shall be sized to accommodate the ultimate flows at build-out associated with each Future Land Use Map Amendment Area (e.g., ICP, IWE, and Camino Reale). Sizes and connection points to existing utilities shall be in accordance with a detailed Master Utility Plan approved by Orange County Utilities. Water, wastewater and reclaimed water systems shall be designed to facilitate future extensions. (Added 01/16, Ord. 2016-04)

LAND AND ENVIRONMENTAL ASSETS

GOAL FLU6 PROTECTION OF RURAL LAND RESOURCES AND OTHER ASSETS. The County will promote the management of land uses within the Rural Service Area, including agricultural lands, historic resources, the Lake Pickett Study Area, and Rural Settlements, together with environmental lands, natural resources and the Wekiva and Econlockhatchee River Protection Areas environmental lands including the Wekiva Area, so as to conserve these assets and their values. (Goal 2-r; Amended 07/16, Ord. 2016-17)

OBJ FLU6.1 RURAL SERVICE AREA. Orange County shall designate that portion of the County outside the Urban Service Area as the Rural Service Area. The intended rural character and assets of the Rural Service Area shall be promoted through the following policies. (Obj. 2.3)

POLICIES

FLU6.1.1 The Future Land Use correlation for the Rural Service Area is:

| <i>Future Land Use (R)</i> | <i>Zoning</i> |
|----------------------------------|--|
| Rural /Agricultural (1 DU/10 AC) | A-1, A-2, A-R, R-CE |
| Lake Pickett (LP) | Lake Pickett-Planned Development-Regulating Plan (PD-RP) |

(Amended 07/16; Ord. 2016-17)

FLU6.1.2 Orange County shall enforce criteria to ensure the scale, and density and/or intensity of development within the Rural Service Area so that it promotes the intended rural character. The regulations may include, but shall not be limited to, height limitations and buffer requirements. (Added 12/00, Ord. 00-25, Policy 2.3.1-r)

- FLU6.1.3 Residential uses in areas designated Rural shall be limited to a maximum density of 1 DU/10 acres.
- Density shall refer to the total number of units divided by developable land area, excluding natural water bodies and conservation areas (wetlands areas). Agriculturally zoned areas that do not have active agricultural use may be the subject of amendments to the comprehensive plan in order that such areas may be rezoned to an appropriate residential category. Cluster zoning shall not be permitted in the Rural Service Area except where required for protection of significant environmental features, such as Wekiva Study Area, Class I conservation areas, or rare upland habitat. (Added 11/99, Ord. 99-19; Amended 10/10, Ord. 2010-13, Policy 2.2.4-r)
- FLU6.1.4 Institutional uses, such as wastewater treatment and landfill facilities, whether operated by a local government or private enterprise, while allowed in the Rural Service Area shall not be an impetus for additional urban development in the Rural Service Area. (Policy 2.3.2)
- FLU6.1.5 Agriculturally zoned land shall be rezoned to an appropriate residential district prior to subdivision for residential purposes. (Policy 2.2.3)
- FLU6.1.6 Orange County shall promote agribusiness to accommodate uses such as vegetable and fruit packaging, ornamental horticulture operations, fish culture, and other new and innovative agribusiness and support functions. (Added 12/00, Ord. 00-25, Policy 2.2.2-r)
- FLU6.1.7 Orange County shall evaluate the Conservation Subdivision as a development tool for Rural Settlements within the Rural Service Area. In addition, Orange County shall support the use of low impact development strategies, ~~such as those identified by the Water Management Districts and the Institute of Food and Agricultural Science,~~ as a means to conserve water, soils, and vegetation where needed. Such techniques shall not be used to enable more density than would be allowable in the Rural Service Area.

FLU6.1.8

Under special conditions, the County may consider approval of those uses that by their nature:

- A. ~~require~~ Require isolation due to a high degree of security for national defense purposes, such use may involve hazardous operation or testing that should be located in remote areas away from population concentrations; or
- B. by their nature are appropriate to locate in the Rural Service Area. ~~The former type of project may involve hazardous operation or testing that should be located in remote areas away from population concentrations. Other such~~ Such uses may include gun ranges, landfills, and kennels.

Both types of uses will require review as either a special exception to the existing zoning or under the Planned Development zoning category; with special attention and analysis applied to the following considerations, at a minimum:

- A. General public safety measures;
- B. Environmental impacts, particularly related to surface and subsurface hydrological effects and endangered flora and fauna;
- C. Access limitation considerations and increased service provisions to ensure an adequate level of self-sufficiency, and
- D. Availability and requirements for central water service
- E. Where such uses are located in the Rural Service Area, but adjacent to the Urban Service Area, these uses requiring isolation or separation from residential uses may be approved by the Board of County Commissioners for central water services. Central water services provided within the Rural Service Area may only be approved when the applicant agrees to pay all connection fees related to water services, where central water is available immediately adjacent to the project, and where the use of a potable well would clearly present a health hazard due to the normal byproducts of the activities proposed on the subject site. Connection to such services shall not be an impetus or basis to urbanize adjacent land, nor can it create a precedent for adding additional properties into the Urban Service Boundary. Any alternative use will require an amendment to the Future Land Use Map of the comprehensive plan. (Added 11/99, Ord. 99-19, Policy 2.2.5)

Staff recommends revising the policy for clarification and ease of understanding.

FLU6.1.9 Notwithstanding the requirement of FLU6.1.3 (that no development shall occur on parcels less than ten acres in size within the Rural Service Area), any parcel of property that was legally created and either (A) recorded in the Public Records of Orange County prior to May 21, 1991, or (B) sold under a valid "contract for deed" prior to May 21, 1991 and that has a land use designation permitting a residential structure, in addition to other permitted uses, may be developed with a single principal residential structure and related ancillary structures. Furthermore, nothing in Future Land Use FLU6.1.3 shall act to prevent an existing or future residential structure from being expanded, enlarged, renovated, demolished or removed, and rebuilt or replaced. However, nothing in this policy shall act to exempt any project from other County land development regulations, and multiple contiguous parcels in common ownership or under a common "contract for deed" as of May 21, 1991, shall be aggregated and deemed to be one parcel for purposes of this policy. (Policy 3.7.7-r)

FLU6.1.10 Orange County shall support the goals of the Rural Land Stewardship program as presented in Chapter 163.3248, F.S., and consider cooperative implementation of this program where there are interested property owners, and adjoining entities willing to participate in this effort. (Amended 06/17, Ord. 2017-12)

~~OBJ E2.2~~ FLU6.1.11 Orange County shall protect and promote the vitality of the nursery industry in Northwest Orange County.

~~FLU6.1.11~~2 Orange County shall continue to promote the long-term viability of agricultural uses, and agribusiness itself, as an economic asset. (Obj. 2.2-r)

~~FLU6.1.12~~3 Orange County will support the creation and availability of fresh food initiatives and efforts, including local farmers markets, community vegetable gardens, and other small scale agricultural efforts that promote local sustainability.

Staff recommends moving the policy under FLU6.1.3 as these policies are related. OBJ E2.2 would be renumbered FLU6.1.11 and policies FLU6.1.11, 6.1.12 would be renumbered.

OBJ FLU6.2 RURAL SETTLEMENTS. Rural Settlements provide for a rural residential lifestyle. In some instances, Rural Settlements allow a transition of rural areas adjacent to the Urban Service Area while avoiding development in active agricultural areas. Rural Settlements were intended to recognize and preserve existing development patterns at the time the CP Comprehensive Plan was adopted in 1991. The creation of Rural Settlements recognized the need to maintain agricultural areas and rural uses in the Rural Service Area, while providing for rural communities. (Added 12/00, Ord. 00-25, Obj. 2.1-r)

POLICIES

FLU6.2.1

The following Rural Settlements shall be designated on the Future Land Use Map to meet the desire for a rural lifestyle. No new Rural Settlements or expansions to the existing Rural Settlement boundaries shall occur; ~~however, within 18 months, Orange County shall complete a study to determine whether the existing Rural Settlements should be expanded.~~

Staff recommends revising the policy to delete the 18 month requirement, the time has passed, a study did not occur.

Additionally, the text that was incorporated into this policy was from the staff report and is out of context. Staff recommends changes.

| <i>Rural Settlements</i> |
|------------------------------------|
| Bithlo |
| Bridle Path (annexed by Apopka) |
| Christmas |
| Clarcona |
| Corner Lake |
| Gotha |
| Lake Avalon |
| Lake Hart/Lake Whippoorwill |
| Lake Mary Jane |
| Lake Pickett |
| North Apopka/Wekiva |
| North Christmas |
| Otter Lake |
| Paradise Heights |
| Rainbow Ridge |
| Sunflower Trail/Seaward Plantation |
| Tangerine |
| Tildenville |
| Wedgfield |
| West Windermere |
| Zellwood |
| Zellwood Station |

The basis of this policy is that Rural Settlements were implemented to recognize communities that existed at the time of the 1991 CPP-Comprehensive Policy Plan adoption. The intent of the prohibition of expansions of existing or the creation of new rural settlements is to ~~This policy change is being implemented as part of this update's strategy to~~ focus development within the County's USA-Urban Service Area and discourage the proliferation of extended Rural Settlement boundaries. In addition this policy will allow time for vacant and committed lands within existing Rural Settlements to develop as a means of satisfying this style of living. This policy will be monitored and evaluated as part of the 2014 EAR. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07, Policy 2.1.1-r)

FLU6.2.2 Every effort shall be made to preserve the existing character of the ~~Tangerine, Clarcona, Christmas, Zellwood, and Gotha~~ Christmas, Clarcona, Gotha, Tangerine, and Zellwood Rural Settlements ~~rural settlements~~ as part of Orange County's heritage and historic preservation. Rural Settlements may be designated as Preservation Districts for the purposes of municipal annexation pursuant to the Orange County Charter, Article V. (Added 12/00, Ord. 00-25, Policy 2.1.2-r)

FLU6.2.3 Development proposals consisting of over 10% of the overall acreage of the Rural Settlement or greater than 25 residential units within a Rural Settlement shall have final approval as a Planned Development. The Planned Development shall reflect the intended rural character consistent with the criteria listed in Future Land Use Policies FLU6.2.4 and FLU6.2.5. (Added 12/00, Ord. 00-25, Policy 2.1.6)

FLU6.2.4

~~In addition, the~~The County may use the PD ~~Planned Development~~ designation tool ~~to include~~ ~~criteria~~ to ensure new development within the Rural Settlement contributes to the community's sense of place. These criteria shall include, but not be limited to, the following:

- A. Designs for new roads, and alterations to existing roads, should ensure the physical impact on the natural and historic environment is kept to a minimum;
- B. New roads or road improvements shall be designed to accommodate the anticipated volume and nature of traffic, but pavement shall be kept as narrow as safety allows while encouraging equestrian, bicycle, pedestrian, and other non-motorized, alternative means of transportation, preservation of wildlife corridors and habitat, and aesthetically pleasing landscape treatment; and,
- C. New buildings and structures shall be located where their construction or access does not cause substantial modification to the topography and natural resources.
- D. Provide for increased setbacks along roadways to preserve views, open space, and rural character; and provide guidelines for lot layout and cluster development for residential development to maintain open space and rural character. (Added 12/00, Ord. 00-25, Policy 2.1.7-r)

FLU6.2.5

The permitted densities and intensities of land use within the Rural Settlements shall maintain their rural character. Factors to be considered shall include lot size, open space and views, tree canopy, building location and orientation, and compatibility with existing land uses. Density and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(~~EB~~). (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07, Policy 2.1.8-r, 2.1.9-r)

FLU6.2.6

The Future Land Use Map shall reflect the permitted densities of development within the Rural Settlements. Clustering of units with dedicated open space shall be allowed so long as the overall density does not exceed that specified on the Future Land Use Map. Density and Floor Area Ratio (FAR) calculations shall be defined as the language specified in the Future Land Use Element Policy FLU1.1.2(EB). (Added 8/92, Ord. 92-24; Amended 8/93, Ord. 93-19; Amended 6/10, Ord. 10-07, Policy 1.1.11)

Clustering shall be supported to maintain the rural character through preservation of open space and lot layout and design. Generally recognized and accepted conservation subdivisions can be used where they minimize impacts on areas with rural character provided their use is consistent with the overall intent of Rural Settlement boundaries.

Clustering, with permanent protection of open space, shall be encouraged or required for all new development and redevelopment within the Wekiva Study Area, based on location, i.e., Urban Service Area, Rural Service Area, Rural Settlement, Growth Center and overall project acreage. The County shall evaluate incentives to further the implementation of open space preservation and maximum impervious surface ratios and include these in the Land Development Code by January 1, 2007. (Added 12/00, Ord. 00-25, Policy 2.1.9-r)

FLU6.2.7

~~With the exception of land designated Low Density and Low-Medium Density Residential on the Future Land Use Map within the Rural Settlement at the time of plan adoption, additional land Amendments to the residential densities of the Rural Settlement shall not allow residential densities greater than one dwelling unit per acre designated Low Density Residential shall not be permitted in Rural Settlement, except for those exemptions listed below:~~

- A. ~~Land designated Low Density and Low-Medium Density Residential at the time of the 1991 Comprehensive Plan adoption;~~
- B. ~~except for County certified affordable housing projects that are rural in character and meet the Small Scale FLUM criteria and requirements. All other amendments to residential densities of the Rural Settlement shall not allow residential development to exceed one (1) dwelling unit per acre. (Added 6/94, Ord. 94-13; Amended 12/00, Ord. 00-25, Policy 2.1.10)~~

Staff recommends revising the policy to order it in a way that is easier to read and understand.

FLU6.2.158

Residential development in a Rural Settlement may be permitted up to two (2) dwelling units per acre in limited areas that are adjacent to higher density or intensity urban development located in adjacent municipal jurisdictions, provided site design standards are provided to ensure compatibility with the Rural Settlement. This provision is intended to serve as a buffer and transition. The Future Land Use designation of Rural Settlement Low Density Residential shall be restricted to no more than 2 DU/AC. Parcels greater than 25 Acres must be approved as a PD. Higher density shall only be considered if existing or vested development. Adjacency requires a minimum of 25% contiguity. Such increased density shall not be an impetus for the provision of central services within Rural Settlements. (Added 6/94, Ord. 94-13, 12/00, Ord. 00-25, Policy 2.1.17-r)

Staff recommends moving the policy from FLU6.2.15 so that polices that address density are together.

FLU6.2.89

RESERVED. Amendments to residential densities of the Rural Settlements shall not allow residential development to exceed 1 DU/Acre except as provided for in Future Land Use Policy FLU6.2.7. (Policy 2.1.11)

Staff recommends deleting the policy and incorporating it into Policy FLU6.2.7

~~FLU6.2.14~~10 The future land use, density, and intensity of development adjacent to a Rural Settlement shall not negatively impact the character of the Rural Settlement. Density on adjacent parcels shall be reviewed in the context of its compatibility with the Rural Settlement. Additional compatibility may be provided using buffering or the clustering of units with dedicated open space, consistent with Future Land Use FLU6.2.6. Adjacent development shall be designed to produce minimal impact on local roads within the Rural Settlement. (Added 12/00, Ord. 00-25, Policy 2.1.18)

Staff recommends moving the policy from FLU6.2.14 so the policies that address density are together.

~~FLU6.2.9~~11 Neighborhood commercial and office uses shall be allowed in Rural Settlements in areas designated for such on the Future Land Use Map. Only those commercial and office uses that will support existing residential uses, ~~i.e., neighborhood commercial,~~ shall be permitted in Rural Settlements. The scale and intensity of commercial and office uses must be compatible with the development pattern of the existing Rural Settlement. Corner stores ~~or,~~ professional services that utilize existing structures ~~and,~~ small scale personal services permitted within agricultural zoning are the type of non-residential uses consistent with Rural Settlements. Limited C-1 zoning uses and FARs up to 0.15 shall be considered suitable for Rural Settlements that have maintained their historic character. (Added 12/00, Ord. 00-25, Policy 2.1.12-r)

~~FLU6.2.10~~12 Neighborhood commercial uses in Rural Settlements shall be developed according to the following criteria:

- A. These uses shall be located to serve the residents of the rural area and not primarily to attract "pass-by" trips; and,
- B. These uses shall contain retail and personal services intended to serve the immediate population. (Added 12/00, Ord. 00-25, Policy 2.1.14)

FLU6.2.1213 Any proposed use within a Rural Settlement intended for the construction of a structure(s) with a Gross Buildable Area of 50,000 square feet (on a cumulative basis) or more or projected to have a weekly trip rate of 10,000 total trips may be considered inappropriate for a Rural Settlement if the following conditions exist:

- A. The proposed use is located in a Rural Settlement that has maintained a rural and historic character, consistent with the intent of Rural Settlements;
- B. It is determined that the proposed use(s) by size, massing, and traffic, will unduly impact the historic and rural character of the Rural Settlement;
- C. The use, as determined by a market study, is primarily intended for those whose daily life activities do not occur within the Rural Settlement;and
- D. It is not demonstrated that other potential sites were evaluated as being suitable. (Amended 11/17, Ord. 2017-19)

Staff recommends moving the policy from FLU6.2.12 so the policies that address commercial development within a Rural Settlement are together.

FLU6.2.1114 Industrial uses in the Rural Service Area shall be permitted only as shown on the Future Land Use Map within the Rural Settlements of Bithlo, Christmas, and Zellwood. Any development order permitting industrial uses within a Rural Settlement shall be consistent with the Orange County Individual On-site Sewage Disposal System (OSDS) Ordinance, Article 17, Chapter 37 of the Orange County Code and shall be contingent upon the provision of adequate fire flows. Furthermore, such industrial uses shall be limited to those that do not produce hazardous, toxic, or industrial waste. Further industrial designations shall be prohibited from all Rural Settlements including Bithlo, Christmas, and Zellwood. (Added 12/00, Ord. 00-25, Policy 2.1.13)

~~FLU6.2.12~~ Any proposed use within a Rural Settlement intended for the new construction of a structure(s) with a Gross Buildable Area of 50,000 square feet (on a cumulative basis) or more or projected to have a weekly trip rate of 10,000 total trips may be considered inappropriate for a Rural Settlement if the following conditions exist:

- ~~A.~~ The proposed use is located in a Rural Settlement that has maintained a rural and historic character, consistent with the intent of Rural Settlements;
- ~~B.~~ It is determined that the proposed use(s) by size, massing, and traffic, will unduly impact the historic and rural character of the Rural Settlement;
- ~~C.~~ The use, as determined by a market study, is primarily intended for those whose daily life activities do not occur within the Rural Settlement; and
- ~~D.~~ It is not demonstrated that other potential sites were evaluated as being suitable. (Amended 11/17, Ord. 2017-19)

Staff recommends moving the policy so the policies that address commercial development within a Rural Settlement are together.

~~FLU6.2.13~~15 Expansion of existing water and wastewater facilities providing service to Rural Settlements shall be consistent with Conservation Element C1.11.7, Potable Water Objective PW1.5, with Wastewater Objective WW1.5, Potable Water, Wastewater and Reclaimed Water Element Objectives WAT1.5 and WAT1.6, and applicable Future Land Use Policies. The existing capacity shall not be used as a reason for increased densities within the Rural Settlement. (Added 12/00, Ord. 00-25, Policy 2.1.15)

~~FLU6.2.14~~ The future land use, density and intensity of development adjacent to a Rural Settlement shall not negatively impact the character of the Rural Settlement. Density on adjacent parcels shall be reviewed in the context of its compatibility with the Rural Settlement. Additional compatibility may be provided using buffering or the clustering of units with dedicated open space, consistent with Future Land Use FLU6.2.6. Adjacent development shall be designed to produce minimal impact on local roads within the Rural Settlement. (Added 12/00, Ord. 00-25, Policy 2.1.18)

Staff recommends moving the policy so the policies that address density and intensity of development within a Rural Settlement are together.

FLU6.2.15 — Residential development in a Rural Settlement may be permitted up to two (2) dwelling units per acre in limited areas that are adjacent to higher density or intensity urban development located in adjacent municipal jurisdictions, provided site design standards are provided to ensure compatibility with the Rural Settlement. This provision is intended to serve as a buffer and transition. The Future Land Use designation of Rural Settlement Low Density Residential shall be restricted to no more than 2 DU/AC. Parcels greater than 25 Acres must be approved as a PD. Higher density shall only be considered if existing or vested development. Adjacency requires a minimum of 25% contiguity. Such increased density shall not be an impetus for the provision of central services within Rural Settlements. (Added 6/94, Ord. 94-13, 12/00, Ord. 00-25, Policy 2.1.17 r)

Staff recommends moving the policy so the policies that address density and intensity of development within a Rural Settlement are together.

OBJ FLU6.3 Orange County shall protect and preserve certain existing Rural Settlements and their established neighborhoods, which by their particular location, may be impacted by adjacent urban uses. This objective shall be made measurable by implementing the following policies. (Added 05/01, Ord. 01-11, Obj. 2.4)

POLICIES

Lake Hart/Lake Whippoorwill Rural Settlement

- FLU6.3.1 Orange County shall continue to address development impacts to the Lake Hart/Lake Whippoorwill Rural Settlement from adjacent properties in the City of Orlando via agreements or studies. (Added 5/01, Ord. 01-11, Policy 2.4.1-r)
- FLU6.3.1.1 The Narcoossee Road-Lake Hart/Lake Whippoorwill Rural Settlement Study refers to properties fronting the eastern side of Narcoossee Road from Kirby Smith Road to Tyson Road. A map depicting this Study Area shall be incorporated into the Future Land Use Element Map Series as Map 19. (Added 10/09, Ord. 2009-28; Amended 11/15, Ord. 2015-20)
- FLU6.3.1.2 To recognize the importance of protecting the visual, residential and environmental character of the Lake Hart/Lake Whippoorwill Rural Settlement and Lake Whippoorwill, which both adjoin the Study Area to the east, Orange County and the City of Orlando have entered into an interlocal agreement, approved by the Board of County Commissioners (BCC) on September 22, 2015, to provide general planning principles for the Narcoossee Roadway Corridor Study Area (depicted on Map 19 of the Future Land Use Map Series) in the event the City annexes or has annexed any portion of this Study Area and considers an application to amend the City's Growth Management Plan or an application for a development order for the area annexed. The interlocal agreement provides standards that ensure a transition from higher densities and intensities along the properties immediately abutting the east side of Narcoossee Road to lower densities and intensities abutting the Rural Settlement and Lake Whippoorwill, which are largely similar to standards outlined in Policies FLU6.3.2 through FLU6.3.4.2. (Added 11/15, Ord. 2015-20)

FLU6.3.2 On November 18, 2008, the Narcoossee Road-Lake Hart/Lake Whippoorwill Rural Settlement Study was presented to the Board of County Commissioners. The study's intent was to provide sound planning guidelines along the east side of Narcoossee Road in keeping with development occurring in the City of Orlando to the west, and to transition the intensity of land uses from Narcoossee Road east to the Rural Settlement in order to protect the Rural Settlement and Lake Whippoorwill. Policies FLU6.3.2.1 through FLU6.3.4.2 shall apply only to properties with direct frontage on the east side of Narcoossee Road between Kirby Smith Road and Tyson Road in the Lake Hart/Lake Whippoorwill Rural Settlement. Nothing in these policies shall be construed to convey entitlements of development rights.

To address the specific and unique issues affecting the Lake Hart/ Lake Whippoorwill Rural Settlement, applications for development approval for property fronting on Narcoossee Road in the Lake Hart/Lake Whippoorwill Rural Settlement shall be processed as Planned Developments (at both the Comprehensive Plan Amendment and the rezoning stage) to ensure compatibility with the Rural Settlement. (Added 5/01, Ord. 01-11; Amended 10/09, Ord. 2009-28, Policy 2.4.2-r; Amended 11/15, Ord. 2015-20)

FLU6.3.2.1 Upon adoption by the Board of County Commissioners, a property which is granted a future land use change to Planned Development (PD) pursuant to Policy FLU6.3.2 will be included in the Urban Service Area (with the exception of the portion of the PD that retains a Rural Settlement designation pursuant to Policies FLU6.3.2 and FLU6.3.2.2, which will remain in the Rural Settlement). As part of the application submittal, the applicant must demonstrate that the request is consistent with Orange County's goals for the Narcoossee Road corridor and must identify three development zones: a 'frontage zone' which abuts Narcoossee Road; a 'rural settlement zone' adjacent to Lake Whippoorwill; and a 'transition zone' which is the remaining area between the 'frontage zone'; and the 'rural settlement zone'. (Added 10/09, Ord. 2009-28; Amended 11/15, Ord. 2015-20)

FLU6.3.2.2 Compatibility requirements shall address transitional uses, appropriate mass and scale of structures, architectural features, increased buffers, and other performance standards deemed appropriate during review by the Development Review Committee.

Proposed future land use changes that include commercial uses also shall be consistent with the requirements of FLU1.4.3 through FLU1.4.15.

To provide transition between development occurring on Narcoossee Road and the land adjacent to the lake that will remain in the Rural Settlement, development standards shall be incorporated into the land development code to address the following:

- A. Building Height Transition. Building heights and density and intensity of land uses within this Study Area shall transition downward from west to east, with the highest structures and highest density and intensity fronting Narcoossee Road, and development on the eastern boundary of the Study Area remaining compatible with the Rural Settlement, consistent with Policy FLU6.2.14.
- B. Cross Access. To minimize ingress and egress onto Narcoossee Road from the Study Area, and/or to provide access to properties remaining within the Rural Settlement, development within the Study Area shall construct an accessway. The accessway shall generally be oriented north and south and located at the junction of the 'transition zone' and the 'rural settlement zone'. It shall accommodate vehicular and pedestrian traffic and, when functionally feasible, on-street parking. The accessway will also be included within a cross-access easement to adjacent developments, consistent with approved land use plans. Additionally, shared parking may be approved by Orange County on a case-by-case basis.
- C. Access Management. Any access to Tyson Road or Kirby Smith Road shall be designed to discourage trips heading east into the Rural Settlement.

- D. Physical Buffering. Development on the eastern boundary of the Study Area must remain compatible with the Rural Settlement. A buffer averaging 300 feet from the normal high water elevation of Lake Whippoorwill shall be retained and included in the 'rural settlement zone'; and in no case shall such buffer be less than 200 feet. Within this buffer, a minimum of 100 feet shall remain undeveloped. This area may be planted with native species, and invasive species shall be removed as a condition of any future development order.

The western boundary of the 'rural settlement zone' shall generally align with the approved Rural Settlement boundary of the adjacent Planned Developments within the Study Area (if any), consistent with the approved land use plans. This land may be utilized for: single-family detached housing at a maximum density of one (1) dwelling unit per two (2) acres of developable land; passive open space incorporating walks or trails; or conservation through protective covenants running with the land. Along with this transitional use, buffers between Study Area development and adjacent Rural Settlement properties shall be similar to those required in the Code between residential and non-residential uses.

- E. Management and Protection of Rural Settlement Lands and Resources. Those portions of the Study Area that will be preserved as part of the Lake Hart/Lake Whippoorwill Rural Settlement shall be protected and managed to preserve the natural resources and vegetation that provide wildlife habitat and a visual buffer between urban and rural land uses. All Planned Development-Land Use Plans shall incorporate natural resource inventories and land management practices designed to:
- 1) Maintain, and supplement, where possible, the height and opacity of existing tree canopy and understory vegetation;
 - 2) Remove or manage invasive vegetation; and
 - 3) Reduce the direct flow and increase the quality of stormwater to Lake Whippoorwill.

- F. Stormwater Management. Stormwater retention and detention facilities designed to serve urban development may be permitted in the 'rural settlement zone', provided that all design standards for stormwater management facilities are met and such facilities are not located closer than 100 feet from the normal high water elevation of Lake Whippoorwill. However, a secondary system, such as a bioswale, may be allowed within that 100 feet in order to prevent overland stormwater flow from discharging into Lake Whippoorwill. In addition, the use of one or more Low Impact Development (LID) techniques approved by the County shall be strongly encouraged for all urban development within the Study Area. The purpose of utilizing Low Impact Development stormwater design techniques is to reduce pollutants entering Lake Whippoorwill by: capturing those pollutants close to the source; utilizing existing natural features and resources as stormwater filtering systems; and ensuring that stormwater retention and detention facilities are integrated into the overall project plan and designed, constructed, and maintained as project amenities.

(Original Policy FLU6.3.2.2 added 10/09, Ord. 2009-28; Policy deleted 11/15, Ord. 2015-20; new Policy FLU6.3.2.2 added 11/15, Ord. 2015-20)

FLU6.3.2.3 (Policy deleted 11/15, Ord. 2015-20; see amended Policy 63.2.2.)

FLU6.3.2.4 Allowable uses as part of the Planned Development shall be as follows:

- A. Office. P-O (Professional Office District) uses for offices including, but not limited to, doctor's offices, attorney's offices, real estate offices, mortgage and finance offices and tax consultant services;
- B. Commercial. Limited C-1 (Retail Commercial District) uses for neighborhood commercial and community-scale commercial and office development, such as small neighborhood-serving retail, eating and drinking places, and personal services.

Professional office (P-O) and retail commercial (C-1) uses may be allowed subject to the following:

- 1) The maximum intensity (Floor Area Ratio) for any site where professional office and/or retail commercial may be allowed shall be limited to 0.35;
- 2) Retail commercial uses shall be restricted to sites within the 'frontage zone' that have direct access (one of the approaches to the intersection is either internal to the subject property or abuts the subject property) to: an existing signalized intersection with Narcoossee Road; or direct access to an intersection that is consistent with minimum spacing standards for signalized intersections;
- 3) Retail commercial uses shall be limited to the amount of square feet of non-residential use consistent with a neighborhood center, as defined through Comprehensive Plan Policy FLU1.4.6 (per intersection).
- 4) Strip commercial shall be prohibited;
- 5) Professional office uses shall be permitted to locate anywhere within a Planned Development outside of the 'rural settlement zone' and may be developed in conjunction with retail commercial uses; however, office uses will not count toward the square footage limitation identified in Policy FLU1.4.6; and

- 6) The size and shape of sites where professional office/retail commercial uses may be allowed shall be compact and oriented to a signalized intersection.
- C. Residential. Residential uses shall be permitted consistent with the following criteria:
1. The maximum density within the 'frontage zone' and 'transition zone' shall be limited to that permitted under the Low-Medium Density Residential (LMDR) future land use designation. The maximum density within the 'frontage zone' may be increased to the Medium Density Residential (MDR) when the 'transition zone' is used as a sending area and the units are transferred out of the 'transition zone' to the 'frontage zone' using the conversion matrix identified in the corresponding overlay district. Once the units are transferred out of the 'transition zone', that area can only be used for stormwater, parking, or open space.
 2. The total number of dwellings that would be permitted under the Medium Density Residential (MDR) and Low-Medium Density Residential (LMDR) future land use designations may be developed as single-family detached, attached or multi-family housing types, subject to the limitations described below.
 - a. Multi-family three stories or higher shall be restricted to the 'frontage zone'.
 - b. Where residential dwellings are planned in the 'transition zone' to abut lands remaining within the 'rural settlement zone', single-family detached or attached dwellings are permitted. The number of attached units within a single building shall be limited, and buildings shall generally be oriented toward the 'rural settlement zone'. In addition, attached dwelling buildings shall be spaced in a manner compatible with the spacing of residential dwellings within the Rural Settlement.

(Added 10/09, Ord. 2009-28; Amended 11/15, Ord. 2015-20)

- FLU6.3.3 Development of property in the Lake Hart/Lake Whippoorwill Rural Settlement consistent with Policy FLU6.3.2 and/or existing or planned central utility services on or near Narcoossee Road or in the Lake Hart Planned Development shall not be the sole justification to allow increased land use intensity. Future adjacent uses with greater density or intensity shall be designed to produce minimal impact on local roads within the Lake Hart/Lake Whippoorwill Rural Settlement. (Added 5/01, Ord. 01-11; Amended 10/09, Ord. 2009-28, Policy 2.4.3)
- FLU6.3.4 New development fronting on Lakes Hart or Whippoorwill shall take into consideration existing tree canopy and wetland areas in project design. The County may apply reasonable performance standards to address impacts of building height and lighting on adjacent development and on view corridors from the lake. The County also may require connectivity of recreational facilities, such as equestrian and multi-use trails, between the properties included in the Study Area and development north and south of the study area. Orange County shall impose restrictions on the use of watercraft and access to lakes. Restrictions on lake access are not intended to apply to the development of a single-family home on a lot of record in the Rural Settlement, so long as applicable Land Development Code and State standards are met. (Added 5/01, Ord. 01-11; Amended 10/09, Ord. 2009-28, Policy 2.4.4; Amended 11/15, Ord. 2015-20)
- FLU6.3.4.1 The County will establish a community identification signage program for the Narcoossee Road – Lake Hart/Lake Whippoorwill Rural Settlement Study Area that will recognize the physical boundaries of the area and will be used for identification of landmarks and historically significant features. The signage program shall be adopted by ordinance and shall apply to properties within the Study Area Boundary, as identified in Policy FLU6.3.2 (Added 10/09, Ord. 2009-28; Amended 11/15, Ord. 2015-20)

FLU6.3.4.2 Planned Development – Land Use Plans (PD-LUPs) within the Narcoossee Road – Lake Hart/Lake Whippoorwill Rural Settlement Study Area Boundary, as identified in Map 19 of the Future Land Use Map Series, approved prior to November 19, 2013 have been determined to be consistent with Policies FLU6.3.1.1 – FLU6.3.4.2, as approved by Ordinance 2009-28, and shall not be subject to revisions of the specified policies after that date with the following two exceptions: (a) a Future Land Use Map amendment is requested on a parcel for which a PD-LUP had been previously approved; or (b) a change to a previously approved PD-LUP is requested that increases the density or intensity of an approved use. Subject to approval by the Board of County Commissioners, the County may determine to limit the scope or applicability of revised plan policies to the subject property based on the type and characteristics of the proposed Future Land Use Map amendment or PD-LUP change.

(Original Policy FLU6.3.4.2 added 10/09, Ord. 2009-28; Policy deleted 11/15, Ord. 2015-20; new Policy FLU6.3.4.2 added 11/15, Ord. 2015-20)

Lake Avalon Rural Settlement

FLU6.3.5 Orange County shall establish the **Lake Avalon Rural Settlement**. The permitted densities and intensities of land use within the Rural Settlement shall maintain the rural character of Lake Avalon area as designated on the Future Land Use Map. The predominant designation shall be 1/5 to reflect the existing development pattern. Densities shall range from 1/1, 1/2, 1/5 to 2/1 provided that a density of 2/1 may be permitted only if it is consistent with ~~FLU6.2.156.2.8~~ (with the restriction that "adjacent political jurisdictions" means municipalities located in Orange County).

All other residential densities of the Lake Avalon Rural Settlement shall be as provided for in FLU6.2.7. In addition, residential densities in the Lake Avalon Rural Settlement shall be consistent with ~~FLU6.2.156.2.8~~. Furthermore, notwithstanding anything to the contrary in ~~FLU6.2.156.2.8~~, a person owning more than fifty (50) contiguous acres of property may apply for a change of 2 DU/1 AC for not more than fifty (50) contiguous acres, provided that such acreage is situated adjacent to an Orange County's municipality's jurisdictional boundaries. (Added 5/04, Ord. 04-06; Amended 5/05, Ord. 05-05, Policy 2.4.5-r)

FLU6.3.6 Limited neighborhood commercial and office uses shall be allowed in the Lake Avalon Rural Settlement consistent with Future Land Use Element ~~FLU6.2.106.2.12~~. The scale, intensity and types of commercial and office uses must be compatible with the existing rural development pattern of the Lake Avalon area. Commercial and Office uses shall be processed as comprehensive policy amendments. (Added 5/04, Ord. 04-06, Policy 2.4.6)

- FLU6.3.7 In addition to the ~~existing criteria listed in~~ FLU6.2.4, non-residential development will be subject to the Lake Avalon Rural Settlement Commercial Design Guidelines and. ~~All non-residential development will be required to be zoned PD (Planned development) or granted a Special Exception. These guidelines will be implemented on a case by case basis during the rezoning or special exception process.~~ The guidelines shall include, but not limited to, the following:
- Uses
 - Access management
 - Site requirements
 - Signage
 - Fencing (Added 5/04, Ord. 04-06, Policy 2.4.7)
- FLU6.3.8 Orange County shall support the development of multi-purpose trails, including equestrian, pedestrian and bicycling trails within the Lake Avalon Rural Settlement ~~in an effort to promote the development of multi-purpose trails, including equestrian, pedestrian and bicycling trails.~~ (Added 5/04, Ord. 04-06, Policy 2.4.8)
- FLU6.3.9 The County will identify the Lake Avalon Rural Settlement area boundaries and community facilities with establish a community identification signage program for the Lake Avalon Rural Settlement that will recognize the physical boundaries of the area and will be used for identification of community facilities. (Added 5/04, Ord. 04-06, Policy 2.4.9)
- FLU6.3.10 In the interest of maintaining adequate potable water quality for the Lake Avalon Rural Settlement, ~~amendments to the Lake Avalon Rural Settlement shall be approved by the BCC on a case by case basis consistent with the Comprehensive Plan.~~ Any existing potable water facilities serving the Rural Settlement shall not be used as reason to increase allowable densities within the Rural Settlement. (Added 5/04, Ord. 04-06, Policy 2.4.10)
- FLU6.3.11 Development within the Lake Avalon Rural Settlement shall be consistent with existing Orange County FLU6.2.1 – FLU6.2.15. (Added 5/04, Ord. 04-06, Policy 2.4.11-r)

FLU6.3.12 Development that is adjacent to the Lake Avalon Rural Settlement Pursuant to FLU6.2.5 adjacent development shall consider appropriate buffering and compatibility standards using the guidelines of FLU6.2.5 for development that is adjacent to the Lake Avalon Rural Settlement. (Added 5/04, Ord. 04-06, Policy 2.4.12)

Bargrove

FLU6.3.13

Refer to Stipulated Settlement Agreement with **Bargrove** and the Department of Community Affairs in DOAH Case No. 06-003320GM regarding Comprehensive Plan Amendment 2006-1-A-2-1, and explicitly applies only to the 189-acre parcel known as the "Bargrove Property" and referred to herein as the "Property." A copy of this Policy and its Exhibits are on file with the Clerk to the Board of County Commissioners, the Orange County Planning Division and the Orange County Library (downtown Orlando branch). A legal description of the Property is set forth in Exhibit 1 to this Policy. A color map of the Property that shows the Property boundaries as well as the location and the size of the 5 areas of Karst geology and their 50-foot wide buffers, the natural vegetative buffers, and the 25-foot perimeter buffer is attached to this Policy as Exhibit 2. No development shall be allowed in the 5 on-site areas of karst geology, their 50-foot wide buffers, the natural vegetative buffers, and the perimeter buffer, which areas are included as part of the open space indicated on Exhibit 2. The Property shall be developed consistent with a planned development ("PD") zoning designation to be established in accordance with the County's Land Development Regulations. The PD zoning for the Property shall include the following restrictions: Residential density shall not exceed 188 single family dwelling units (which equates to one dwelling unit per gross acre), the residential lot sizes shall not be less than 1/3 acre, and the lots shall be clustered in a manner that retains not less than 63.2 acres (33%) open space within the Property at the specific locations indicated on the map that is attached to this Policy as Exhibit 2. Use of all chemicals, including but not limited to fertilizers, weed control agents, insecticides, pesticides or other similar products, shall be prohibited within the designated open space areas, which specifically include the karst geology and their buffers, the natural vegetative buffer, the perimeter buffer, the elementary school site, and the neighborhood parks. This restriction on the open space areas shall apply in perpetuity. Maintenance activities including but not limited to mowing, edging, hand weeding and trash removal shall be allowed in all designated open space areas. Notwithstanding the prohibition on development stated above, dry retention ponds may be located in the open space areas that are not designated as karst geology or the 50-foot wide buffers contiguous to the karst geology. A

reverse (environmental) swale shall be provided at the rear of any residential lot that backs up to one of the designated open space areas. These swales shall not count toward the open space. In addition, the individual lots and homes developed on the Property shall be designed so that stormwater runoff from the roof will be directed to a grassed area before discharging into a storm drain. Potable water and wastewater services to the Property shall be provided by the City of Apopka. (Added, 5/04, Ord. 04-06, Policy 2.4.13)

Wedgefield

FLU6.3.14

Wedgefield is located is east Orange County and has two (2) distinct parts. There is the portion located within the Rural Settlement and there is the portion located outside the Rural Settlement. The portion outside the Rural Settlement is designated Rural within the Rural Service Area with a density ~~on~~of one (1) unit per ten (10) acres. However, this section of Wedgefield is unique and is distinguishable from other areas in the Rural Service Area. Since 1992, Orange County has had a policy regarding development in this area. Prior to the adoption of the Comprehensive Plan (CP), this portion of Wedgefield has been subdivided and split many times. In 1992, Orange County recognized this pre-CP arrangement and set out parameters for the issuance of building permits for single family ~~residents~~residences. Over the years numerous residences have been constructed. This created an inequity for some property owners who could not document that their property was divided prior to 1991. In order to provide a fair and equitable policy for all the property owners in the Wedgefield Rural Service Area, the following policies shall apply.

- A. These policies shall apply only to those properties platted as Rocket City or Cape Orlando Estates and located within the Ranger Drainage District within the Rural Service Area of Orange County.
- B. Permitted density shall be one (1) unit per two (2) acres. Density refers to the total number of units divided by developable land, i.e., Natural Lakes and designated Conservation Areas are excluded from the gross land area.
- ~~C. Lots utilizing elevated septic tanks shall only be permitted on lots having a minimum of 110 feet of street frontage (lot width).~~

Staff recommends deleting the minimum lot width requirement for lots with elevated (mound) septic systems. The requirements for placement of septic systems is regulated by the Florida Department of Health.

~~D.C.~~ Lots of less than two (2) acres may be permitted for a single family residence, if documentation is provided to Orange County that shows the property was deeded as a separate parcel of record prior to July 1, 1991.

OBJ FLU6.4 Orange County shall continue to implement programs and codes that conserve, protect and enhance the County's natural resources and environmental assets.

POLICIES

- FLU6.4.1 Orange County shall regulate businesses and industries that have the potential to have an adverse impact on air quality and ensure that proper pollution control devices are used and maintained. This policy shall be achieved through coordination with the Florida Department of Environmental Protection and through the activities of the Orange County Environmental Protection Division. (Added 12/00, Ord. 00-25, Policy 4.2.1-r)
- FLU6.4.2 Orange County shall promote, through land development regulations and/or acquisition, the protection of rare upland vegetative communities and high recharge areas. Such regulations may include, but shall not be limited to, cluster developments, transfer of development rights, buffering sensitive areas, the identification and designation of wildlife corridors to discourage fragmentation and the implementation of the Wekiva Protection Act. (Added 12/00, Ord. 00-25, Policy 4.2.9)
- FLU6.4.3 All actions taken by the County with regard to development orders shall be consistent with Conservation Element Policy C1.4.1 ~~(of the Conservation Element)~~ and the regulations adopted pursuant thereto with respect to wetland protection. (Added 8/92, Ord. 92-24, Policy 4.2.7-r)
- FLU6.4.4 The Land Development Code shall specify wetland areas shall be incorporated into the design of development proposals in a manner that will, in a post development environment, maintain their productive functioning subject to the provisions of Conservation Policy C1.2.7 (Added 12/00, Ord., 00-25, Policy 4.2.8-r)
- FLU6.4.5 The Land Development Code shall provide regulations for the protection and conservation of wildlife listed as endangered, threatened, or species of special concern, and their occupied habitat, floodplains, and the natural function of wetlands. (Added 12/00, Ord. 00-25, Policy 4.2.6)

- FLU6.4.6 Orange County shall continue to protect wildlife corridors, rare upland vegetative communities wetland vegetative communities through the adoption of land development regulations or by utilizing other mechanisms such as transfer of development rights; development exactions; development incentives; or acquisition (by use of possible bond issues, existing tax dollars, or the Conservation Trust Fund) and the Green Place Program. (Added 12/00, Ord. 00-25, Policy 4.2.10-r).
- FLU6.4.7 Orange County shall provide for compatible public and/or private land uses adjacent to significant natural resources that are managed for public benefit. Methods of protection to be considered may include, but shall not be limited to, coordination with appropriate State agencies, Notice of Proximity, the use of density and intensity limitations on land use and development, and the use of buffers. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07, Policy 4.2.13)
- FLU6.4.8 Orange County shall provide for protection of wildlife habitat found on County owned lands. Such protection may include, but shall not be limited to, the use of density and intensity limitations on land use and development, Notice of Proximity, and the use of buffers. (Added 12/00, Ord. 00/25; Amended 06/10, Ord. 10-07, Policy 4.2.14)
- FLU6.4.9 Land depicted as Parks/Recreation, Open Space or Conservation in new developments shall be so restricted by a recorded covenant on the land or deed restriction as a condition of any preliminary subdivision plan or planned development approvals by the County. (Added 6/94, Ord. 94-13, Policy 4.2.23)
- FLU6.4.10 The Land Development Code shall specify extraction of natural resources (e.g., mineral and soil excavation) shall be permitted only where compatible with existing and proposed land uses. In addition, such operation shall be consistent with County environmental policies. A reclamation plan shall be submitted with extractive use permits and approved by the County. (Added 12/00, Ord. 00-25, Policy 4.2.15)
- FLU6.4.11 Orange County will require that all developments incorporate acceptable engineering practices to ensure their compatibility with on-site soils. (Policies 4.2.16 and 4.2.17-r)

- FLU6.4.12 Orange County shall continue to protect public potable water wells through implementation of policies in the Water Supply Plan and Aquifer Recharge Elements. (Added 12/00, Ord. 00-25, Policy 4.2.18)
- FLU6.4.13 Orange County shall maintain the quality of lakes, including the Butler Chain of Lakes, that are designated as Outstanding Florida Waters. (Added 6/95, Ord. 95-13, Obj. 4.4-r)
- FLU6.4.14 All new residential developments shall provide for a minimum lot size of at least one (1) acre for all lots fronting on any lake within the Butler Chain. This shall not include any existing manmade waterbodies connected to the Butler Chain. This development must be consistent with the future land use designation, FLU1.2.7 or FLU6.1.9, or have vested rights. (Added 6/95, Ord. 95-13; Amended 10/10, Ord. 2010-13, Policy 4.4.1)
- FLU6.4.15 Orange County shall require, to the extent allowable by Law, that all petroleum tanks to meet FDEP storage tank compliance standards and upgrade, as required, to protect the quality of surface waters. (Added 6/95, Ord. 95-13, Policy 4.4.3-r)
- FLU6.4.16 All rezonings within the Urban Service Area with frontage on the Butler Chain of Lakes shall be restricted to residential only with accessory recreational uses. Nonresidential zonings shall be prohibited. (Added 6/95, Ord. 95-13, Policy 4.4.2-r)
- FLU6.4.17 Orange County shall protect groundwater quality from the effects of development in areas of prime water recharge and within wellheads protection areas, consistent with the Aquifer Recharge Element and the Water Supply element. (Added 12/00, Ord. 00-25, Policy 4.2.4)
- FLU6.4.18 The Land Development Code shall require stormwater management systems to retain or detain with filtration, one-half inch of run-off from the developed site, or the run-off generated from the first one inch of rainfall on the developed site to provide for water quality treatment. (Added 12/00, Ord. 00-25, Policy 4.2.5)

FLU6.4.19 County shall continue to require the flood-proofing of structures and the restriction of development that diminishes flood carrying or flood storage capacities. The County shall also continue to require non-residential and residential development in special flood hazard areas, as defined by the Federal Emergency Management Agency, to have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation; and, if solid perimeter walls are used to elevate structures, openings sufficient to facilitate the unimpeded movement of floodwater, as well as continue to prohibit development within floodways that increase flow levels to protect areas subject to periodic or seasonal flooding. (Added 8/92, Ord. 92-24, Policy 4.2.12)

FLU6.4.20 The Orange County Individual on-site Sewage Disposal System (OSDS) Ordinance, Article ~~17~~XVII, Chapter 37 of the Orange County Code shall specify that general and heavy commercial and industrial land use must be served by central sewer to avoid potential contamination of groundwater by possible malfunction or improper maintenance of onsite sewage disposal systems. (Added 12/00, Ord. 00-25, Policy 4.2.3)

FLU6.4.21 Orange County shall require open space be incorporated into the design and site planning process to provide for usable size and public benefits. (Policy 4.1.17-r)

OBJ FLU6.5 Orange County shall ensure the preservation of significant historic and archeological sites and structures through their identification, designation and protection.

POLICIES

- FLU6.5.1 Orange County shall coordinate with the Department of State, Division of Historic Resources on maintenance of the Florida Master Site File.
- FLU6.5.2 The County shall preserve and protect significant historic and archeological resources, sites and structures in unincorporated Orange County, which are listed in the Florida Master Site File (See Appendix).
- FLU6.5.3 Utilizing the periodic housing inventories, the County shall identify, protect and preserve properties of archeological and historic significance.
- FLU6.5.4 The County shall regulate and evaluate proposed developments to minimize adverse impacts of such developments on historic and archeological sites and structures. Such requirement shall be incorporated in the Land Development Code.
- FLU6.5.5 The County shall require that any proposed developments within archeological sensitivity areas undergo additional archeological investigation with the Department of State, Division of Historic Resources, to find out if significant sites are present.
- FLU6.5.6 The County shall pursue state and federal grants to protect historic and archeological sites and structures.

OBJ FLU6.6 WEKIVA. ~~By January 1, 2007, the~~ The Land Development Code shall establish specific requirements for development within the Wekiva Study Area that may be necessary to protect ground water and surface water resources and to help attain target water quality standards. The requirements shall address, but not be limited to, allowed uses, stormwater management, open space, habitat protection, and public facilities. (Added Ord. 07-20, Policy 4.1.27)

POLICIES

FLU6.6.1 The Future Land Use Map shall show the Wekiva River Protection Area and the Wekiva Study Area. (Added Ord. 07-20, Policy 4.2.21)

FLU6.6.2 By January 1, 2007, the Land Development Code shall include regulations designed to protect the Wekiva River, the Wekiva Study Area, and the underlying aquifers, consistent with the Wekiva River Small Area Study, and the goals, objectives, and policies of Orange County Ordinance Number 89-04, the requirements of the Wekiva Parkway and Protection Act (Ch. 369, Part III, FS.), and the recommendations of the two Gubernatorial Committees, the Wekiva Basin Area Task Force (Final Report: Recommendations for Planning and Locating the Wekiva Parkway while Preserving the Wekiva River Basin Ecosystem, January 2003), and the Wekiva River Basin Coordinating Committee (Final Report: Recommendations for Enhanced Land Use Planning Strategies and Development Standards to Protect Water Resources of the Wekiva River Basin, March 2004.) The County shall evaluate and adopt both regulatory and non-regulatory strategies appropriate to the County that will further protection of the Wekiva System. (Added Ord. 07-20, Policy 4.2.22)

FLU6.6.3 The County shall adopt policies to reduce nitrate-nitrogen in the ground and surface waters feeding the Wekiva River, its springs, spring run creeks, and tributaries, as well as protect ground and surface waters from other contaminants. The following policies, using a three-tiered strategy based first and foremost on the avoidance of impacts, then on the minimization of impacts, and finally, only as a last recourse, on the mitigation of impacts, support achievement of the goal. (Added Ord. 07-20, Objective 4.5)

FLU6.6.4 Orange County shall protect the Wekiva Study Area and the underlying aquifers. Because the Wekiva River is designated as an Outstanding Florida Water and a national Wild and Scenic River, it is in the interest of the citizens of Orange County to maintain the quality of the system. The County shall use the Florida Department of Community Affairs/Florida Department of Environmental Protection joint publication, *Protecting Florida's Springs: Land Use Planning Strategies and Best Management Practices*, November 2002, as a guide to developing regulations within the Wekiva Study Area and shall incorporate the appropriate strategies and practices described therein in the Land Development Code by January 1, 2007. (Added Ord. 07-20, Policy 4.5.1)

FLU6.6.5 An undeveloped springshed has a natural equilibrium of water, nutrients and other chemical inputs and outputs. As a springshed becomes developed, this equilibrium is progressively altered. To minimize impacts in developed or developing springshed areas, site design and management issues shall be addressed carefully in the manner outlined below. These criteria are summarized from The Center for Watershed Protection's *Better Site Design: A Handbook for Changing Development Rules in Your Community*, August 1998 and Consensus Agreement on Model Development Principles To Protect Our Streams, Lakes, and Wetlands, April 1998. These documents shall be used, as appropriate and pertinent, for designing land development regulations for the Wekiva Study Area. The following existing and new concepts shall be incorporated, as appropriate and feasible, into projects within the WSA. The Land Development Code shall be revised by January 1, 2008 include appropriate standards and regulations to implement the policy.

- A. Select the most appropriate site or portion of a site for development.

A landowner or developer wishing to develop an area within the Wekiva Study Area or other identified springshed needs to choose an appropriate site for that development. The owner shall evaluate the landscape and geology of the land and seek locations that avoid karst features that have a direct or indirect connection to the aquifer and other environmentally sensitive features, such as sinkholes, streams, wetlands, or major springshed recharge areas. Development shall be clustered on the portion of the property best able to accommodate the development with minimal impact to water resources within the springshed.

- B. Property owners and developers shall design the site appropriately, viewing site planning and design from a pollution prevention-based approach to protect environmentally-sensitive spring and karst features. This prevention approach is much more cost-effective than relying on post-development structural treatments to correct problems. Site design shall use the following principles:
 - 1) Residential street and parking area designs shall minimize the development footprint (total amount of impervious surface)
 - 2) Natural areas shall be conserved to the greatest extent possible. Development shall preserve or create protective, naturally vegetated buffer systems along all streams and that also encompasses critical environmental features such as the 100-year floodplain, sinkholes, karst depressional features, stream-to-sink waters, slopes, and wetlands. Clearing and grading of forested and native vegetation areas shall be limited to the minimum amount needed to build lots, allow access, and provide fire protection.

- 3) Development shall use the principles of Low Impact Development (LID), an approach to environmentally-sensitive site development that focuses on designing and developing a site to avoid or minimize impacts to the environment, especially regarding water quality and quantity. LID uses a variety of site design, stormwater treatment train provisions (a system consisting of two or more separate structures—for example, a swale followed by a wet pond), and pollution prevention techniques to create an environmentally-sensitive site landscape that preserves natural features and ecological functions with the result that the landscape is functionally equivalent to pre-development hydrologic conditions.
- C. Property owners and developers shall use sensitive landscape design and Best Management Practices, including, but not limited to, the following:
- 1) Landscape design that considers natural soils and vegetation in plant selection, such as xeriscaping,
 - 2) Irrigation systems that minimize ground water use through efficient watering zones, use of reclaimed water if available, and use of stormwater.
 - 3) Landscape designs that minimize fertilization and use of chemicals.
 - 4) Landscape design and management incorporating Targeted Pest Management (TPM), the lawn and landscape industry equivalent of Integrated Pest Management (IPM) used on golf courses.
- D. Development shall use Best Management Practices for effective erosion and sediment control, including, but not limited to, the following:
- 1) Structural and non-structural BMPs and appropriate on-site techniques during construction to control erosion and sedimentation.
 - 2) Buffering of sensitive areas such as lakes, sinkholes, stream-to-sink areas, spring runs, creeks, and any wetlands associated with these features.

- 3) Establishment of regular street and parking lot sweeping programs to remove accumulated sediments and debris
- E. Depending upon specific site characteristics and consistent with existing regulations, development shall address creatively stormwater management issues and shall use Best Management Practices, including, but not limited to, the following:
- 1) Holding runoff in shallow vegetated infiltration areas;
 - 2) Using clay or geotextile liners for wet detention ponds;
 - 3) Employing offline stormwater retention areas;
 - 4) Constructing many small retention areas rather than only a few large retention areas;
 - 5) Installing sediment sumps at inlets to retention and detention areas;
 - 6) Using shallow grassed swales for the conveyance for stormwater;
 - 7) Constructing swales with cross blocks or raised driveway culverts;
 - 8) Fully vegetating stormwater retention basin side slopes and bottom;
 - 9) Using the treatment train concept and low impact development principals, discussed above;
 - 10) Minimizing the amount of impervious surfaces;
 - 11) Maximizing the amount of open space left in natural vegetation;
 - 12) Maximizing the use of pervious pavement in parking areas;
 - 13) Maintaining existing native vegetation where feasible; and
- Buffering sinkholes and other surface-to-ground water conduits, stream channels and springshed recharge areas (unconfined or minimally confined ground water exposure areas).

- F. Development shall address wastewater management issues as discussed in this element and the Wastewater Element.
- G. Property owners and developers shall use appropriate water conservation measures, including, but not limited to:
 - 1) Florida Friendly Yards, xeriscaping, a prohibition on the use of invasive exotic plant species, minimized areas of turf and impervious surfaces, preservation of existing native vegetation, rain sensors for automatic sprinkler systems, and homeowner education. Private utilities shall use conservation rate structures to provide financial incentives for users to reduce demands.
- H. Orange County shall increase public awareness about protecting the Wekiva Study Area.
 - 1) New development or substantial redevelopment shall participate in the Florida Yards and Neighborhoods Program to help educate residents to reduce pollution and enhance their environment by improving home and landscape management.
 - 2) Developers shall work with home and business site owners to reduce stormwater runoff, conserving water and enhancing wildlife habitats through the creation of carefully designed landscapes.
 - 3) Public awareness programs shall address watering efficiently; mulching to help retain moisture and suppress pests; composting and recycling of yard waste; selection of the least toxic pest control measures; putting the right plant in the right spot; fertilizing only when necessary; providing habitat for wildlife; and protecting surface water bodies and minimizing stormwater runoff.

- 4) Individual home and business site owners shall be made aware of the Florida Green Industries, Best Management Practices for Protection of Water Resources in Florida. These BMPs address reducing nonpoint source pollution; efficient water use; reducing off-site transport of sediment, nutrients, and pesticides through surface or ground water; appropriate site design and plant selection; appropriate rates and methods of applying fertilizer and irrigation; and the use of targeted pest management to apply appropriate amounts of chemicals. (Added Ord. 07-20, Policy 4.5.2)

FLU6.6.6

The County shall protect the Wekiva Study Area through the establishment of three protection zones based upon the aquifer vulnerability data provided in the Florida Geological Survey Report of Investigation 104: Wekiva Aquifer Vulnerability Assessment (WAVA). The three Protection Zones as determined by the WAVA report are depicted in Figure WSA-5. The Primary Protection Zone is comprised of those areas expected to most directly affect the water quality surfacing at the springs within the WSA [time of travel and reduced natural attenuation]. The Secondary Protection Zone still contributes water to the springs, but over a longer period of time and allowing for somewhat greater natural treatment and reduction of the nitrogen.

The Tertiary Protection Zone covers all other areas in the WSA, where the flow to the springs is minimal or non-existent. As part of its analysis, the County shall determine whether certain land uses with the potential to contaminate or harm the aquifer shall be limited or prohibited within portions of the WSA. The evaluation will need to address monitoring mechanisms as well as the costs of implementation and enforcement of protection zones and land use limitations. By January 1, 2007, the Land Development Code will be revised to include protection zones and appropriate standards for development within them, including stormwater runoff. (Added Ord. 07/20, Policy 4.5.3)

FLU6.6.7 By January 1, 2007, the County shall adopt into the Land Development Code an objective method by which to identify properties located within the three Wekiva Aquifer Vulnerability Zones (WAVA) protection zones. Initial identification would be through Geographic Information Systems (GIS) analysis of high and moderate recharge areas, karst sensitive areas, and the Wekiva Aquifer Vulnerability Assessment (WAVA) map.

Final determination shall be through on-site soil analysis and hydrological and geotechnical investigations, as needed. (Added Ord. 07-20, Policy 4.5.4)

FLU6.6.8 Land uses within the Rural Service Area portion of the Wekiva Study Area shall be limited to very low and low intensity uses to the greatest extent possible. Existing land uses are recognized but density and intensity shall not be increased through a future land use change unless there is substantial evidence that the change will satisfy a demonstrated need in the community or area.

Any petitioner for a future land use map amendment must submit documentation substantiating that a particular need exists in the community or area in which the change is being proposed. This documentation shall clearly identify the particular need and clearly describe how the proposed change is anticipated to satisfy that need.

Evidence and documentation indicating need and indicating that the proposed development would satisfy that need must be submitted from a third party objective source. In preparing such documentation, the petitioner shall keep in mind that market demand does not necessarily constitute need.

The following evaluation factors shall be used to determine consistency with this policy. To ensure environmental protection, projects shall identify whether a site is located in an environmentally sensitive area and whether locations in areas of lower vulnerability or areas that already allow the proposed land use are not available within a reasonable distance.

Applicants must demonstrate that the proposed land use is compatible with existing land uses and community character and is the least intensive to meet the demonstrated need. Additionally, the project will be evaluated based upon whether community or economic benefits are derived from

the proposed land use at that location, as well as whether the proposed use benefits the environment (such as projects that will be designed and constructed using conservation design and green principles).

Residential projects shall demonstrate the need for additional residential development using analytical tools such as population projections and availability of existing or already approved vacant lots and/or units. Additional considerations will include housing affordability and impacts on public services and facilities.

Non-residential and mixed-use projects shall demonstrate that the proposed land use will not generate hazardous materials and waste. Additionally, factors such as support for forestry, agriculture, fishing and natural resource-based outdoor recreation industries, as well as dependence on site-specific natural resources will be evaluated for the proposed land use. (Added Ord. 07-20; Amended 6/10, Ord. 10-07, Policy 4.5.5)

FLU6.6.9

~~By January 1, 2007, the~~The County shall establish implement land use strategies that optimize open space and promote a pattern of development that protects the most effective recharge areas, karst features, and sensitive natural habitats, including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub (Figures WSA-3 and WSA-4). Such strategies shall recognize property rights and the varying circumstances within the Wekiva Study Area, including rural and urban land use patterns. The County shall map, using best available data from the St. Johns River Water Management District, the Florida Fish and Wildlife Conservation Commission, and other sources, recharge areas and sensitive upland habitats for this purpose. The County will maintain flexibility to achieve this objective through various comprehensive plan strategies that shall include, but are not limited to:

Coordinated greenway plans;

Dedication of conservation easements;

Land acquisition, both fee simple and less-than-fee;

Clustering of development;

Density credits and density incentives that result in permanent protection of open space; and

Low to very low density development in the Rural Service Area. (Added Ord. 07-20; Amended 6/10, Ord. 10-07, Policy 4.5.6)

FLU6.6.10

Development and redevelopment within the Wekiva Study Area shall provide as much open space as possible. All new residential subdivisions or developments that may be located entirely or partially within the Wekiva Study Area shall cluster to the maximum extent to preserve open space. Such clustering is density neutral and lot sizes may be reduced to accommodate the preserved open space. Priority for open space protection shall be given to the following resources, as required to be protected by the Wekiva Act: the most effective recharge areas, karst features, and sensitive natural habitats including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub vegetative communities. A minimum of fifty percent (50%) of any sensitive natural habitat occurring shall be preserved on-site.

The purposes of *open space design* development are to minimize site disturbance, reduce land development costs, reduce infrastructure costs, provide more cost effective and efficient site infrastructure, provide better management of facilities, and permanently protect open space providing assured environmental protection, while remaining density and intensity neutral. ~~By January 1, 2007, the~~The Land Development Code shall include standards and incentives for open space/conservation subdivision design including minimum open space requirements, maximum lot size, and design standards. (Added Ord. 07-20, Policy 4.5.7)

Open space shall be primarily larger, contiguous parcels rather than in linear strips to encourage maintenance of rural views, lifestyles, and economies and shall be comprised mainly of existing undisturbed natural areas. To the extent possible, preserved open space shall be used to create corridors and larger parcels more suitable for ~~passive~~Nature-based -recreation, low-intensity agriculture, silviculture, aquifer recharge protection, or wildlife and habitat management, so that remnant open space areas are not created that are unusable or function as private open space to only a small percentage of the development. If a project is located next to off-site open space whose primary function is conservation of natural resources, connection of open space with compatible functions is required.

"Compatible" means similar or complementary such as uplands adjacent to wetlands or isolated wetlands within flatwoods or scrub areas. (Amended 6/10, Ord. 10-07)

Open space property shall be preserved through publicly recorded, permanent conservation easements or similar legal instruments to preclude future development or further subdivision of the land while ensuring maintenance of and appropriate access to the open space areas in perpetuity. Preserved areas shall be owned in common by a property owners' association, a public agency, a land trust, or another appropriate entity. This open space shall be used for conservation, aquifer recharge protection, ~~passive~~ nature-based recreation, low intensity agriculture, or silviculture. Agriculture and silviculture operations shall adhere to the appropriate BMPs as adopted by the Florida Department of Agriculture and Consumer Services.

Limited structures for common use or under common ownership may be allowed within the open space preserve areas, areas other than wetlands, conservation mitigation areas, conservation easements or wetland protective buffers. Homeowners' personal property and residential accessory structures shall be prohibited. Individual potable water wells shall be allowed in open space areas adjacent to homes if site conditions warrant and allow such. (Added 12/07, Ord. 07-20, Policy 1.3.5; Amended 6/10, Ord. 10-07)

FLU6.6.11

By July 1, 2007, theThe County will evaluate implementing enhanced landscaping and irrigation standards within environmentally sensitive areas in the Wekiva Study Area. These may include, but are not limited to, requiring native plant species appropriate to on-site soils to reduce the use of fertilizers and irrigation, and the maximum feasible retention of existing on-site natural vegetation. (Added Ord. 07-20, Policy 4.5.8)

FLU6.6.12 New development and redevelopment within the Wekiva Study Area shall minimize directly connected impervious areas (DCIA), direct runoff to vegetated areas for pollutant uptake, recharge, and storage. The County recognizes that under certain circumstances a developed property's runoff may contain high levels of contaminants whereby it may be more efficient to direct all stormwater to a single water quality treatment area. Enhanced development standards and stormwater best management practices (BMPs) shall be adopted as needed into the Land Development Code ~~by July 1, 2007~~ to minimize DCIA and provide high levels of stormwater treatment. (Added Ord. 07/20, Policy 4.5.9)

FLU6.6.13 ~~By January 1, 2008, the~~The County will evaluate adopting development standards for new and substantially redesigned golf courses within the Wekiva Study Area. Such standards may incorporate the strategies and practices outlined in the publication: *Protecting Florida's Springs: Land Use Planning Strategies and Best Management Practices*, Florida Department of Community Affairs and the Florida Department of Environmental Protection, November 2002, Tallahassee, Florida. (Added Ord. 07-20, Policy 4.5.10)

FLU6.6.15 For that portion of the Wekiva Study Area located within the Joint Planning Area of the City of Apopka, Orange County shall require compliance with minimum open space and density requirements described by the Joint Planning Area Agreement (JPA) with the City of Apopka adopted on October 26, 2004 and as may be amended. If a discrepancy exists between the City of Apopka and Orange County in terms of requirements, the most stringent shall apply. The County shall adopt Land Development Regulations by January 1, 2007 for these areas to provide for a pattern of development that protects most effective recharge areas, karst features, and sensitive natural habitats. (Amended 6/10, Ord. 10-07)

All areas shown as High Recharge Areas identified in the Data and Analysis of the Future Land Use Element map series, Map 4 (aka Figure WSA-3) shall be recognizable by the presence of Type "A" Hydrologic Soil Group identifying the most effective recharge areas. (Amended 6/10, Ord. 10-07)

During the site planning process, a soil analysis shall be performed by a qualified professional to determine the location of most effective recharge areas, considered Type "A" Hydrologic soils described by the NRCS Soil Survey maps. (Amended 6/10, Ord. 10-07).

OBJ FLU6.7 **Wekiva Interchange Land Use Plan Overlay designation. Orange County establishes the Wekiva Interchange Land Use Plan Overlay (WILUPO), which is intended to be a tool for compatible and consistent future development, transition of densities and preservation of environmentally sensitive areas within the Overlay and the Wekiva Study Area. Creation of this Overlay does not create development entitlements on any parcel of land or amend any previously-approved entitlements. (Added 10/10, Ord. 2010-13)**

POLICIES

FLU6.7.1 The location of the Wekiva Interchange Land Use Plan Overlay will be at the intersection of Kelly Park Road and SR 429 and lands extending in a one-mile radius from this point of intersection. This Overlay will take effect once the interchange has been officially designated, and funding for the Wekiva Parkway, including the interchange, has been committed in the Orlando-Orange County Expressway Authority (OOCEA) *Five-Year Work Plan*. (Added 10/10, Ord. 2010-13)

FLU6.7.2 The Overlay is a mechanism for protecting the environmentally sensitive features located in the Overlay's portion of the Wekiva Study Area. Within the WILUPO, sixty percent of the property is located within the County and forty percent is located within the City of Apopka, requiring significant intergovernmental coordination and joint planning. Therefore, measures need to be taken to ensure that development does not degrade the existing rural nature of the unincorporated areas or the natural features of the area. (Added 10/10, Ord. 2010-13)

FLU6.7.3 Orange County shall coordinate with the City of Apopka to develop an interlocal agreement. The Interlocal Agreement should be in place prior to or at the same time as adoption of the Overlay. The Interlocal Agreement shall address the following issues:

- A. Annexation in an orderly fashion that is consistent with Chapter 171, Florida Statutes and the Joint Planning Area Agreement;
- B. Providing the County an opportunity to review any changes in future land use for properties within the Interchange Land Use Plan located in the City of Apopka for consistency with the County's Comprehensive Plan;
- C. Service delivery;
- D. Impact fees;
- E. Timing of development;
- F. Location of development;
- G. Avoiding creation of fragmented parcels and enclaves as defined by Section 171.031, Florida Statutes;
- H. Ensuring Wekiva protection standards are met;
- I. Extra-jurisdictional impacts; and,
- J. Recognizes that County roads may not be widened to support Apopka's development dictated on their Interchange Land Use Plan and that supports jurisdictional transfer of roadways consistent with Section 335.0415, Florida Statutes. (Added 10/10, Ord. 2010-13)

FLU6.7.4 Orange County and the City of Apopka should include policies in their respective Comprehensive Plans requiring that the adoption of annexations, land use changes, and any subsequent development within the Overlay be consistent with the adopted Interlocal Agreement. (Added 10/10, Ord. 2010-13)

FLU6.7.5 Land use patterns in the Overlay area are currently rural in nature. The area is in the County's Rural Service Area, not contiguous to the Urban Service Area boundary. Given the unincorporated area's rural nature, higher density and intensity development would occur only upon annexation into the City of Apopka. Any such annexation must be consistent with Chapter 171, FS, the adopted Joint Planning Area Agreement, and the Interlocal Agreement that governs the Overlay. (Added 10/10, Ord. 2010-13)

- FLU6.7.6 Orange County shall proceed with the Interchange Land Use Plan Overlay consistent with Transportation Element Policies T3.4.11 and T3.4.12 regarding coordination and construction of the Wekiva Parkway. (Added 10/10, Ord. 2010-13)
- FLU6.7.7 No later than one year after the Orlando-Orange County Expressway Authority (OOCEA) has designated the final alignment, or by December 2011, Orange County's Land Development Code shall be updated to include items such as, but not limited to, joint access, secondary access, drainage standards, right-of-way protection and signage standards specific to the Wekiva Interchange Overlay, consistent with the requirements of Section 369.321(3), FS, and the Joint Planning Area Agreement. (Added 10/10, Ord. 2010-13)
- FLU6.7.8 Consistent with Stormwater Management Element Policy SW1.5.12, stormwater structures shall conform to the setbacks (minimum buffer in feet) required by each type of specific karst features. (Added 10/10, Ord. 2010-13)
- FLU6.7.9 The WILUPO shall be adopted as Map 21 in the Future Land Use Map series, in addition to being part of the required Interlocal Agreement as an exhibit. (Added 10/10, Ord. 2010-13)

OBJ FLU6.9 Lake Pickett Future Land Use Map (FLUM) Amendment and Conceptual Regulating Plan (CRP) and Lake Pickett Planned Development Regulating Plan (PD-RP). Development approval of a community within the Lake Pickett Study Area shall require an LP Future Land Use Map designation, public outreach, an approved Transportation Term Sheet or other transportation mitigation framework presented to and reviewed by the Board of County Commissioners and corresponding Agreement(s) for provision of infrastructure, and an approved Lake Pickett PD-RP, which determines the adopted boundaries and location of the Transect Zones. The proposed Transect Zone locations shall be illustrated on a Conceptual Regulating Plan (CRP) during the FLUM amendment process and finalized on an approved Lake Pickett PD-RP. (Added 07/16, Ord. 2016-17)

POLICIES

FLU6.9.1

Lake Pickett Future Land Use Map

Amendment. Requirements for all Lake Pickett Future Land Use Map Amendments include, but are not limited to, submittal of a draft Conceptual Regulating Plan, a proposed development program, a justification statement, an OCPS Consistency Determination Application, a Transportation Study, and the proposed community meeting schedule and shall be met at the time of submittal. Depending on the circumstances of the LP application, additional information may be required for transportation, utilities, drainage or other pertinent data as determined by Planning Division staff. Requirements shall include the following:

- **Conceptual Regulating Plan (CRP):** A CRP, a general and illustrative representation of the proposed development and location of transects, is precursory to a Lake Pickett PD-RP. A CRP shall be provided during the transmittal process and shall be refined throughout the review process. The following items shall either be depicted on a CRP or included as an attachment:
 - A. General location of Transect Zones
 - B. General location and types of the proposed agricultural uses (if applicable), natural areas, and transitional treatments

- C. General location of neighborhoods based on ¼-mile radius pedestrian sheds
- D. Location of existing and planned major roadways, trails or other transportation modes
- E. Location of potential and required connections, including external connections to adjacent roadways and those between the two Lake Pickett communities, and required internal connections between neighborhoods
- F. General location of public school sites and a copy of the application for a Capacity Enhancement Agreement with Orange County Public Schools
- G. Net developable land area for the project and for each of the Transect Zones
- H. Overall proposed community development program
- **OCPS Capacity Enhancement or Mitigation Agreement:** Prior to adoption of the FLUM amendment, a Capacity Enhancement Agreement (CEA) shall be approved and fully executed by Orange County Public Schools that mitigates the impact of the LP designation on the public school system. The CEA shall address the procedure for conveying the school sites to OCPS and address APF requirements. The value of the school site shall not exceed \$58,000 per acre, and the school site must meet all Orange County Public Schools requirements to receive this value.
- **Transportation Analysis:** The traffic study shall be coordinated with the Orange County Transportation Planning Division and submitted in accordance with the deadlines for the associated LP FLUM amendment. The traffic study will be part of the data and analysis for the requisite adoption of a Term Sheet or transportation mitigation framework presented to and reviewed by the Board of County Commissioners and corresponding Transportation Network Agreement(s) required with the Board of County Commissioners Comprehensive Plan adoption public hearing.

- **Justification and Consistency:** The justification statement shall identify relevant Comprehensive Plan policies and explain how the proposed request is consistent with the identified policies. Any privately-initiated text amendment(s) related to the application shall also be included and explained as part of the justification statement. Proposals for privately-initiated text amendments also shall include an evaluation of consistency with the Comprehensive Plan.
- **Infrastructure and Public Services:** Development within the Lake Pickett Study Area shall be subject to the requirements of the Orange County Concurrency Management Ordinance, as amended, unless a separate agreement has been entered into with the County to establish an alternative method for addressing development impacts. Provision of land, connection, and access will be made to accommodate the siting and operation of utility and emergency services facilities, conveyances, and equipment accordingly.
- **Community Meetings/Public Participation:** A minimum of two community meetings/public workshops shall be held. All workshops are subject to the County's notification requirements. The County maintains the discretion to require additional community meetings/workshops as part of the application review process.

(Added 07/16, Ord. 2016-17)

FLU6.9.2

Properties within the Lake Pickett Study Area that obtain the LP FLUM designation must rezone to Lake Pickett Planned Development-Regulating Plan and comply with applicable agreements of Policies FLU6.9.2 and FLU6.9.3. The following items shall be submitted for completion of the Lake Pickett Planned Development-Regulating Plan rezoning:

- A. Regulating Plan:** All PD applications shall meet all PD submittal requirements, and shall have a Lake Pickett Planned Development-Regulating Plan (PD-RP) documenting the final locations of open space and preservation areas, Transect Zones, streets, neighborhoods, schools, trails, and parks. More specifically, each Lake Pickett PD-RP shall demonstrate consistency with the Lake Pickett Guiding Principles listed in FLU6.8.1 and provide detailed performance standards for the following community elements:

- Developable land area (requires an approved Conservation Area Determination)
- Transition buffer requirements for areas along Lake Pickett Road and South Tanner Road, and any additional compatibility measures
- Neighborhood locations based on ¼-mile pedestrian shed oriented around the central focal points
- Final location, boundaries, and land areas of each of the Transect Zones
- Proposed locations of community centers (if any) and their performance standards
- Street typology and cross-sections and pedestrian/bicycle facility standards
- Intersection density and connectivity measures within and between Lake Pickett communities and neighborhoods (per Policies FLU6.8.11 and FLU6.8.12)
- Final Green Infrastructure Plan integrating stormwater management facilities, required conservation, open space and community space (including location and type of park facilities and the proposed trail network), and Low Impact Development (LID) practices providing standards for a bonus system described in FLU6.8.4
- Landscape and streetscape requirements and their proposed maintenance responsibility
- General location(s) of public school sites and their proposed pedestrian/bicycle connections
- General location of police substations, fire stations, utility tract(s), and government buildings (if any)
- Summary of measures taken to comply with the Comprehensive Plan Conservation Element, including habitat and conservation area protection. Locations of stand-alone agricultural uses, their typology, and performance standards (Agricultural uses incorporated into a community open space area shall be depicted on the Green Infrastructure Plan.)

B. Development Program: The proposed community development program shall show unit counts and average densities and intensities by Transect Zone and their phasing, if applicable, and it shall be included and adopted as part of a Lake Pickett PD-RP and their totals incorporated into Policy FLU8.1.4. The development program shall be substantially consistent with the program submitted with a CRP and approved with a LP FLUM amendment, with revisions necessary to reflect any changes to the Transect Zones boundaries or as required for consistency with the provisions of the Regulating Plan and required Agreements. Any request to increase the development totals for a Lake Pickett PD-RP, as listed in FLU8.1.4, must be approved through an application to amend the Comprehensive Plan.

C. Infrastructure Agreements: To facilitate coordinated roadways, utilities, and school locations, the following agreements must be executed prior to or concurrent with the adoption of a Lake Pickett PD-RP:

- OCPS Capacity Enhancement or Mitigation Agreement;
- A Transportation Term Sheet or transportation mitigation framework presented to and reviewed by the Board of County Commissioners and corresponding Transportation Network Agreement(s); and
- Adequate Public Facilities Agreement ("APF Agreement") for applicable facilities within the PD-RP, such as sheriff, fire, utilities, public school sites, roads, and parks and recreation, substantially similar in form and substance to APF Agreements as such are described in Chapter 30, Article XIV, Orange County Code (the "APF Ordinance").

Neighborhood parks and community trails that are not within County rights-of-way will be owned and maintained by the home/property owner associations or a similar type of organization. Ownership and maintenance of community parks will be determined on a case-by-case basis.

Prior to approval of each Lake Pickett PD-RP, the developer shall meet with Orange County Utilities to discuss connection points for water, wastewater, and reclaimed water. (Added 07/16, Ord. 2016-17)

FLU6.9.3

Funding of Transportation Improvements. A Transportation Term Sheet or other transportation mitigation framework presented to and reviewed by the Board of County Commissioners, as well as their corresponding Transportation Network Agreements shall require a financially feasible, long-range transportation infrastructure funding framework and capital improvements program as defined by the County and applicable policies in the Comprehensive Plan, including, but not limited to, Objective CIE1.6 and implementing Policies CIE1.6.5 and CIE1.6.6. The planned transportation improvements shall ensure the overall safe and efficient movement of vehicles, pedestrians and cyclists through an interconnected multimodal transportation network. Potential funding sources for projects may include, but are not limited to, the following:

- Developer Contributions and/or other Public-Private Partnerships
- Road Impact Fees
- Available State or Federal Highway or Transit Funds
- Municipal Service Taxing Unit/Municipal Service Benefit Unit
- Tax Increment Financing District
- Community Development District
- County INVEST funding
- Others as approved by the Board of County Commissioners.

Orange County shall evaluate alternative funding mechanisms to ensure the adequate financing or funding of needed public facilities, including transportation infrastructure, necessary to accommodate the proposed development within the LP Future Land Use designation for the Lake Pickett Study Area defined in Objective FLU6.8. The County shall require developer participation in such funding programs, except that OCPS shall not be required to participate in any community development district or other potential funding sources.

A Lake Pickett PD-RP shall be implemented through a Lake Pickett Transportation Network Agreement(s), which shall:

- A. Identify the list of transportation infrastructure improvements necessary to support the LP Future Land Use designation;
- B. Denote specific private or public entities responsible for implementation and completion of each transportation infrastructure improvement;
- C. Relate the completion of critical transportation improvements to development entitlements (i.e. trip allocations) and development phasing to identify when improvements are required; and
- D. Demonstrate satisfaction of the requirements of the Orange County Concurrency Management Ordinance, as amended.

Future Land Use Map (FLUM) amendments for the Lake Pickett designation shall not be approved without a Lake Pickett Transportation Term Sheet or other transportation mitigation framework also presented to and reviewed by the Board of County Commissioners. Prior to County approval of any Comprehensive Plan amendment or any subsequent FLUM amendments, a corresponding Transportation Network Agreement that substantially conforms with a Lake Pickett Transportation Term Sheet or other transportation mitigation framework presented to and reviewed by the Board of County Commissioners must be signed by the owners of a majority of the acreage it addresses.

(Added 07/16, Ord. 2016-17)

FLU6.9.4

Availability of Needed Transportation

Facilities. A Lake Pickett Transportation Term Sheet or other transportation mitigation framework presented to and reviewed by the Board of County Commissioners shall reflect a transportation funding framework and describe the roles and responsibilities of the participating parties and timing of required transportation improvements as to ensure a coordinated infrastructure improvement program. (Added 07/16, Ord. 2016-17)

FLU6.9.5

East Orange Area-wide Transportation Study. By ~~Spring 2020~~ ~~December 2017~~, the County shall ~~complete~~ ~~commence~~ an East Orange Area-wide Transportation Study. The study area shall generally be bounded by the Seminole County line to the north, SR 50 to the south, Alafaya Trail to the west, and Chuluota Road to the east. The purpose of the study is to identify and analyze potential transportation projects to improve network connectivity and provide relief to constrained transportation corridors. The study shall be ~~utilized~~ ~~used~~ by the County to identify potential future transportation improvement projects ~~prioritize for further evaluation and development of future transportation improvement projects, including intersection improvements.~~ In ~~completion~~ ~~conducting~~ of the study, the County shall seek comment from ~~coordinate with~~ local residents, property owners, and community associations. The County also shall coordinate with the Florida Department of Transportation, the Central Florida Expressway Authority, LYNX, the University of Central Florida, Central Florida Research Park, and Seminole County. (Added 07/16, Ord. 2016-17)

FLU6.9.6

In an effort to preserve the existing Chuluota Road buffer to the maximum extent possible, in the event the existing buffer is adversely impacted by County roadway expansion the County shall, in accordance with its usual policies and procedures, endeavor to provide a buffer between the expanded roadway and adjoining communities. In the event such buffer does not reasonably shield the roadway from view of adjoining communities, the County shall act to reasonably shield the expanded roadway from view. Such shielding shall, to the extent reasonably possible, be accomplished through the use of trees, enhanced landscaping, and/or other vegetation. For other roadway improvements in the Lake Pickett Overlay, the County will endeavor to maintain existing buffers and will consider similar compatibility measures on a case-by-case basis. (Added 07/16, Ord. 2016-17)

REGIONAL COOPERATION

GOAL FLU7 REGIONALISM. Orange County will continue to work with the municipalities in its jurisdiction as well as adjacent counties to address regional issues including water supply, transportation, and workforce housing. The County also should continue its involvement in regional projects and organizations.

OBJ FLU7.1 As opportunities arise, the County will use mutually beneficial planning practices to coordinate development plans and the location of recreational facilities, as well as infrastructure improvements and capital facilities with local agencies, jurisdictions, and adjacent local governments.

POLICIES

FLU7.1.1 Orange County will initiate meetings with cities, agencies, and other units of local government to jointly discuss write and implement small area studies and land use plans for areas of mutual interest. These areas shall be referred to as Cooperative Planning Areas (CPA).

FLU7.1.2 Orange County shall work cooperatively with the University of Central Florida to seek additional opportunities for joint use facilities in accordance with its Master Plan.

FLU7.1.3 Orange County will use, if applicable, results of visioning facilitated by such organizations as myregion.org.

FLU7.1.4 The County shall negotiate agreements with adjacent jurisdictions providing for notification of proposed developments or regulatory changes by those adjacent jurisdictions which may impact the County or County residents.

FLU7.1.5 Orange County shall coordinate with local jurisdictions to establish a corridor land use plan for the commuter rail stations.

OBJ FLU7.2 Orange County will review and analyze the impacts of proposed development, infrastructure improvements, and comprehensive plan amendments occurring in local governments and adjacent jurisdictions.

POLICIES

FLU7.2.1 The County shall negotiate agreements with adjacent jurisdictions providing for notification of proposed developments or regulatory changes by those adjacent jurisdictions which may impact the County or County residents. (Policy 4.1.21)

FLU7.2.2 ~~RESERVED. The County shall establish an internal team to monitor and review DRIs in adjacent counties to determine the environmental, traffic and land use impacts of proposed development on the County and its residents.~~

FLU7.2.3 The County shall establish a Capital Improvements (CIP) working group to share and discuss planned infrastructure improvements with adjacent jurisdictions. This coordination shall consist of GIS data sharing and notification of planned improvements and development applications.

Staff recommends deleting reference to Development of Regional Impacts as the State of Florida has considerably weakened the regulations and eliminated the prior DRI review process for new developments that would otherwise have qualified as a DRI.

OBJ FLU7.3 Orange County shall work cooperatively with the University of Central Florida to eliminate or minimize land use compatibility problems and constraints between the University and Orange County.

POLICIES

- FLU7.3.1 Orange County shall review the campus master plan, development proposals, and other development plans of the university to ensure compatibility with off campus surrounding uses and to determine the impacts of the development on Orange County residents.
- FLU7.3.2 The university and the county shall work cooperatively to develop shared design and signage guidelines to ensure compatibility of on-campus development with the surrounding community.
- FLU7.3.3 Where the acquisition of additional lands is necessary for the continued growth and expansion of university facilities, the county shall work cooperatively with UCF on any required amendments to the CPComprehensive Plan.
- FLU7.3.4 Orange County shall arrange an annual meeting to discuss and review updates related to campus development plans, infrastructure improvements and support facilities.
- FLU7.3.5 Orange County shall work with UCF to establish additional opportunities for increased coordination as identified in the ~~2005-2015~~ Campus Master Plan.

OBJ FLU7.4 Orange County shall recognize growth as a regional issue and shall use Growth Centers as an effective planning tool to allow, address and guide urban-scale, single-purpose public or quasi-public uses that serve a regional purpose or market and require a location outside the Urban Service Area. Growth Centers established prior to June 21, 2011, and which would not be consistent with the provisions of this Objective or associated Policies, shall be permitted to continue subject to the FLU-Future Land Use Goals, Objectives and Policies under which the Growth Center was originally approved. (Amended 10/11, Ord. 2011-08, Obj. 1.2)

POLICIES

Establishment or Extension of Growth Centers

FLU7.4.1 Establishment of new or extensions of existing Growth Centers shall only be accomplished through an amendment to the Comprehensive Plan, along with amendment to the Comprehensive Plan pursuant to Chapter 163, Florida Statutes; and

- (1) as part of: a Joint Planning Area agreement that is consistent with the Intergovernmental Coordination Element. If appropriate, the Joint Planning Area agreement shall define the Growth Center boundary and establish Future Land Use Map designations, infrastructure and utility provision, and development regulations., as applicable, or
- (2) through a sService agreement between Orange County and a duly established Authority enabled to provided or secure an adequate level of urban public facilities and services to serve the use(s) for which the Authority is responsible, or
- (3) to enter intoAn agreements with other service providers for the provision of all necessary public facilities and services. If appropriate, the Joint Planning Area agreements shall define the Growth Center boundary and establish Future Land Use Map designations, infrastructure and utility provision, and development regulations. (Added 8/92, Ord. 92-24; Amended 2/96, Ord. 96-13; Amended 10/11, Ord. 2011-08, Policy 1.2.1-r)

Staff recommends revising the policy to clarify the process. There are no substantive changes proposed.

FLU7.4.2 After the adoption of a Joint Planning Area or Service agreement, the Future Land Use Map may be amended to reflect the boundaries and future land use of Growth Centers, if other CP Comprehensive Plan and application requirements are met. (Amended 10/11, Ord. 2011-08, Policy 1.2.2-r)

FLU7.4.3 ~~RESERVED. To ensure managed growth consistent with the rural characteristics and environmentally sensitive areas around the Northwest Growth Center, development within the Growth Center must provide a transition in land use density and intensity. In providing this internal transition, the Foothills of Mount Dora Planned Development (PD); and described herein, the area defined as "Parcel S-1" and "Parcel S-2" on the Foothills of Mount Dora PD/ Land Use Plan approved by the Board of County Commissioners on December 17, 2002, shall be limited to a net residential density of 1 dwelling unit per acre as required by the PD conditions. In addition, the Northwest Growth Center boundary, as adopted, shall not be expanded unless amendments to the Future Land Use Map and all applicable policies, including FLU7.4.3 are adopted. Furthermore, the Joint Planning Area between Orange County and the City of Mount Dora shall not be expanded. (Added 10/03, Ord. 03/15; Amended 6/10, Ord. 10-07, Policy 1.2.2.1)~~

Staff recommends deleting the policy and moving it under Future Land Use Element FLU7.4.7. because it is specific to the Northwest Growth Center.

FLU7.4.4 Urban intensities shall be permitted in designated Growth Centers when urban services are available from other sources as approved by Orange County, consistent with the appropriate policies of the Comprehensive Plan. If services and facilities sufficient to maintain adopted level of service standards are not available concurrent with the impacts of development, the development will be phased such that the services and facilities will be available when the impacts of development occur or the development orders and permits will be denied. (Policy 1.2.3)

FLU7.4.5

Development in Growth Centers shall only occur when someone other than Orange County incurs the initial capital cost of the required urban facilities and the incremental cost of the required urban services. Consistent with applicable law, paybacks shall be implemented with respect to future users benefiting from the supplied facilities and services; but such paybacks shall not be from Orange County except as a conduit.

The provision of service by Orange County may be permitted when all of the following criteria are met:

- A. The connection point(s) to Orange County facilities exists within two (2) miles (as measured along existing road right-of-way) of the proposed "affordable housing development;"
- B. Capacity is available at the time of the requested Growth Center amendment;
- C. Extension of services and facilities and reservation of capacity is at the expense of someone other than Orange County. (Added 8/92, Ord. 92-24; Amended 10/11, Ord. 2011-08, Policy 1.2.4)

FLU7.4.6

Within a Growth Center, all new development must apply for Planned Development zoning, in order to specifically identify densities, intensities and mixture of land use.

Additionally, all new development and substantial redevelopment in portions of Growth Centers located within the Wekiva Study Area shall adhere to the development standards adopted to implement the Wekiva Parkway and Protection Act, Ch. 369, Part III, FS.

Such standards shall include, but are not limited to one or more of the following:

- (1) ~~additional~~Additional stormwater treatment and retention (maintenance of water quality and recharge);
- (2) ~~enhanced~~Enhanced wastewater treatment;
- (3) ~~limitations~~Limitations of certain allowed uses within the most vulnerable portions of the Study Area;
- (4) ~~subdivision~~Subdivision standards;
- (5) ~~open~~Open space requirements;
- (6) ~~smart~~Smart growth" roadway design standards;
- (7) ~~parking~~Parking lot design standards,
- (8) ~~upland~~Upland habitat protection, and
- (9) ~~such~~Such other measures as required to protect ground and surface water in the Wekiva Study Area.

(Added 11/95, Ord. 95-35, Ord. 2007-20, Policy 1.2.5)

Established Growth Centers

Northwest Growth Center

FLU7.4.3 To ensure managed growth consistent with the rural characteristics and environmentally sensitive areas around the Northwest Growth Center, development within the Growth Center must provide a transition in land use density and intensity. In providing this internal transition, the Foothills of Mount Dora Planned Development (PD); and described herein, the area defined as "Parcel S-1" and "Parcel S-2" on the Foothills of Mount Dora PD/ Land Use Plan approved by the Board of County Commissioners on December 17, 2002, shall be limited to a net residential density of 1 dwelling unit per acre as required by the PD conditions. In addition, the Northwest Growth Center boundary, as adopted, shall not be expanded unless amendments to the Future Land Use Map and all applicable policies, including FLU7.4.3 are adopted. Furthermore, the Joint Planning Area between Orange County and the City of Mount Dora shall not be expanded. (Added 10/03, Ord. 03/15; Amended 6/10, Ord. 10-07, Policy 1.2.2.1)

West 192 Growth Center/Resort/PD

- FLU7.4.7 Expansion of the West 192 Growth Center/Resort/PD shall occur only by amendment to the Comprehensive Plan pursuant to Chapter 163, Florida Statutes, and shall be considered pursuant to the criteria defined herewith.
- A. A minimum of 200 gross acres to ensure establishment of at least one integrated development.
 - B. Each comprehensive plan amendment request must be immediately adjacent to the existing U.S. 192 Growth Center or immediately adjacent to an established Growth Center/Resort/PD in order to eliminate urban sprawl or leapfrogging of development. Growth Center/Resort/PD development must also be consistent with Ordinance 96-11 related to Growth Centers. Each comprehensive plan amendment must demonstrate clearly defined rationale for separating from the Rural Service Area or Horizon West and establishing a Growth Center/Resort/PD in accordance with JPA-Joint Planning Area requirements and other policies defined herewith.
 - C. In general, the overall planning evaluation to establish and/or expand the West 192 Growth Center/Resort/PD shall include but not be limited to:
 - 1. Adjacent land use compatibility in the transition of urban to rural areas and proposed internal plan compatibility as it relates to transition of land uses from a tourist orientation to a permanent community orientation envisioned by Horizon West.
 - 2. Availability of central sewer/water transmission facilities within two miles of the subject site, consistent with the Orange County Comprehensive Plan (e.g., Obj. FLU7.4).
 - 3. Separation of land by collector or arterial roadways, natural resource areas or the ability to plan upland buffer areas to separate resort planned developments from existing or planned permanent residential neighborhoods of Horizon West.
 - 4. Avoidance of premature conversion of active agricultural land areas.

5. Each specific comprehensive plan amendment will be independently evaluated by Orange County in context of the remaining Horizon West Village Land Use Classification and the adjacent Growth Center.
6. When a comprehensive plan amendment is approved by the Board of County Commissioners, the net developable acreage allocated for urban development by the small area analysis shall be counted as Urban Service Area allocation. (Added 5/96, Ord. 96-11; Amended 12/00, Ord. 00-25; Amended 10/11, Ord. 2011-08, Policy 1.2.6.1-r)

Aviation Growth Center (West Orange Aviation District)

FLU7.4.8 A portion of the West Orange Aviation District, the District, is established as an Aviation Growth Center (AGC). The purpose of the AGC is to anticipate and coordinate development related to future establishment of a general aviation facility within the District. The AGC is a unique application of the Growth Center concept established in Policies FLU 7.4.1 through FLU 7.4.7. The policy framework established by FLU7.4.8 through FLU7.4.11 shall apply to future expansions of the AGC, if any. AGC implementation shall be accomplished through a two-part process, referred to herein as Boundary Designation (Part I) and Master Plan (Part II).

- A. Until such time as all of the requirements of FLU7.4.10 have been completed, no further new development entitlements under the Aviation Growth Center (AGC) Future Land Use designation shall be approved by Orange County. Existing or proposed land use entitlements consistent with the Rural FLU designation or permitted by a prior approved development order shall continue or may be considered for approval by Orange County.
- B. Annexation of lands within the District and the AGC to the municipal boundary of the City of Apopka shall not occur unless and until Orange County agrees with Apopka to amend the 2004 Joint Planning Agreement, as amended, for the Joint Planning Area between the County and the City. (Added 10/11, Ord. 2011-08)

FLU7.4.9

The Part I process shall begin upon County approval and execution of a Compliance Agreement with the Florida Department of Community Affairs and amendment of the Comprehensive Plan to adopt Policies FLU7.4.8 through FLU7.4.11, and shall conclude with County approval and incorporation by reference into the Comprehensive Plan of the West Orange Aviation Authority Airport Master Plan. The Boundary Designation for the AGC shall incorporate the following:

- A. Authorization of development entitlements encompassing 2.8 million square feet of industrial land uses, 50,000 square feet of commercial uses, 150,000 square feet of office land uses, and 750,000 square feet of airport-related land uses. These development entitlements explicitly apply to the 447-acre parcel known as the "Long and Scott Property" and referred to herein as the Property. The Property's legal description is hereby incorporated as Exhibit 1. A color map of the property (which shows the property boundaries and Remedial Future Land Use designation for comparison) is hereby incorporated as Exhibit 2. Development consistent with the authorized entitlements and consistent with the provisions and requirements contained within Objective FLU7.4 and associated policies may be approved by the County in conjunction with establishment of a Planned Development (PD) zoning district for the Property or any portion thereof. These authorized entitlements shall not be contractually allocated among any current or future owners of the property prior to approval of an entitlement through the PD zoning process. Accordingly, the County shall not recognize any contractual allocations occurring prior to approval of the PD Zoning. For the purposes of Boundary Designation, the property shall be considered as two tracts, referred to as the northern and southern tracts. No residential subdivision/ development shall be permitted on either the northern or southern tract.

B. The northern tract refers to that portion of the Aviation Growth Center (AGC) north of Jones Road. Development of this tract shall not be permitted unless and until such time as: 1) an agreement between the property owner, Orange County, the West Orange Aviation Authority and any other agency or unit of local government with jurisdiction has been approved by all parties to address the financial and operational responsibilities for improvement and maintenance of Jones Road and any other public facilities or services necessary to maintain acceptable levels of service for the full complement of entitlements referenced in these Policies; and 2) the West Orange Aviation Authority has officially adopted an Airport Master Plan, and the applicable local governments have amended their respective Comprehensive Plans and/ or development regulations to implement the land use and development recommendations of the Airport Master Plan. Prior to accomplishment of the conditions described in this paragraph, the northern tract shall be permitted to develop consistent with provisions of the Rural Future Land Use designation and existing zoning applicable to the tract. In addition, an algae-based biofuels production facility (land and facilities) shall continue to be a permitted use pursuant to a letter from the Orange County Zoning Division Manager to the property owner, attached hereto as Exhibit 3. The Wekiva open space standard on the northern tract shall be 25% for non-residential development.

C. The southern tract refers to the portion of the Aviation Growth Center (AGC) south of Jones Road. Development of this tract shall not be permitted unless and until: 1) an agreement between the property owner, Orange County, the West Orange Aviation Authority and any other agency or unit of local government with jurisdiction has been approved by all parties to address the financial and operational responsibilities for improvement and maintenance of Jones Road and any other public facilities and services necessary to maintain acceptable levels of service for the full complement of urban land uses referenced in this Policy and, 2) the West Orange Aviation Authority has officially adopted an Airport Master Plan and the applicable local governments have amended their respective Comprehensive Plans and/ or development regulations to implement the land use and development recommendations of the Airport Master Plan.

Prior to accomplishment of the conditions described herein, the southern tract shall be permitted to develop:

- (a) consistent ~~Consistent~~ with provisions of the Rural Future Land Use designation;
- (b) up to to the maximum entitlement of 90,000 square feet of airport-related uses authorized by these policies; or
- (c) up to to a maximum of 750,000 square feet of airport-related uses authorized by these policies contingent upon execution of an interim agreement between the property owner and service provider(s) for provision of public facilities and services necessary to maintain acceptable levels of service for the 750,000 square feet of airport-related uses.

Per FLU8.1.1, (the County's Future Land Use and Zoning Correlation Table) the ~~PD~~-Planned Development rezoning process may determine the final allocation of improvements for airport and airport-related uses, and ancillary office and commercial uses. Permitted zoning uses may include aircraft hangers/storage, aircraft maintenance, pilot services, fixed based operation, technical aviation training facilities, avionics assembly and testing, aviation schools and museums, as well as ancillary warehouse storage, office and retail to support the above listed airport/aviation uses. Pursuant to FLU8.2.6, Orange County retains authority to implement additional conditions it deems appropriate to ensure enforcement of its future land use designations. Development existing on the southern tract as of the date of approval of these policies shall be permitted to continue and shall be deemed to be a part of the entitlements authorized for the Property. The Wekiva open space standard for non-residential development on the southern tract shall be 25%. The West Orange Aviation Authority and/ or the owner or owners of the Property shall enter into an agreement for provision of potable water and sanitary sewer services with a local government or service provider other than Orange County.

~~C.D.~~ C.D. Should the conditions of FLU7.4.9 above be accomplished prior to issuance of a Development Order for an Application for Development Approval of a Development of Regional Impact (ADA/DRI) for the West Orange Growth Center/ Aviation Authority, the owner of the property shall request the applicable local government and DRI administrative agency to determine if the land use program referenced herein for the property is subject to the requirements of Chapter 380, Florida Statutes, for submission and review of an ADA/ DRI. If the authorized or approved entitlements are determined to qualify as a DRI, no development of the property shall occur until such time as a Development Order has been issued encompassing the authorized or approved entitlements. (Added 10/11, Ord. 2011-08)

FLU7.4.10

Part II of the West Orange Aviation District/ Growth Center Master Plan process comprises a number of sequential steps and products including all of the following. The Master Plan shall not be deemed to be final until all of the steps and products have been completed. Any entitlement referenced under FLU7.4.9 and subject to an Airport Master Plan shall not be approved unless and until the Airport Master Plan is adopted by the West Orange Aviation Authority (WOAA).

- A. Approval of a Preliminary Feasibility Study by the Florida Department of Transportation and the Federal Aviation Administration that authorizes the WOAA to proceed with preparation of a Final Site Selection Study.
- B. Approval of a Site Selection Study by the Florida Department of Transportation, Federal Aviation Administration and any local government with jurisdiction, which delineates the approved location and alignment of facilities associated with the general aviation facility.
- C. Inclusion of the West Orange General Aviation Facility in the Florida Aviation System Plan, and in the National Plan for Integrated Airport Systems (NPIAS). Approval and coordination by WOAA, the St. Johns River Water Management District, Orange County and any other entity with jurisdiction, of an Airport Master Plan that encompasses all lands and waters within the jurisdictional boundary of the District and the boundary of the Aviation Growth Center Future Land Use designation.
- D. Execution of an agreement between WOAA and a potable water and sanitary sewer service provider other than Orange County, for delivery of such services for the use and benefit of all uses within the AGC. The agreement shall include or reference, at a minimum, a capital improvements program for delivery of necessary potable water and sanitary sewer services. The capital improvements program made part of the agreement may be phased. In addition, the agreement must demonstrate that the Orange County Fire Rescue Department, or other applicable agency charged with fire protection responsibilities for the AGC or any portion thereof, has determined that the development can be serviced by adequate fire flow in the event of an emergency.

- E. If statutorily required, issuance of a development order by the applicable local government with jurisdiction pursuant to an ADA/DRI pursuant to the requirements of Chapter 380, Florida Statutes.
- F. Execution of an agreement between WOAA, the County, and any other entity with jurisdiction, for improvement and maintenance of existing roads within the District for which the County has jurisdictional responsibility. Improvement and maintenance of existing roads is related to the development impacts associated with the development of the District for airport-related uses.
- G. The Airport Master Plan shall include and address requirements and responsibility for, and methods of financing for all public facilities and services required to support and maintain the general aviation airport and all planned ancillary uses and development included within the AGC. (Added 10/11, Ord. 2011-08)

FLU7.4.11

Both the northern and southern tracts of the Property, and ultimately the remaining portions of the Aviation Growth Center, are subject to all applicable site and construction plan requirements and all other applicable Orange County ordinances and regulations. This includes the ability to require additional use and access restrictions, buffers, transitional techniques, fencing and signage limitations as necessary to manage the development of AGC properties in a manner that recognizes the surrounding rural character and environmental values of the region. This also includes the ability to impose master development controls and additional environmental safeguards, should such requirements be deemed necessary based on the circumstances. (Added 10/11, Ord. 2011-08)

IMPLEMENTATION

GOAL FLU8 **IMPLEMENTATION.** Orange County shall use its codes and ordinances to implement the goals, objectives and policies of the Comprehensive Plan consistent with the health, safety and welfare of the general public.

OBJ FLU8.1 **Orange County's Land Development Code, Zoning and Planned Development process will continue to be implementing tools for ensuring compatible, and integrated land development that promotes the public health, safety, and welfare in Orange County.**

POLICIES

FLU8.1.1 ~~(a)~~The following future land use and zoning zoning and future land use correlation table shall be used to determine zoning consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities; market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate.

Density is restricted to the maximum ~~and minimum~~ allowed by the Future Land Use Map designation regardless of zoning.

Density and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(C).

Orange County's ~~Zoning and Future Land Use and Zoning Correlation Table~~ is referenced herein as follows:

| Zoning Future Land Use and Zoning and Future Land Use Correlation | | |
|---|---|---|
| <i>FLUM Designation</i> | <i>Density/Intensity</i> | <i>Zoning Districts</i> |
| Urban Residential | | |
| Low Density Residential (LDR) | (0 to 4 du/ac) | A-1*, A-2*, R-CE* R-1, R-2**, R-1A, R-1AA, R-1AAA, R-1AAAA, R-T-1, R-T-2, R-L-D, PD, U-V * R-CE is not available as a rezoning request in the USA. |
| Low-Medium Density Residential (LMDR) | (0 to 10 du/ac) + workforce housing bonus | R-1, R-1A, R-2, R-T, R-T-1, PD, U-V |
| Medium Density Residential (MDR) | (0 to 20 du/ac) + workforce housing bonus | R-2, R-3, UR-3, PD, U-V |
| Medium-High Density Residential (MHDR) | (0 to 35 du/ac) + workforce housing bonus | R-2, R-3, UR-3, PD, U-V |
| High Density Residential (HDR) | (0 to 50 du/ac) + workforce housing bonus | R-2, R-3, UR-3, PD, U-V |
| Urban and/or Non-Residential | | |
| Office (O) | 1.25 FAR 0.15 FAR for Rural Settlements Unless otherwise restricted by County policy or code | P-O, PD |
| Commercial (C) | 1.50 FAR 0.15 FAR for Rural Settlements unless otherwise restricted or increased by County policy or code | C-1, C-2, C-3, P-O, PD |
| Industrial (IND) | .75 FAR | I-1A, I-1/I-5, I-2/I-3, I-4, PD |
| Institutional (INST) | 2.0 FAR | Any |
| Educational (EDU) | 2.0 FAR | PD |
| Urban Mixed Use | | |
| Planned Development (PD) | See FLU8.1.2 and FLU8.1.4 | PD |
| I-Drive Activity Center Mixed Use (ACMU) I-Drive Activity Center Residential (ACR) | See I-Drive Element | PD |
| Mixed-Use Corridor (MUC) (Staff-initiated) | 3.0 FAR unless otherwise restricted by County policy or code (11 to 20 DU/AC) | PD, (Mixed Use District – to be developed); Staff-initiated; Urban Service Area only |
| Area Specific | | |
| Neighborhood Center (NC) Neighborhood Activity Corridor (NAC) Neighborhood Residential (NR) | 40 DU/AC (2.0) 25 DU/AC (1.0) 20 DU/AC (.40) Study required per FLU8.3.1 | NC NAC NR |
| Village Classification (V) (Horizon West) | See Policy FLU4.1.9 | PD within adopted Village Boundary or conventional zoning districts within a Rural Residential Enclave. (See below) |
| Traditional Neighborhood Development (TND) | | PD |
| Growth Center (GC) | See FLU8 See FLU Goal 7 | PD |
| Innovation Way Overlay | See Chapter 4 See FLU Goal 5 | Innovation Way – Planned Development – Regulating Plan (IW-PD-RP) |
| I-Drive District Overlay | See Conceptual Regulating Plan, Map 23 of Future Land Use Map Series | PD, C-1, C-2, I-2/I-3 |

| <i>Zoning-Future Land Use and Zoning and Future Land Use Correlation</i> | | |
|---|---|---|
| <i>FLUM Designation</i> | <i>Density/Intensity</i> | <i>Zoning Districts</i> |
| Rural Residential Enclave (FLUM designation varies) | See Objective OBJ2.5, related subpolicies, and Maps 25(a) through 25 (c) of the Future Land Use Map Series. | PD, R-CE, A-1, A-2, A-R, R-1A, R-1AA (See: Maps 25(a) through 25(c) of the Future Land Use Map Series for minimum area requirements and location of identified Rural Residential Corridors. |
| <i>Rural</i> | | |
| Rural Settlement Low Density 2/1 (RSLD 2/1) | 2 DU/AC | R-CE, R-CE Cluster, R-CE-2, R-CE-5, PD*** |
| Rural Settlement 1/1 (RS 1/1) | 1 DU/AC | R-CE, R-CE Cluster, R-CE-2, R-CE-5, PD*** A-R, A-1, A-2 |
| Rural Settlement 1/2 (RS 1/2) | 1 DU/2 AC | R-CE-2, R-CE-5, A-R, A-1, A-2, PD*** |
| Rural Settlement 1/5 (RS 1/5) | 1 DU/5 AC | R-CE-5, A-1, A-2 (all previously listed districts are restricted to a minimum 5-acre lot size), PD*** |
| Rural/Agricultural 1/10 aka (R) on FLUM See FLU6.1.1 | 1 DU/10 AC | A-1, A-2, A-R, R-CE |
| Lake Pickett (LP) | Transect-based; Densities/intensities established on a Conceptual Regulating Plan | Lake Pickett Planned Development-Regulating Plan (PD-RP) |
| <u>Rural Settlement Office (O)</u> | <u>0.15 FAR for Rural Settlements Unless otherwise restricted by County policy or code</u> | <u>P-O or PD</u> |
| <u>Rural Settlement Commercial (C)</u> | <u>0.15 FAR for Rural Settlements Unless otherwise restricted by County policy or code</u> | <u>C-1 or PD</u> |
| <p>* (1) R-CE districts are consistent with the LDR designation only when located in a Rural Settlement or Rural Residential Enclave. (2) A-1 and A-2 districts are also consistent with the LDR designation only when located in a Rural Residential Enclave. (3) Within the Urban Service Area (USA), rezoning requests to R-CE, A-1, and A-2 shall only be allowed for properties located in a Rural Residential Enclave.</p> <p>** Limited to 4 dwelling units per acre.</p> <p>*** Consistent with FLU6.2.3.</p> <p>General Notes:</p> <p>a) As of adoption of the 2030 update, the CVC FLUM designation no longer will be available as a FLUM request. Existing CVC-designated properties shall not be considered inconsistent as a result of this change. See FLU8.5.8.</p> <p>b) Refer to FLU8.2.5, FLU8.2.5.1, and FLU8.2.5.2 to determine whether a rezoning is required prior to a special exception, or to determine whether a rezoning is required in specific cases of inconsistent zoning and future land use.</p> <p>c) Consistency of A-1, A-2 and A-R zoning districts with a Rural Settlement FLUM designation is limited to: residential uses permitted by right or by special exception approval; and, non-residential uses requiring approval by special exception and which are common to all zoning districts consistent with a Rural Settlement FLUM designation. A use that is not common to all listed districts is not consistent with a Rural Settlement designation.</p> <p>Uses that may be permitted in a Planned Development zoning district are limited to those uses permitted by right or by special exception approval for districts consistent with the specific FLUM designation.</p> | | |

(b) In making the transition from the Future Land Use Map designation to the most appropriate zoning district classification, it shall be permissible to require use of a PD District that provides for fewer uses than permitted with a standard zoning district classification. Furthermore, in making the transition for residential development, the Future Land Use Map shall establish only the maximum permitted density and intensity of development. It is permissible to impose a more restrictive zoning district classification as an interim use until such time as the property is found through an administrative decision-making process to be suitable and ready for ultimate development. (Added 8/92, Ord. 92-24; Amended 8/93, Ord. 93-19, 5/96, Ord. 96-11, 12/00, Ord. 00-25, 12/04, Ord. 04-21; Amended 10/10, Ord. 2010-13; Amended 6/12, Ord. 2012-14, Policy 1.1.14-r; Amended 6/14, Ord. 2014-12; Amended 6/16, Ord. 2016-15; Amended 11/17, Ord. 2017-19; Amended 07/16, Ord. 2016-17, Amended 8/18, Ord, 2018-17))

Staff recommends revising the policy to assign a policy number to a subsection of FLU8.1.1. There are no textual changes proposed.

FLU8.1.1.1

In determining consistency with the Comprehensive Plan, the Zoning and Future Land Use Policy Correlation in FLU8.1.1 shall be coordinated and considered in conjunction with FLU8.2.5, FLU 8.2.5.1, FLU8.2.5.2 and other applicable policies of the Comprehensive Plan. The zoning categories indicated in the Zoning and Future Land Use correlation are those in effect as of the date of the consistency determination. (~~Added 8/92, Ord. 92-24; Amended 8/93, Ord. 93-19, 5/96, Ord. 96-11, 12/00, Ord. 00-25, 12/04, Ord. 04-21; Amended 10/10, Ord. 2010-13; Amended 6/12, Ord. 2012-14, Policy 1.1.14-r; Amended 6/14, Ord. 2014-12; Amended 6/16, Ord. 2016-15; Amended 11/17, Ord. 2017-19; Amended 07/16, Ord. 2016-17, Amended 8/18, Ord, 2018-17~~) This policy was FLU8.1.1(C)

FLU8.1.2 Planned Developments (PDs) intended to incorporate a broad mixture of uses under specific design standards shall be allowed, provided that the ~~PD-Planned Development~~ land uses are consistent with the cumulative densities or intensities identified on the Future Land Use Map. (Policy 3.1.19)

FLU8.1.3 As part of Orange County's Future Land Use correlation, specific land use designations (e.g., hotel and/or restaurants) may be approved on a site-specific basis. Such designation shall be conditioned on the development proposal being reviewed under the ~~PD-Planned Development~~ Zoning District. ~~PD-Planned Development~~ review shall ensure adjacent land use compatibility and efficient physical integration with existing infrastructure. Such specific land use designation shall be established by a comprehensive plan amendment that identifies the specific land use type and density/intensity. The Future Land Use designation shown on the Future Land Use Map shall indicate the approved use and the ~~PD-Planned Development~~ designation. A use other than that approved shall require a comprehensive plan amendment. This policy shall apply only to parcels located in the Urban Service Area (USA), Rural Settlements and Growth Centers, excluding the International Drive Activity Center. (Added 08/93, Ord. 93-19; Amended 12/00, Ord. 00-25, 12/04, Ord. 2004-21; Policy 1.1.12.1-r)

FLU8.1.4

The following table details the maximum densities and intensities for the Planned Development (PD) and Lake Pickett (LP) Future Land Use designations that have been adopted subsequent to January 1, 2007.

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|---|---|--|------------------|
| 2006-1-D-4-1 Innovation Place | Planned Development (PD)- Low Medium Density Residential (LDR)/ Medium Density Residential (MDR)/ Innovation Way Activity Center (IWAC)/Urban Service Area Expansion | Single family residential – 665 dwelling units on 154.85 acres Multi-family residential – 377 dwelling units on 17.03 acres Innovation Way Activity Center – consists of 476.28 acres containing up to 729 single family dwelling units and up to 3,729 multi-family dwelling units at a maximum density of 100 dwelling units per acre Retail – 1,235,000 square feet Office – 2,267,000 square feet Hotel – 200 rooms Institutional – 32.45 acres Parks/open space/undeveloped uplands – 114.36 acres Roads – 66.5 acres Easements – 7 acres Future Interchange ROW – 13 acres Preserved wetland areas – 382.4 acres Surface waters – 40.4 acres Total = 1,284 acres for the entire DRI | 2007-11 |
| 2007-2-A-1-1 Northeast Resort Parcel | Planned Development (PD)- Low Density Residential/ Commercial(Timeshare) | Residential – 241 acres at 4 dwelling units per acre and a maximum development program of 573 units Commercial (Timeshare) – 8 acres at a Floor Area Ratio of 3.0 and a maximum development program of 60 units | 2007-18 |
| 2007-2-A-2-5 Clarcona Ocoee Road | PD-Low Medium Density Residential (LMDR) | Residential – 8.84 acres at 10 dwelling unit per acre and a maximum development program of 57 units | 2007-18 |
| 2007-2-A-4-1 Sadler Road | PD-Low Density Residential | Residential – 100 acres at 4 dwelling units per acre and a maximum development program of 400 units | 2007-18 |
| 2007-2-A-6-1 Swiss and LeGrange | PD-Medium Density Residential (MDR) | 10.23 acres at 20 dwelling units per acre and a maximum development program of 205 multifamily units. | 2007-18 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|-----------------------------------|---|--|------------------|
| 2007-1-A-1-1 Black Lake Road | Growth Center-Commercial (Urban Service Area) USA Expansion - (Tourist Commercial) | Commercial – Minimum 0 square feet to maximum of 150,000 square feet Hotel/Timeshare/Age Restricted Multi-Family – Minimum 363 units to maximum of 1,354 units *Maximum trip generation for the project is 12,081 ADT (Average Daily Trips) and may be achieved by a single use or a combination of uses within the above minimum/ maximum range | 2008-05 |
| 2007-1-A-4-1 Boggy Creek Road | Planned Development (PD) – Commercial (USA Expansion) | Commercial – 170,000 square feet | 2008-05 |
| 2007-1-A-5-3 Addison Place | PD-High Density Residential (HDR)/Student Housing | 418 student housing units | 2008-05 |
| 2008-1-A-1-1 Bay Ct/Reams Road | Village Specific Area Plan – Townhome/Apartment; Greenbelt/APF Park; and Conservation | Residential development at a maximum density of 12 dwelling units per acre on 12.5 net developable acres for a maximum development program of 72 units | 2008-09 |
| 2008-1-A-4-1 Starwood | PD-Low Medium Density Residential (LMDR); Medium Density Residential (MDR); Innovation Way Activity Center (IWAC); and Urban Service Area Expansion (USA) | Residential – 4,700 single family townhomes and multi-family residential dwelling units on 800 acres IWAC – 897 acres containing up to 4,300 townhome and multi-family dwelling units at a maximum density of 100 dwelling units per acre Non-residential – Retail – 1,475,000 square feet Office – 2,200,000 square feet High-Tech Flex – 2,200,000 square feet Light Industrial – 1,350,000 square feet Hotel – 500 rooms Additional acreage will be used for Institutional uses; park/open space; undevelopable uplands; roads; preserved wetlands and buffers | 2008-09 |
| 2008-1-A-4-2 Fieldstream | PD-Office/ Commercial/ Institutional/Conservation | 150,000 square feet of non-residential development specifically consisting of 72,500 square feet of commercial/retail and 77,500 square feet of office and 140,000 square feet of non-residential development specifically consisting of 112,000 square feet of flex space/light industrial/warehousing and office support uses which are limited to 20% of the total equaling 28,000 square feet | 2008-09 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|---|--|---|------------------|
| 2008-1-A-4-3 Boggy Creek Road | PD-Institutional/Conservation | 1,000,000 square feet of hospital and internalized or physically connected support uses; 450 dwelling units of multi-family residential; 250 rooms of hotel; 100,000 square feet of retail; 299,000 square feet of office; heliport; cell tower and related facilities. A maximum of 1,399,000 square feet of hospital, hospital support, office and retail uses; 450 dwelling units of multi-family uses and 250 hotel rooms or their equivalent shall be allowed without a further amendment to the CP. Land uses may be converted from one use to another based on equivalent trips, provided that the revised development program continues to comply with adopted County standards and does not exceed any development of regional impact threshold. | 2008-09 |
| 2008-1-A-4-5 Gondola (TOD) | PD-C/O/MDR | 239 single family/multi-family dwelling units 19,000 square feet office 19,000 square feet commercial | 2008-09 |
| 2008-1-A-4-4 Morgran | Planned Development— Commercial/Low Medium Density Residential/Parks and Recreation/Open Space (PD- C/LMDR/PR/OS | 237,000 square feet commercial 250 M/F units 6,000 square feet clubhouse 26 acre park | 2008-21 |
| 2010-1-A-1-2 East Crown Point | Planned Development- Industrial (PD-IND) | 546,214 square feet Light Industrial - 96,389 square feet office | 2010-07 |
| 2010-1-A-2-1 Aviation Growth Center (AGC) | Creation of new Growth Center (GC) – AGC Planned Development- Aviation/Industrial/Commercial/Office (PD- Aviation/IND/C/O) See also FLU7.4.8 through FLU7.4.11 | 750,000 s.f. aviation 2,800,000 s.f. industrial 50,000 s.f. commercial 150,000 s.f. office All impacts to the Lake County transportation network shall be mitigated. Transportation impacts on Lake County's transportation network shall be addressed prior to PD/LUP approval. | 2011-08 |
| 2010-1-A-4-1 Lake Barton | Planned Development- Commercial/Low Density Residential (PD-C/LDR) | 49,530 square feet Commercial 10 Single Family Dwelling Units | 2010-07 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|---|--|---|------------------|
| 2010-1-A-4-5 Tyson's Corner | Planned Development- Commercial/Office/ Religious Institution/ Assisted Living Facility/Rural Settlement 1/2 (PD-C/O/REL/ALF/RS 1/2) | 163,000 square feet* Commercial 110,000 square* Office And one of or a combination of the following: Assisted Living – up to 150 units** or Church – 50,000 square feet plus 10,000 square feet of ancillary uses** * Maximum ADT for the 20.19 acre C/O portion of the project is 10,765 ADT. ** Maximum trip generation of the 8.70 acre REL/ALF portion of the project is 1,600 ADT, which may be achieved by a single use or a combination of uses listed above. | 2010-07 |
| 2010-2-A-1-1 US 192 Growth Center Addition (Lake Gifford) | Growth Center/Resort/PD (GC/R/PD) | 97 Resort Housing/Time Share Units 8,820 sq. ft. Commercial | 2010-13 |
| 2010-1-A-2-2 The Parks at Mount Dora | Planned Development – Office/ Low Medium Density Residential (PD-O/LMDR) and Expansion of the Northwest Growth Center (GC) | 75,000 s.f. office 280 multi-family senior housing units | 2010-13 |
| 2010-2-A-2-1 Maitland FDOT | Planned Development- Commercial (PD-C) | Commercial – 1,281,000 sq. ft. | 2010-13 |
| 2010-2-A-2-2 Maitland Blvd. Apts. | Planned Development-High Density Residential (PD-HDR) | Multi-family dwelling units – 560 | 2010-13 |
| 2010-2-A-4-1 Boggy Creek Land Holdings | Planned Development-Low Density Residential (PD-LDR) | N/A (stormwater pond) | 2010-13 |
| 2010-2-A-4-2 Avalon Park Blvd. | Planned Development- Commercial/Low Density Residential (PD-C/LDR) | Commercial - 50,000 sq. ft. Townhomes - 19 | 2010-13 |
| 2010-2-A-4-3 Pioneers Development | Planned Development- Commercial/Office/Medium Density Residential/Rural Settlement RS 1/2 (PD- C/O/MDR/RS 1/2) | Office – 30,000 sq. ft. Commercial –125,000 sq . ft. Multi-family dwelling units – 275 Religious Institutional – 120,000 sq. ft. | 2010-13 |
| 2010-2-A-5-2 Ravaudage | Planned Development- Commercial/Office/Medium Density Residential/ Institutional/Parks and Recreation/Open Space (PD- C/ O/MDR/INST/PR /OS) | Multi-family – 390 dwelling units Hotel – 320 rooms Commercial – 265,169 sq. ft. Office – 772,737 sq. ft. Fire station | 2010-13 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|---|--|---|------------------|
| 2011-2-A-1-1 | Planned Development-Assisted Living Facility (PD-ALF) | 120 beds | 2011-16 |
| 2011-2-A-1-2 Chancellor Investments | Planned Development-Commercial/Office (PD-C/O) Rural Settlement (RS) | Commercial/Office – 40,000 sq. ft. Office 9,999 sq. ft. | 2011-16 |
| 2012-1-A-3-1 Econ Landing | Planned Development-Commercial/Low Medium Density Residential/Conservation (PD-C/LMDR/CONS) | Multi-Family – 300 dwelling units Commercial – 96,000 sq. ft. of self-storage or 20,000 sq. ft. of commercial uses | 2012-14 |
| 2012-1-A-4-1 Lake Whippoorwill Landing | Planned Development Commercial/Office/ Medium Density Residential/ Townhomes/Rural Settlement 1/2 (PD-C/O/MDR/TH/RS 1/2) | Commercial/Office – 50,000 sq. ft. Multi-Family – 275 dwelling units Single Family – 1 dwelling unit | 2012-14 |
| 2012-1-A-5-1 Arbour Apartments | Planned Development-High Density Residential (PD-HDR) (Student Housing) | *Development Program 1: Multi-Family – 400 dwelling units Student Housing Beds – 1,600 -or- *Development Program 2: Student Housing Beds – 2,400 Maximum trip generation for the project is 458 PM Peak Hour * The maximum trip generation may be achieved by a mix of multi-family units and student housing beds or as a student housing project. The number of multi-family units shall not exceed 400 units under any development scenario. | 2012-14 |
| 2012-2-A-5-1 The Retreat at Orlando | Planned Development-Medium Density Residential (PD-MDR) (Student Housing) | 906 student housing beds | 2012-20 |
| 2013-1-A-4-1 Waterford Oaks | Planned Development – Commercial (PD-C) | Commercial – 141,000 square feet | 2013-11 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|---|---|---|------------------|
| 2013-2-A-4-1 Tyson Property | Planned Development-Industrial/Commercial/Office/Medium Density Residential (PD-IND/C/O/MDR) | <p>820,000 square feet of airport and medical support uses, including medical offices, manufacturing of medical equipment, research and development of medical and pharmaceutical products, manufacturing and assembly of scientific instruments, and all other uses consistent with uses identified to support airport and medical industrial uses; 250 hotel rooms; 450 multi-family residential dwelling units; 300 single-family residential dwelling units; 100,000 square feet of commercial retail; and 275,000 square feet of office.</p> <p>Phase One of the development program shall be limited to a maximum trip generation of 944 outbound PM Peak Hour trips. Phase Two is linked to the completion of a small area study for the Boggy Creek enclave area.</p> | 2013-22 |
| 2013-2-S-1-1 Keene's Pointe | Planned Development - Office/Parks and Recreation/Open Space (PD-O/PR/OS) Rural Settlement (RS) | <p>Office - 1,800 sq. ft. Homeowner's Association office building restricted to use by the Keene's Pointe Community Association for offices, services, and activities</p> <p>Parks and Recreation/Open Space - 2,278 sq. ft. recreation pavilion, outdoor recreation court, and boardwalk trailhead</p> | 2013-23 |
| 2013-2-S-4-1 South Orange Blossom Plaza PD | Planned Development – Industrial/Commercial (PD-IND/C) | <p>Industrial - 18,600 sq. ft.</p> <p>Commercial - 7,680 sq. ft.</p> | 2013-23 |
| 2014-1-A-4-1 Eastmar Commons | Planned Development-Commercial/Medium Density Residential (PD-C/MDR) | <p>Multi-Family - 380 dwelling units on nineteen (19) acres</p> <p>Commercial - 45,000 sq. ft.</p> <p>The combined development program is limited by a maximum of 4,689 new daily trips/424 new p.m. peak hour trips, as established in the approved traffic study.</p> | 2014-12 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|--|---|---|------------------|
| 2014-1-S-FLUM-1 Rivas Chickasaw Trail PD | Planned Development-Self-Storage/Office/ Medium Density Residential (PD-Self-Storage/O/MDR) | Self-Storage – 80,000 sq. ft. with up to 40 parking spaces for storage of recreational vehicles, boats, or similar items Office – 30,000 sq. ft. Multi-Family – 15 dwelling units | 2014-14 |
| 2014-2-A-1-2 Sutton Lakes | Growth Center-Planned Development-Commercial/Medium Density Residential/Low Density Residential (GC-PD-C/MDR/LDR) | Commercial – 20,000 sq. ft. Single-Family – 700 dwelling units | 2014-30 |
| 2014-2-A-4-1 Spring Isle | Planned Development (PD)-Low Density Residential (LDR)/ Medium Density Residential (MDR)/Commercial (C)/ Office (O)/Parks and Recreation/Open Space (PR/OS)/Conservation (CONS) | Townhomes – 130 units Commercial – 100,000 sq. ft. Office – 50,000 sq. ft. Park – 10.71 gross ac. *Maximum trip generation for the project is 733 P.M. Peak Hour Trips and may be achieved by any combination of uses listed above, not to exceed the maximum units or square footage for each use indicated above. | 2014-30 |
| 2014-2-S-5-1 University Storage and Office PD | Planned Development-Commercial (PD-C) | 80,000 sq. ft. of self-storage and 5,000 sq. ft. of office development | 2015-02 |
| 2015-1-S-3-2 Family Dollar Dean & Flowers | Planned Development-Commercial (PD-C) | 8,353 square feet of commercial development | 2015-08 |
| 2015-1-A-4-2 Twin Acres at Lake Underhill | Planned Development-Commercial/Low-Medium Density Residential (PD-C/LMDR) | Up to 15,000 square feet of commercial and professional office uses and up to 150 single-family residential dwelling units | 2015-20 |
| 2015-2-A-3-1 Asbury Theological Seminary | Planned Development-Commercial/Office (PD-C/O) | Up to 750,000 sq. ft. (split evenly between office and commercial) | 2015-20 |
| 2015-2-S-2-3 Storage Units, LLC | Planned Development – Commercial (PD-C) (Rural Settlement) (RS) | 20,386 square feet of self-storage space and continued operation of the boat and RV storage business | 2015-22 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|---|---|---|------------------|
| 2015-2-S-4-2 Moreno Commercial Plaza | Planned Development – Industrial/Commercial (PD-IND/C) | Commercial – 20,000 square feet Industrial – 20,000 square feet | 2015-22 |
| 2016-1-A-1-5 Ruby Lake | Planned Development-Low-Medium Density Residential (PD-LMDR) | Up to 400 single-family residential dwelling units | 2016-15 |
| 2015-2-A-5-1 The Grow | Lake Pickett (LP) | Up to 172,000 sq. ft. of non-residential uses and 2,078 residential dwelling units | 2016-17 |
| 2016-2-S-3-1 Valencia College Lane Storage | Planned Development-Commercial (PD-C) | Up to 410,335 sq. ft. of commercial uses based on a maximum allowed FAR of 3.0 | 2016-27 |
| 2016-2-S-4-1 Orlando Medical Office PD | Planned Development-Office (PD-O) | Up to 24,000 sq. ft. of medical office | 2016-27 |
| 2016-2-S-4-4 Nona Center PD | Planned Development-Commercial (PD-C) | Up to 27,300 sq. ft. of commercial development | 2016-27 |
| 2016-2-A-5-1 Lake Pickett Center | Planned Development-Commercial/High Density Residential (PD-C/HDR) | Up to 296 multi-family residential dwelling units | 2016-28 |
| 2016-2-P-FLUE-2 Eastmar Commons | Planned Development Commercial/Medium Density Residential (PD-C/MDR) | The combined development program is limited by a maximum of 4,689 new daily trips/424 new p.m. peak hour trips, as established in the approved traffic study. Land uses shall be as established on the PD Land Use Plan as it may be amended from time to time consistent with the FLUM designations. | 2016-28 |
| 2017-1-A-4-1 Moss Park North | Planned Development - Medium Density Residential/Office/Conservation (PD- MDR/O/CONS) | Up to 650 residential dwelling units and 50,000 square feet of office/daycare/private school uses | 2017-11 |
| 2017-1-S-3-2 Sandlake Palazzo PD | Planned Development-High Density Residential (PD-HDR) | Up to 180 multi-family dwelling units | 2017-13 |
| 2017-1-S-4-2 Aldi Food Market | Planned Development-Commercial (PD-C) | Up to 19,787 sq. ft. of Grocery Store development | 2017-13 |
| 2017-1-S-1-4 Epoch Vista Oaks | Planned Development-High Density Residential (PD-HDR) | Up to 80 multi-family dwelling units | 2017-15 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|--|--|--|------------------|
| 2017-2-A-5-1 15169 E. Colonial Dr. | Planned Development-Commercial/Conservation (PD-C/CONS) | Up to 60,000 square feet of C-1 uses | 2017-19 |
| 2017-2-S-5-3 Dr. Chau ALF | Planned Development-Office/Commercial (PD-O/C) (Assisted Living Facility) | Approximately 29,000 sq. ft. assisted living facility with fifty-six (56) beds and up to 35,435 sq. ft. office uses | 2017-20 |
| 2017-2-A-1-2 (fka 2016-1-A-1-6) Flamingo Crossings | East Portion: Growth Center-Planned Development-Commercial/High Density Residential (Temporary Employee Housing) (GC-PD-C/HDR [Temporary Employee Housing]) West Portion: Growth Center-Planned Development-Commercial/High Density Residential (Temporary Employee Housing)/Conservation (GC-PD-C/HDR [Temporary Employee Housing])/CONS | 2,600 multi-family employee housing units and 150,000 square feet of C-1 (Retail Commercial District) uses | 2018-06 |
| 2018-1-A-4-1 Bishop Landing Ph. 3 | Planned Development-Low Density Residential (PD-LDR) and Urban Service Area (USA) expansion | 53 single-family dwelling units | 2018-30 |
| 2018-2-A-1-4 Kerina Parkside | Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/ Senior Living/ Conservation (PD-C/O/MDR/LDR/Senior Living/CONS) | Single-family residential: 301 dwelling units Multi-family residential: 400 dwelling units Senior living: 200 units (may include independent living, assisted living, memory care, and/or related supporting uses) Commercial/Office: 150,000 square feet of neighborhood retail and/or office development, limited to C-1 (Retail Commercial District) uses Park: 5.0 acres Conservation land/open space: 93.0 acres | 2019-07 |
| 2018-2-A-1-7 Turkey Lake Condos | Planned Development Time Share/Medium High Density Residential/Hotel/ Office (PD-TS/MHDR/HOTEL/O) | One of the following uses: Up to 505 timeshare units, or up to 424 multi-family units, or up to 1,009 hotel rooms, or up to 366,340 square feet of office | 2018-31 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|--|---|---|------------------|
| 2018-1-S-1-3 (flk 2017-2-S-1-4) CERTUS Senior Living | Planned Development-Assisted Living Facility (PD-ALF) | 46,000 sq. ft. assisted living facility with 64 beds | 2018-13 |
| 2018-2-S-3-1 Sanchez Properties | Planned Development-Low-Medium Density Residential/Industrial (PD-LMDR/IND) | 3 residential dwelling units (2 single-family detached homes and 1 manufactured home), 1 detached garage with 2 garage apartment units, freestanding family game room building, freestanding home office, 2 pole barns, and overnight truck parking for commercial vehicles | 2018-29 |
| 2019-1-A-1-2 The Registry on Grass Lake | Growth Center-Planned Development-Medium High Density Residential (GC-PD-MHDR) | Up to 360 multi-family dwelling units | 2019-04 |
| 2019-1-A-1-3 Ruby Lake | Planned Development Commercial/Low-Medium Density Residential (PD-C/LMDR) | Up to 20 townhome units and up to 200,000 square feet of non-residential uses, to include an off-site (freestanding) emergency department and commercial and offices uses permitted in the C-1 (Retail Commercial zoning district) | 2019-04 |
| 2019-1-A-1-4 Bering I | Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR) | Up to 400 multi-family dwelling units and 15,000 square feet of C-1 (Retail Commercial District) uses | 2019-04 |
| 2019-1-A-4-1 Innovation Pointe | Planned Development-Medium Density Residential/Industrial/Parks and Recreation/ Open Space (PD-MDR/IND/PR/OS) | 350 multi-family dwelling units, 284,000 sq. ft. of industrial, and parks and recreation/open space | 2019-04 |
| 2019-1-A-4-3 Boggy Creek Crossings | Planned Development-Commercial/Medium Density Residential (PD-C/MDR) | Up to 45,750 square feet of retail commercial uses and up to 336 multi-family dwelling units The combined development program is limited by a maximum of 5,362 ADT (Average Daily Trips), as established in the approved traffic study | 2019-04 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|---|---|--|-------------------------|
| 2019-1-A-5-1 12151 E Colonial Drive | Planned Development- Commercial/Medium Density Residential (Student Housing) (PD/C/MDR) (Student Housing) | Up to 162 student housing units (up to 650 bedrooms) or up to 802,375 square feet of commercial uses | 2019-04 |
| 2019-1-A-5-3 Silver City Properties Student Housing | Planned Development- Commercial/High Density Residential (Student Housing) (PD-C/HDR) (Student Housing) | Up to 2,400 student housing bedrooms (600 student housing units) and up to 30,000 square feet of commercial uses | 2019-04 |
| 2019-1-S-4-1 Eagle Lake | Planned Development- Commercial/Office (PD-C/O) and Urban Service Area (USA) expansion | Frontage zone: Up to 22,717 square feet commercial and/or office uses Transition zone: Up to 25,156 square feet of office uses | 2019-05 |
| 2019-1-S-4-2 Bonnemaison | Planned Development- Commercial/Office/ Medium Density Residential (PD-C/O/MDR) | Up to 50,000 square feet commercial Up to 100,000 square feet office Up to 170 multi-family dwelling units The combined development program is limited by a maximum of 3,323 daily trips as established in the approved traffic study. | 2019-05 |
| 2019-1-S-5-3 Express Carwash | Planned Development Commercial (PD-C) | Up to 6,000 –square-foot carwash and 5,000 square feet of additional commercial uses | 2019-05 |
| 2109-1-S-5-4 Semoran Vista | Planned Development Commercial (PD-C) | Up to 45,000 square feet of retail commercial and office uses | 2019-05 |
| 2019-2-A-1-1 Avalon Groves | Growth Center-Planned Development-Commercial/ Medium Density Residential (GC-PD-C/MDR) | Up to 300 short-term rental units and 300 multi-family dwelling units | 2019-18 |
| 2019-2-A-4-2 12400 E. Colonial Drive | Planned Development- Medium-High Density Residential (PD-MHDR) | Up to 256 multi-family dwelling units | 2019-18 |
| 2019-2-S-1-1 The Registry on Grass Lake | Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR) | Up to 360 multi-family dwelling units | 2019-19 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|---------------------------------------|--|--|------------------|
| 2019-2-S-1-2 Townhomes at Westwood | Planned Development-Medium Density Residential (PD-MDR) | Up to 43 single-family attached dwelling units | 2020-26 |
| 2019-2-S-4-1 Narcoossee Retail | Planned Development-Commercial (PD-C) and Urban Service Area (USA) expansion | Up to 15,703 square feet of C-1 (Retail Commercial District) uses | 2019-19 |
| 2020-1-C-1-1 Hannah Smith Property | Planned Development-Commercial/Office/Medium-High Density Residential/Activity Center Mixed Use (PD-C/O/MHDR/ACMU) | Multi-Family: Up to 1,300 dwelling units Commercial: UP to 349,000 square feet Office: Up to 314,000 square feet Hotel: Up to 165 rooms Timeshare: 1 unit Development of Tract 4 shall be limited to 165 hotel rooms, 314,000 square feet of office uses, and 50,000 square feet of commercial uses | 2020-13 |
| 2020-1-S-3-2 | Planned Development-Medium-High Density Residential (PD-MHDR) | Up to 252 mutli-family dwelling units | 2020-21 |

Such policy allows ~~allowance~~ allowance for a one-time cumulative density or intensity differential of 5% based on ~~ADT~~ Average Daily Trips within said development program ~~at a staff level review to be approved by the Planning Manager.~~ (Added 12/07 Ord. 07/18, Policy 1.1.12.1.A-4; Amended as shown in table)

- FLU8.1.5 The location of Planned Developments (PDs) within the Urban Service Area that have been approved as of the date of adoption of the 1991 CPP shall be considered consistent with the Comprehensive Plan and included as part of the adopted Orange County Future Land Use Map (FLUM). (Policy 3.1.20-r)
- FLU8.1.5.1 The location of Planned Developments (PDs) within the Rural Service Area that have been determined to be inconsistent with the Goals, Objectives and Policies of the Comprehensive Plan shall not be included as part of the adopted Orange County Future Land Use Map (FLUM). (Policy 3.1.20-r)
- FLU8.1.6 A proposed change to an approved PD that would
- A. Increase the land use intensity within the PD Planned Development without a corresponding decrease in some other portion of the PD Planned Development, and
- B. result Result in greater off-site impacts
- shall be reviewed to determine consistency with the CP-Comprehensive Plan and whether a plan
- FLU8.1.7 A commercial land use designation, including a nonresidential ~~PD~~ Planned Development
- amendment is necessary. Nothing in this policy shall be construed to supersede or negate other limitations on PDs in the Orange County Land Development Code. (Policy 3.1.20-r)

, approved in response to a Future Land Use Map amendment request by an applicant shall be considered for reversion to its former designation if development on the site has not commenced within a five-year period following the date of adoption of the ~~FLU~~-Future Land Use amendment, unless such timeframe is modified by the Board of County Commissioners. Reversion shall not be automatic, but through an amendment to the ~~CP~~Comprehensive Plan. This policy is not intended to be retroactive. (Policy 1.1.17-r)

FLU8.1.8 A proposed amendment to an approved Planned Development shall be determined to be inconsistent with the Future Land Use Map if any of the following conditions exist:

- A. The proposed amendment is inconsistent with ~~CP-Comprehensive Plan~~ policies, including policies aimed at ensuring land use compatibility and adequate public facilities; or,
- B. The proposed amendment would result in either of the following: inclusion of a land use not previously approved or permitted by the ~~PD-Planned Development Land Use Plan~~ or the Future Land Use Map (unless permitted by FLU8.1.10) or,
- C. An increase in the intensity of an existing approved land use without a corresponding decrease in another approved land use, and additional off-site impacts result from the increase.
- D. ~~This policy shall not apply to the Mixed-Use Activity Center District (MXDAC).~~ (Added 8/93, Ord. 93-19; Amended 12/00, Ord. 00-25, Policy 3.8.5-r)

Staff recommends deleting the subsection because the MXDAC policies are recommended for deletion.

FLU8.1.9 The Zoning Regulations shall require a revised PD Land Use Plan with any proposed non-substantial or substantial change involving a change or relocation of land use or a change in densities/intensities of land use. The revised PD Plan shall indicate the approved land use for the entire Planned Development, with the proposed change highlighted. Subsequent to approval, the revised PD Plan shall be noted as the most current plan and be kept on file for public review. Orangewood, Highpoint, and the Expressway Center Planned Developments are exempt from this requirement. (Policy 3.8.2)

- FLU8.1.10 Ancillary residential development may be considered in a non-residential Planned Development without a comprehensive plan amendment, provided all the standards listed below are met.
- A. The residential component shall be limited to a maximum of thirty percent (30%) of the total Planned Development acreage; and,
 - B. The overall residential development shall be a minimum of 10 units per acre and a maximum of 50 units per acre (unless located within an activity center, where the activity center maximum density shall apply); and,
 - C. The residential component shall be integrated into and compatible with the nonresidential land use by location and/or design; and,
 - D. The ~~PD~~Planned Development Plan change shall be processed as required in the Zoning Regulations. (Added 8/93, Ord. 93-19; Amended 12/00, Ord. 00-25, Policy 3.8.7)

FLU8.1.11 Subsequent to adoption of the Comprehensive Plan CP, building permits shall not be issued for development on property whose zoning, subject to exemptions provided for in the CP and/or vested development rights, is inconsistent with the Future Land Use Map. (Policy 3.7.6)

OBJ FLU8.2 COMPATIBILITY. Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following polices shall guide regulatory decisions that involve differing land uses.

POLICIES

- FLU8.2.1 Future Land use changes shall be required to be compatible with the existing development and development trends 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. (Policy 3.2.25)
- FLU8.2.2 Continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted. (Policy 3.1.1)
- FLU8.2.3 ~~RESERVED. Village Commercial (community level) uses shall be located at or near major road intersections where one road is an arterial. Access to the center shall be designated so as to avoid conflicts with the functional classification of the road. (Policy 3.2.8-r)~~
- FLU8.2.4 The Land Development Code shall require tourist-related commercial development to be submitted and reviewed under the ~~PD-Planned Development~~ or Tourist Commercial Zoning District to ensure quality development to Orange County visitors. (Policy 4.1.7-r)
- FLU8.2.5 Subject to the compatibility measures outlined in policies FLU8.1.1 and FLU8.2.1, uses permitted by the existing zoning district or uses allowed through the special exception permitting process as described in the Orange County Code may be considered when a property's zoning district is inconsistent with the Future Land Use Map, subject to policies FLU8.2.5.1 and FLU8.2.5.2. On a case-by-case basis, such uses may be considered only when the County has determined the use is consistent with the intent of the CP. (Added 12/00, Ord. 00-25; Amended 12/04, Ord. 04-21; Amendment 6/12, Ord. 2012-14, Policy 1.1.14.1-r)

Staff recommends deleting the policy because Village Commercial is no long a future land use category.

FLU8.2.5.1 A rezoning may not be required for properties with inconsistent zoning and Future Land Use Map (FLUM) designations under the following circumstances:

- 1) For non-residential uses when the proposed use is permitted in the existing zoning district, and the same use is permitted in each of the zoning districts that are consistent with the adopted FLUM designation; or
- 2) For non-residential and residential uses when the proposed use is permitted in the existing zoning district, but the use would require a special exception if the property is rezoned to be consistent with the adopted FLUM designation. In this case, however, the same use must be permitted or allowed by special exception in each of the zoning districts that are consistent with the adopted FLUM designation.
- 3) For residential uses when the proposed use is single-family detached residential and the Zoning and Future Land Use are both residential. The lot upon which the single-family detached residential is proposed must be a Lot of Record, or a lot created prior to July 1, 1991 through a plat or lot split as recognized by Orange County.

Any development of such properties shall meet the minimum site and building requirements of the existing zoning district, except for substandard Lots of Record. Subsequent requests for expansions and changes in the permitted uses on the property must conform to this policy. Requests not conforming to this policy shall be subject to a rezoning, special exception, or FLUM amendment. (Added 6/12, Ord. 2012-14; Amended 6/14, Ord. 2014-12; Amended 11/20, Ord. 2020-25)

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

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

Any development of such properties shall meet the minimum site and building requirements of the existing zoning district. Subsequent requests for expansions and changes in the permitted uses on the property must conform to this policy. Requests not conforming to this policy shall be subject to a rezoning, special exception, or FLUM amendment. (Added 6/12, Ord. 2012-14)

FLU8.2.6 Zoning development approvals shall have conditions attached, when appropriate, to ensure the enforcement of the Future Land Use designations. (Policy 1.1.15)

FLU8.2.7 Time-share units shall be considered as a hotel/motel use and permitted only in areas designated for commercial use. This policy shall not apply to Planned Developments that were approved for resort residential uses prior to January 1, 1987. This policy shall be referenced in the Land Development Code. (Policy 4.1.23)

FLU8.2.8 Conversion of approved multi-family development to time-share units or other hotel/motel type units shall require a rezoning and/or amendment to the Planned Development Land Use Plan. Likewise, the conversion of time-share units or other hotel/motel type units to multifamily housing also shall require appropriate development approvals. (Policy 4.1.24-r)

FLU8.2.9 ~~RESERVED. A neighborhood office/commercial zoning district for undersized lots shall be adopted in the Land Development Code by 2009 in order to incorporate the performance standards authorized by FLU8.2.10. (Added 8/92, Ord. 92-24, Policy 3.1.34-r)~~

Staff recommends deleting the policy as this was not implemented.

- FLU8.2.10 To ensure land use compatibility with nearby residential zoned areas and protection of the residential character of those areas, office and commercial uses within residential neighborhoods shall be subject to strict performance standards, including but not limited to the following:
- A. Building height restrictions;
 - B. Requirements for architectural design compatible with the residential units nearby;
 - C. Floor area ratio (FAR) limitations;
 - D. Lighting type and location requirements;
 - E. Tree protection and landscaping requirements including those for infill development; and
 - F. Parking design. (Policy 3.1.33-r)
- FLU8.2.11 Compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.
- FLU8.2.12 Public or private sector sponsored Small Area Studies (completed in coordination with the County's recommendations) may be conducted to identify strategies for physically and functionally integrating a mixture of land uses in developed areas within the USA. Upon Board of County Commissioner's approval, the Future Land Use Map shall be amended. (Policy 3.1.2-r)

OBJ FLU8.3 OVERLAYS. The use of overlays shall be implemented and managed consistent with the furtherance of the goals of the CPComprehensive Plan, including the use of design, redevelopment and aesthetic techniques to promote compatibility objectives.

POLICIES

FLU8.3.1 To promote redevelopment of blighted communities, the County shall establish the Neighborhood Center, Neighborhood Activity Corridor, and Neighborhood Residential future land use designations. These land uses shall be designated on the Future Land Use Map through an amendment to the CPComprehensive Plan to implement strategies to physically and functionally integrate a mixture of land uses in a specified location. Proposals to amend the CPComprehensive Plan to establish these designations on the future land use map shall require a special area study. Such studies can be public or private sector sponsored but must be adopted by the Board of County Commissioners. (Added 11/99, Ord. 99-19, Policy 3.4.4-r)

FLU8.3.2 Orange County shall follow the specific development regulations to implement the Neighborhood Center, Neighborhood Activity Corridor and Neighborhood Residential land use designations consistent with the intent of promoting neighborhood-serving goals. Such regulations may include, but are not limited to, Floor Area Ratios (FAR), parking, setbacks, landscaping, building coverage, height, pedestrian access, streetscape, permitted and prohibited uses, and access. (Added 11/99, Ord. 99-19, Policy 3.4.5-r)

FLU8.3.3 Changes to the Neighborhood Residential, Neighborhood Center, and Neighborhood Activity Corridor boundaries shall not be permitted ~~devoid~~ without a prior small area study. (Added 05/00, Ord. 00-10, Policy 3.4.8)

FLU8.3.4 Orange County will reinforce the residential character of the Holden Heights neighborhood by encouraging the planning and design of new development to complement the architectural design and features ~~with~~ of the existing neighborhood character. New development or redevelopment will be conditioned upon Crime Prevention Through Environmental Design (CPTED) and limited expansion of demonstrated nuisance-generated uses. (Added 05/00, Ord. 00-10, Policy 3.4.9-r)

FLU8.3.5 The County supports and will continue to seek flexible incentives for redevelopment to promote quality infill within the Holden Heights community. (Policy 3.4.9-r)

OBJ FLU8.4 PUBLIC PARTICIPATION AND NOTIFICATION. Orange County shall provide for and encourage public participation in the comprehensive planning process, including consideration of proposed amendments to the ~~CP~~Comprehensive Plan. This includes the use of community meetings, forums and visioning techniques, as needed. (Added 6/98, Ord. 98-13, Goal 7-r; Amended 06/17, Ord. 2017-12)

Staff recommends revising the policy to omit a statement and combine with the FLU8.4.3. and adding notification to the objective.

POLICIES

FLU8.4.1 Orange County will ensure that residents will receive adequate and timely notification of public hearings to facilitate participation in comprehensive planning in Orange County. This includes using technology and the internet to facilitate public information and information exchange. Timely notice shall generally be interpreted to be two weeks. Staff reports should be available seven days prior to a public hearing. (Objective 7.1-r)

FLU8.4.2 Community meetings may be required for ~~large-scale~~ comprehensive planning processes that involve land use changes, including comprehensive plan amendments proposed by the private sector, to ensure public awareness of these processes and proposals. This policy shall not apply to staff-initiated amendments for countywide updates to the Future Land Use Map, such as for Institutional uses or amendments that address scrivener's errors or annexations on the Future Land Use Map.

Staff recommends revising the policy by deleting the "large scale" planning process as community meetings may be required for any amendment to the comprehensive plan.

FLU8.4.3 Orange County will use community meetings, forums, visioning techniques, small area studies, neighborhood plans, and other community planning processes to involve residents in comprehensive planning.

Staff recommends revising the policy to combine the statement from the objective into the policy.

FLU8.4.4 Orange County will conduct outreach to the County's diverse communities about public hearings and other planning concerns. Examples of this outreach can include using Spanish-language website content, Spanish-language statements on public notices and public hearing signage, advertisements in multicultural media, and Orange TV notices and programming.

FLU8.4.5 The Planning Division shall prepare a response to the ~~Department of Community Affairs' Objections~~State Land Planning Agency, Recommendations and Comments Report before the ~~LPA~~Local Planning Agency adoption hearing. Such response, which shall be deemed preliminary in nature, shall be available for public inspection and review at least seven (7) days prior to the ~~LPA~~Local Planning Agency adoption hearing. This requirement, however, does not preclude the Planning Division from revising such response, provided that such revised response shall be available for public inspection and review at least seven (7) days prior to the ~~BCC~~Board of County Commissioners adoption hearing. Furthermore, this requirement does not preclude the Planning Division from finalizing the response after the BCC adoption hearing in a manner not inconsistent with the ~~BCC's~~Board of County Commissioners' action. (Added 6/98, Ord. 98-13, Policy 7.1.2)

FLU8.8.38.4.6 In addition to any statutory requirements for changes to the Future Land Use Map, the published notice for the Local Planning Agency (LPA) transmittal and adoption hearing(s) shall be of sufficient size to identify the location of land subject to consideration for any Future Land Use Designation change by no less than street address of developed property, a designated map location on a map in readable form to reasonably identify the subject location, and the current and proposed Future Land Use Designation. Additionally, notice for Local Planning Agency and the Board of County Commissioners hearings on proposed land use changes to the Future Land Use Map, excluding annexations and those institutional uses that have already been constructed, shall be provided to all adjacent property owners and to all property owners located within approximately 300 feet of the property subject to the change. Such notice shall contain no less than the street address of the subject property (~~if~~if available), current and proposed Future Land Use Designations, hearing date, time and place. Substantial compliance with the provision of the article pertaining to the various methods of providing notice shall be sufficient to constitute notice to all parties affected. (Added 6/94, Ord. 94-13, Policy 3.2.23.2)

Staff recommends moving the policy from Objective 8.8 under Objective 8.4 as it relates to public notification.

FLU8.8.58.4.7 Newspaper advertisement for proposed Comprehensive Plan amendments shall be consistent with the requirements of Policy FLU8.8.3 and Section 163.3184, Florida Statutes. Moreover, Orange County shall request that such advertisements be placed only in the regular daily sections of the newspaper (e.g., Sports, Local and State, Living) or the main section of the Orange Extra. This request will state that such advertisement not be placed in special supplements to the newspaper (e.g., Transportation, Food, Rave, Real Estate, Travel, etc.). If for any reason the newspaper fails to comply with this request, but such notice otherwise complies with statutory requirements and Policy FLU8.8.3, the notice shall be deemed valid. (Added 6/95, Ord. 95-13, Policy 3.2.23.4)

Staff recommends moving the policy from Objective 8.8 under Objective 8.4 as it relates to public notification.

FLU8.4.68.4.8 When a party proposing an amendment conducts or prepares special studies, text amendments or evaluations to support a requested change to the CPComprehensive Plan, including collecting site-specific data or analysis of site-specific conditions, such studies, text amendments or evaluations, even if preliminary, shall be available for public inspection and review at least seven (7) days prior to the LPA-Local Planning Agency adoption hearing. This requirement, however, does not preclude the party from revising such studies or evaluations or gathering supplemental information, provided that such revised studies or evaluations or supplementary information shall be available for public inspection and review at least seven (7) days prior to the Board of County Commissioners' adoption hearing. (Added 6/98, Ord. 98-13, Policy 7.1.1-r)

OBJ FLU8.8 PROCEDURE. Orange County shall follow consistent procedures in its administrative and notification practices.

POLICIES

FLU8.8.1 Amendments to the Comprehensive Plan Goals, Objectives, and Policies and large scale Future Land Use Map (FLUM) amendments shall be considered no more than two times a year, unless the amendment is a staff-initiated ~~FLUM~~Future Land Use Map- or text amendment, or a privately-initiated ~~FLUM~~Future Land Use amendment continued to a date certain at the request of the Board of County Commissioners. Nothing in this policy shall preclude the more frequent consideration of amendments to the Future Land Use Map in association with Developments of Regional Impact, Florida Quality Developments, or small-scale development activities. The County may require DRIs to be submitted concurrently with Future Land Use Map Amendment requests. (Added 10/94, Ord. 94-20; Amended 6/12, Ord. 2012-14, Policy 3.2.23-r, 3.2.23.1-r; Amended 6/14, Ord. 2014-12)

- A. Privately-initiated text amendments may be submitted for Horizon West and the Innovation Way Overlay (~~Scenario 5~~) in conjunction with a Future Land Use Map amendment or as a stand-alone text amendment during a large-scale Comprehensive Plan amendment cycle. Privately-initiated text amendments in these areas may not be processed out-of-cycle, unless the amendments are associated with a DRI or Florida Quality Development. The Horizon West and Innovation Way Overlay planning processes involved comprehensive and extensive public participation and visioning efforts, and as such, were designed for applicant submittals consistent with their master plans. (Added 6/14, Ord. 2014-12, Policy FLU1.3.2(i)-r)

- B. Privately-initiated text amendments, not within Horizon West or the Innovation Way Overlay (~~Scenario 5~~), may be accepted for processing twice-per-year as part of a large-scale Comprehensive Plan amendment cycle when any of the following conditions have been satisfied:
- a) The proposed amendment supports a Workforce Housing project consistent with the *Workforce Housing Task Force Report* (2007);
 - b) The proposed amendment supports an infill development project consistent with the *Infill Master Plan* (2008);
 - c) The proposed amendment supports a transit-related development project consistent with the Transportation Element and Transit Oriented Development Overlay;
 - d) The proposed amendment supports a development project meeting nationally recognized Green Building and Energy Conservation standards; or
 - e) The Planning Manager determines the amendment may be submitted for processing. In making a determination, the Planning Manager will consider whether the proposed amendment maintains the internal consistency of the Comprehensive Plan, furthers the overall goal of the Comprehensive Plan, directly relates to a Future Land Use Map Amendment, and has a limited geographic effect. The Planning Manager will also evaluate whether the proposal contravenes the Comprehensive Plan, Land Development Code, or state law. The Planning Manager's denial to process a proposed text amendment may be appealed to the Board of County Commissioners. No privately-initiated text amendments will be processed out-of-cycle unless associated with a DRI or Florida Quality Development. (Added 6/14, Ord. 2014-12)

- C. Text amendments may be submitted for small scale map amendments when the text amendments are directly related to and simultaneously adopted with the corresponding small scale map amendment. (Added 6/14, Ord. 2014-12)

FLU8.8.2

Requests for Future Land Use Map amendments and text amendments to the Comprehensive Plan shall be considered only upon the submittal of an application meeting the County's requirements. Proposed map and text amendments must be reviewed prior to submittal as part of a pre-application meeting with staff. Staff shall have the authority to request additional information and documentation related to amendment applications. (Added 6/94, Ord. 94-13, Policy 3.2.23-r, 3.2.23.1-r; Amended 6/14, Ord. 2014-12)

- A. The County shall be entitled to charge a reasonable fee for Future Land Use Map and text amendments to the Comprehensive Plan. An application fee waiver policy shall be adopted by the County, with such waivers approved by the Board of County Commissioners (BCC) on a case-by-case basis. (Added 6/14, Ord. 2014-12, Policy FLU8.8.2-r)
- B. Orange County staff may deem a submitted application that has not been transmitted to the ~~Department of Economic Opportunity~~ State Land Planning Agency withdrawn if it remains inactive for two consecutive cycles. Consistent with 163.3184 (3)(c)1, F.S., if the County has transmitted the amendment to the Department of Economic Opportunity and the amendment is not adopted within 180 days after the County receives ~~Department of Economic Opportunity~~ State Land Planning Agency and other review agency comments, the application will be considered withdrawn unless extended by agreement with notice to the state land planning agency and any affected person that provided comments on the amendment. The 180-day limitation does not apply to amendments processed pursuant to 380.06, F.S. (Added 6/14, Ord. 2014-12, Policy FLU8.8.2-r)

FLU8.3.3

~~RESERVED~~ In addition to any statutory requirements for changes to the Future Land Use Map, the published notice for the Local Planning Agency (LPA) transmittal hearing shall be of sufficient size to identify the location of land subject to consideration for any Future Land Use Designation change by no less than street address of developed property, a designated map location on a map in readable form to reasonably identify the subject location, and the current and proposed Future Land Use Designation. Additionally, notice for LPA and BCC hearings on proposed land use changes to the Future Land Use Map, excluding annexations and those institutional uses that have already been constructed, shall be provided to all adjacent property owners and to all property owners located within approximately 300 feet of the property subject to the change. Such notice shall contain no less than the street address of the subject property, if available, current and proposed Future Land Use Designations, hearing date, time and place. Substantial compliance with the provision of the article pertaining to the various methods of providing notice shall be sufficient to constitute notice to all parties affected. (Added 6/94, Ord. 94-13, Policy 3.2.23.2)

Staff recommends moving the policy under Public Participation and Notification.

FLU8.8.4

For consideration of each, any and all changes and amendments to the Orange County CPComprehensive Plan, the requisite public hearings shall be the LPALocal Planning Agency and the BCCBoard of County Commissioners transmittal and adoption hearings, except for compliance with the Objections, Recommendations and Comments (ORC) Report amendments, and any other exemptions as provided by Law. (Added 6/94, Ord. 94-13, Policy 3.2.23.3)

FLU8.8.5

~~RESERVED~~ Newspaper advertisement for proposed CP amendments shall be consistent with the requirements of Policy FLU8.8.3 and Section 163.3184, FS. Moreover, Orange County shall request that such advertisements be placed only in the regular daily sections of the newspaper (e.g., Sports, Local and State, Living) or the main section of the Orange Extra. This request will state that such advertisement not be placed in special supplements to the newspaper (e.g., Transportation, Food, Rave, Real Estate, Travel, etc.). If for any reason the newspaper fails to comply with this request, but such notice otherwise complies with statutory requirements and Policy FLU8.8.3, the notice shall be deemed valid. (Added 6/95, Ord. 95-13, Policy 3.2.23.4)

Staff recommends moving the policy under Public Participation and Notification.

FLU8.8.6

Subsequent to a decision of the Board of County Commissioners (BCC) to not transmit or not adopt an amendment to the Orange County Comprehensive Plan^P, the Planning Division shall not accept any application for an amendment on what constitutes substantially the same property for a period of two (2) years from the date of the last action. The Planning Manager's decision not to accept an application can be appealed to the Board of County Commissioners. (Added 10/94, Ord. 94-20, Policy 3.2.26-r)

OBJ FLU8.5 VESTING. Orange County shall follow fair, consistent and objective criteria and documentation in determining the applicability of the ~~CP~~ Comprehensive Plan and the Land Development Code. Development rights that are vested, either statutorily or under the common law, and certain land uses that are exempt, pursuant to the provisions of the following policies, shall be protected by Orange County. (Objective 3.7-r)

POLICIES

FLU8.5.1 Subject to any vested development rights, developed land that is inconsistent with the adopted comprehensive plan shall be "grandfathered." The existing structures of the grandfathered uses may be enlarged, renovated, demolished or removed, and rebuilt or replaced without amendment to this plan if:

- A. ~~such~~ Such actions are confined to the boundaries of the site as it existed on the date (i.e. July 1, 1991) of adoption of ~~CP~~ Comprehensive Plan;
- B. ~~the~~ The density/intensity of the proposed change to the grandfathered use does not exceed any of the following Level of Service (LOS) impacts;

| <i>Facility Type</i> | <i>LOS Impact</i> |
|----------------------|--------------------------|
| Roads | Twenty average trip ends |
| Potable Water | 700 gallons per day |
| Wastewater | 600 gallons per day |

- C. ~~such~~ Such actions do not violate other land development regulations and the grandfathered development has not been terminated, abandoned or demolished for a period of twenty-four (24) consecutive months. (Added 8/92, Ord. 92-24; Amended 6/94, Ord. 94-13, Policy 3.7.2)

FLU8.5.2 Development approvals shall contain an expiration date consistent with a realistic period necessary to complete the contemplated development. (Policy 3.7.4)

FLU8.5.3 Developments of Regional Impact that have been authorized pursuant to Chapter 380, FS, or development that has been issued a final local development order and on which development has commenced and is continuing in good faith, or development that is determined to have vested rights pursuant to applicable case law shall be presumed to have vested development rights. (Policy 3.7.5-r)

FLU8.5.4 The Rural Future Land Use Map designation is not intended to prohibit the development of tracts of land by their current owners for use by immediate family members for their primary residences. Therefore, notwithstanding FLU6.1.3, the Land Development Code may allow the owner (as of the date of adoption, i.e. July 1, 1991, of the CP Comprehensive Plan) of a parcel of property that has been legally created and recorded in the Public Records of Orange County prior to May 21, 1991, to subdivide and develop the parcel for residential structures, but only if:

- A. the density of the residential structures is no more than one dwelling unit per two acres;
- B. the use is restricted to the primary residence for the owner, the owner's spouse, or the children, parents, or siblings of either of them; and
- C. the Land Development Code contains provisions to ensure that this exception is not abused and cannot be used as an artifice to evade the restrictions of FLU6.1.3.

The Board of County Commissioners may grant an exception to properties that do not meet the absolute criteria of this policy, on a case-by-case basis, in order to avoid an unreasonable hardship, based upon a finding that the intent of this policy is met. (Added 12/00, Ord. 00-25; Amended 10/10, Ord. 2010-13, Policy 3.7.8-r)

- FLU8.5.5 Pursuant to FLU8.5.4, an authorized determination that a particular development order request is "consistent" with the CP-Comprehensive Plan as mandated by Section 163.3194, Florida Statutes, at the time such development order is issued, shall preclude a second determination that the development order is inconsistent with the CP-Comprehensive Plan. It shall be incumbent upon the applicant to ensure that potential consistency issues are reasonably and timely raised. If requested by the applicant, the County Administrator or his designee shall make specific determinations of consistency concerning any matters raised by the applicant. In the event that this policy conflicts with any particular situation with Section 163.3215 of Florida Statutes, as may be amended or replaced, the statute shall govern. (Added 8/92, Ord. 92-24, Policy 3.7.10)
- FLU8.5.6 Consistent with Future Land Use Policies 8.5.4 and 8.5.5, Orange County shall delegate to the County Administrator or his designee the authority to provide binding letters to affected lenders and to applicants for development orders concerning whether such development orders are consistent with the adopted comprehensive plan within the meaning of Section 163.3194, Florida Statutes. (Policy 3.7.11)
- FLU8.5.7 Orange County, on a case-by-case basis, may approve variances inconsistent with the Future Land Use Map for residential uses that otherwise would result in unnecessary hardship. Such approvals must not be contrary to the public interests, must involve only mobile homes, and must be related to documented dire financial or medical problems consistent with the requirements of Chapter 30, Orange County Code. These variances shall include specific expiration dates not to exceed five (5) years and are not intended to provide for financial gain. Any relief granted beyond five (5) years will require a specific comprehensive plan amendment to the Future Land Use Map. Approval of such variances shall not constitute approval to subdivide the parcel for purposes of land conveyance. Any proposed division of parcels that have obtained such a variance must be consistent with the Future Land Use Map and all other provisions of the Land Development Code. (Added 6/94, Ord. 94-13, Policy 3.7.12)

FLU8.5.8 Effective the adoption date the 2030 ~~CP~~
Comprehensive Plan update, the Community
Village Center (CVC) shall no longer be available as
a ~~FLUM~~ Future Land Use Map request. Existing CVC
designated sites shall not be made inconsistent by
this change.

FLU8.5.9 It is the intent of this update to maintain the terms
of the Belmere Planned Development agreement.
(Added 05/96, Ord. 96-11; Amended 12/00, Ord.
25; Policy 1.1.5.2-r)

OBJ FLU8.6 CONCURRENCY. The location and intensity of development shall coincide with the availability of public services and facilities. (Objective 3.5-r)

POLICIES

FLU8.6.1 Proposed land use amendments and Developmentdevelopment in Orange County shall be subject to the provisions of the Concurrency Management System (CMS), ~~Ordinance 91-27 as amended through Ordinance 2006-06~~ as set forth in the Orange County Code.

The ~~CMS~~ Concurrency Management System shall ensure that the necessary facilities and services are in place at the time a development permit is issued; that a development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or that the necessary facilities are guaranteed through an enforceable agreement.

As part of the Destination 2030 Comprehensive Plan update, the concurrency requirement for potable water supplies and facilities shall also require consultation with all applicable water suppliers, including internal coordination within Orange County, prior to approval of a building permit, to determine if adequate water supplies and facilities will be available to serve the development by the anticipated issuance date of the certificate of occupancy or functional equivalent. In addition, the County will maintain data regarding the permitted capacity, available (pumping) capacity, water level depth, and condition of all wells, wellfields, or other sources of potable water, including the design capacity of potable water treatment and distribution facilities, consistent with the Concurrency Management System ~~CMS~~ and the Water Supply Facilities Work Plan. (Policy 3.5.3-r, Policy 3.5.11-r, WSFWP)

- FLU8.6.2 Within the Urban Service Area, sewage disposal from residential development must be accommodated by a central wastewater system. The use of septic tanks for development shall be allowed only in areas of suitable soils and when central wastewater services are not available. Where there are moderate soils, as determined by the County, the County may allow the use of septic tanks based on detailed soil and site analysis that demonstrates that ground or surface waters will not be polluted. Specific septic tank criteria shall be governed by the ~~Orange County Subdivision Regulations or supplemental guidelines adopted under the proposed Land Development Code, as well as the requirements established in Chapter 10D-6 of the Florida Administrative Code~~ applicable criteria of the Orange County Land Development Code and rules of the State of Florida. (Policy 3.5.4-r)
- FLU8.6.3 All development shall be required to participate in the County solid waste disposal program. (Policy 3.5.5)
- FLU8.6.4 Development within the Urban Service Area shall be connected to central water. (Policy 3.5.6)
- FLU8.6.5 Within the Urban Service Area, in addition to the normal County construction of public facilities, the County shall provide programs to make possible the provision of infrastructure by joint effort and investment between the public and private sectors. (Policy 3.5.7)
- FLU8.6.6 As required by Subsection 163.3202(2) (g), Florida Statutes, on and after December 1, 1991, or the effective date of an ordinance adopting a Concurrency Management System, the County shall not issue any development order or permit that results in a reduction in the levels of service for the affected public facilities below the minimum levels of service required by the ~~CPC~~Comprehensive Plan. (Policy 3.5.8-r)
- FLU8.6.7 The ordinance adopting a Concurrency Management System shall set forth the circumstances under which a person is to be deemed to have a vested right ~~pursuant to Subsection 163.3167(8), Florida Statutes to complete a development, notwithstanding the concurrency requirements of the foregoing~~ FLU8.6.6 and Subsection 63.3202(2) (g), Florida Statutes. (Policy 3.5.9)

- FLU8.6.8 The County's Land Development Code will specifically list the application requirements for development permits that reflect the informational needs for the determination of concurrency, and application forms shall be developed accordingly. (Policy 3.5.10)
- FLU8.6.9 Prior to the issuance of a development order for a proposed new development, the following shall be identified:
- A. The impacts created by the proposed development;
 - B. Whether the public facilities covered under the Concurrency Management System will be available as defined by Chapter 163, FS Florida Statutes;
 - C. The facility improvements or additions that are required to ensure the finding of concurrency; and,
 - D. The entity responsible for the design and installation of all required facility improvements or additions. (Policy 3.5.13-r)
- FLU8.6.10 All development approvals shall have a time period specified in the development order or permit in which development must commence. The time period may involve two or more phases, but the timing of each phase shall be specified in the development order or permit. If necessary, the development order or permit may prescribe a time schedule for the initiation of the various components of the development process such as, but not limited to, land clearing, filling, and foundation pouring. (Policy 3.5.14)
- FLU8.6.11 The County shall ensure that the ~~LOS~~ Level of Service for active and passive parkland shall be met on a countywide basis prior to any change in the Future Land Use Map for land designated as Parks/Recreation on the Future Land Use Map. (Added 6/94, Ord. 94-13, Policy 3.5.15)

- FLU8.6.12 All development within the North Four Corners area, excluding the Four Corners Community Village Center (CVC), which is generally bounded by the Florida Turnpike to the north and east, Conroy-Windermere Road to the south, and Apopka-Vineland Road to the west including westerly properties along Apopka-Vineland Road and when included in the Urban Service Area shall be required to connect to the Orange County central water and sewer system. (Added 6/95, Ord. 95-13, Policy 3.5.16)
- FLU8.6.13 ~~RESERVED. A proposed land use amendment must be consistent with the County's concurrency management system. (CIE1.7.5)~~
- FLU8.6.14 When necessary and appropriate, new developments shall be assessed a pro rata share of the costs necessary to finance public facility improvements necessitated by development in order to maintain adopted level of service standards. (CIE1.6.6)
- FLU8.6.15 If a proposed development is consistent with the Land Development Code and ~~CP~~the Comprehensive Plan, but one or more concurrency-related facilities is deficient, the applicant may, at his/her expense, improve the level of service of the facility if and when such improvement is consistent with County plans and the County agrees to the improvement. (CIE1.6.4)

OBJ FLU8.7 PUBLIC SCHOOLS SITING. Orange County shall promote safe and adequate public school site locations. (For purposes of this Comprehensive Plan, the terms “public schools,” “schools,” “public school facilities,” “educational facilities,” and the like, shall mean (1) traditional, publicly supported and controlled schools under the jurisdiction of the Orange County School Board, consisting of kindergarten, elementary and/or secondary school grades, and (2) schools organized as a nonprofit organization that have applied for and received authorization from the School Board to operate a charter school for kindergarten, elementary and/or secondary school grades in accordance with Florida Statutes pertaining to charter schools, which became law in 1996, as that statute may be amended or replaced, but only where the permanent student capacity is 550 or greater.) (Amended 11/17, Ord. 2017-19)

POLICIES

- FLU8.7.1 Orange County shall support and encourage the location of new elementary, K-8, and middle schools, internal to residential neighborhoods, unless otherwise prohibited. (Added 12/00, Ord. 00-25, Policy 3.2.18; Amended 11/17, Ord. 2017-19)
- FLU8.7.2 Orange County shall coordinate with the Orange County School Board to identify the locations for new high schools on the periphery of residential neighborhoods, where access to major roads is available. (Added 12/00, Ord. 00-25, Policy 3.2.19)
- FLU8.7.3 Orange County shall coordinate with the Orange County School Board to provide school sites and facilities within planned neighborhoods, unless precluded by existing development patterns. (Added 12/00, Ord. 00-25, Policy 3.2.19.1)
- FLU8.7.4 To the extent feasible, public schools shall be accessible from sidewalks and bikeways. (Policy 3.2.20; Amended 11/17, Ord. 2017-19)

- FLU8.7.5 Within the Urban Service Area, elementary, K-8, middle, high schools, and ninth-grade centers developed in conjunction with high schools shall be allowed as permitted uses or may be allowed as special exceptions as stated in the Public School Siting Regulations of Article XVIII, Chapter 38, Orange County Code in each of the following future land use designations: Low Density Residential, Low-Medium Density Residential, Medium Density Residential, High Density Residential, Institutional, Activity Center Residential, and Educational. High schools and ninth-grade centers developed in conjunction with high schools shall also be allowed as permitted uses or may be allowed as special exceptions as stated in the Public School Siting Regulations in each of the following future land use designations: Office, Commercial, and Industrial. (Added 9/96, Ord. 96-28; Amended 10/02, Ord. 02-16, Policy 3.2.21; Amended 11/17, Ord. 2017-19)
- FLU8.7.6 Within a Rural Settlement, elementary, K-8, middle schools, and freestanding ninth-grade centers may be allowed within Planned Development Land Use Plans or as special exceptions in any Rural Settlement Future Land Use designation described in Policy FLU1.1.4H. Any such school in a Rural Settlement is exempt from Policy FLU6.2.12. High schools shall not be permitted in a Rural Settlement. (Added 9/96, Ord. 96-28; Amended 10/02, Ord. 02-16, Policy 3.2.21.1, Amended 11/17, Ord. 2017-19)
- FLU8.7.7 In the event the School Board determines a public school facility is required in an area designated Rural/Agricultural on the Future Land Use Map, an amendment to the Future Land Use Map as EDU shall be required. The School Board may request an amendment to the Future Land Use Map at no cost. (Added 9/96, Ord. 96-28, Policy 3.2.21.2; Amended 11/17, Ord. 2017-19)
- FLU8.7.8 All new public school locations shall be subject to the terms and limitations established in the School Siting Regulations developed jointly by Orange County and the School Board, as it may be amended from time to time. The expansion of water and wastewater facilities in a Rural Settlement to serve public school sites shall not be the justification or impetus for future development in a Rural Settlement. (Added 9/96, Ord. 96-28, Policy 3.2.21.3; Amended 11/17, Ord. 2017-19)

FLU8.7.9 Public educational facilities shall be allowed in future land use designations specified in Policies FLU8.7.5 through FLU8.7.7. Subsequent to the construction of those facilities, the Future Land Use Map may be amended to reflect an Educational (EDU) designation. Any plan amendments required under FLU8.7.6 in the Rural Service Area or under FLU8.7.7 in a Rural Settlement shall be designated EDU. (Added 10/02, Ord. 02-16, Policy 3.2.21.5-r; Amended 11/17, Ord. 2017-19)

FLU8.7.10 Reserved. (Added 12/00, Ord. 00-25, Policy 3.2.22; Amended 11/17, Ord. 2017-19)

FLU8.7.11 For those projects that submitted a legally sufficient application for a Capacity Enhancement Agreement (CEA) prior to July 1, 2019, If the Orange County School Board determines that a ~~Capacity Enhancement Agreement (CEA)~~ is required, the applicant must deliver to the Planning Division, a copy of a fully-executed CEA at least two weeks prior to the BCC adoption public hearing for the -respective large scale or small scale Future Land Use Map amendment. If a CEA is required, but the applicant is receiving an assignment or transfer of school capacity credits in lieu of executing a CEA, a copy of the executed transfer or assignment document must be delivered to the Planning Division at least two weeks prior to the BCC adoption public hearing. If the applicant has negotiated a postponement agreement with the Orange County School Board, delaying the CEA to the rezoning stage, a copy of the executed postponement agreement must be delivered to the Planning Division at least two weeks prior to the adoption public hearing.

If the applicant does not deliver a copy of a -fully-executed CEA, transfer document, assignment document, or postponement agreement at least two weeks prior to the BCC adoption public hearing, the Future Land Use Map amendment application may be continued to the next Future Land Use Map amendment cycle. If the application is continued to the next cycle, the applicant is still required to submit the necessary documents to the Planning Division at least two weeks prior to the scheduled BCC adoption public hearing for that Future Land Use Map amendment cycle.

Any Future Land Use Map amendment application continued under this policy is subject to the refund policy in effect at that time. (Amended 6/14, Ord. 2014-12)

OBJ FLU8.9 IMPLEMENTING CODES. Orange County shall promote sustainable practices, and green building objectives, and minimize adverse impacts on the built and natural environment from development through use of the Land Development Code and by minimizing adverse impacts on the built and natural environment from development. This objective shall be measurable by implementing the following policies.

Staff recommends restructuring the objective for clarity.

POLICIES

FLU8.9.1

~~By 2010~~ Orange County shall consider ~~and/or~~ implement changes to promote the findings and strategies contained in this update and ~~modifying~~ its ~~CP~~Comprehensive Plan, codes, and ordinances, ~~as necessary, to~~ accordingly. This work will include review and efforts toward promoting the following ~~sustainability~~ strategies:

- ~~Mixed-use zoning, and mixed-use buildings;~~
- Mixed-use zoning and mixed-use corridor district(s);
- ~~Smart growth and a~~Alternative parking standards, including use of shared and reduced parking standards;
- Transit-Oriented Development;
- Activity center zoning code overlay and review standards;
- ~~Where feasible, a~~Alternative drainage, landscaping, open space standards and setbacks to promote urban infill;
- Provision of more Live/Work and ~~a~~Accessory Dwelling Unit options;
- Low Impact Development (LID) and water conservation techniques;
- Revisions to lot split parent parcel restriction to encourage the creation of more lots for eligible lots within the Urban Service Area.
- Incentives for small lot development and redevelopment of greyfield areas;
- Green building code innovations, including recognized energy and water conservation and reuse requirements. Specifically it is the County's policy to:
- Develop building code that supports greater energy and conservation related efficiencies. Support state efforts and consider adopting local ordinance as needed.

- Create incentives to support green building and green development for private sector, such as reduced fees and expedited permit review.
- Continue to use green materials, especially in renovations, such as low volatile organic compound containing paints and coatings, carpets and carpet adhesives and composite wood, energy efficient light fixtures and mechanical systems.
- Encourage all county sponsored or financially supported projects to build green and be LEED-certified.
- Develop incentives for water conservation such as crediting reuse, or creating water conservation credits when a new permit demonstrates less water will be used.

FLU8.9.2 Orange County will develop Low Impact Development (LID) strategies in conjunction with the State Water Management Districts to reduce impacts to water quality and manage water quantity concerns. LID uses a variety of site design, stormwater treatment provisions (such as two or more separate structures, a swale followed by a pond) and pollution prevention techniques to create an environmentally sensitive site landscape that preserves natural features and function similar to pre-development hydrologic conditions.

FLU8.9.3 Orange County shall promote protective and sustainable practices and green building objectives through design requirements in the Land Development Code and/or incentives.

Future Land Use Element Goals, Objectives and Policies

URBAN FRAMEWORK

GOAL FLU1 **URBAN FRAMEWORK.** Orange County shall implement an urban planning framework that provides for long-term, cost-effective provision of public services and facilities and the desired future development pattern for Orange County. (Goal One-r)

OBJ FLU1.1 Orange County shall use urban densities and intensities and Smart Growth tools and strategies to direct development to the Urban Service Area and to facilitate such development. The Urban Service Area shall be the area for which Orange County is responsible for providing infrastructure and services to support urban development. (Added 12/00, Ord. 00-25-r, Obj. 1.1)

POLICIES

FLU1.1.1 Urban uses shall be concentrated within the Urban Service Area, except as specified for the Horizon West Village and Innovation Way Overlay, Growth Centers, and to a limited extent, Rural Settlements. (Added 12/00, Ord. 00-24, Policy 1.1.1-r)

FLU1.1.2 The Future Land Use Map shall reflect the most appropriate densities for residential development.

Residential development in Activity Centers and Mixed Use Corridors, the Horizon West Village and Innovation Way Overlay, 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. (Added 8/93, Ord. 93-19; Amended 12/00, Ord. 00-25, Policy 1.1.10-r)

- A. The following are the residential densities permitted within the Urban Service Area for all new residential development or redevelopment. Future Land Use densities for the following categories shall be:

| Table 1.1.2.A – Urban Service Area – Urban Residential | | |
|--|---|----------------|
| FLUM Designation | General Description | Density |
| Low Density Residential (LDR) | Intended for new residential projects within the USA where urban services such as water and wastewater facilities are present or planned. This category generally includes suburban single family to small lot single-family development. | 0 to 4 du/ac |
| Low Medium Density Residential (LMDR) | Recognizes low- to medium-density residential development within the USA, including single family and multi-family residential development. | 0 to 10 du/ac |
| Medium Density Residential (MDR) | Recognizes urban-style multifamily residential densities within the USA. | 0 to 20 du/ac |
| Medium-High Density Residential (MHDR) | Recognizes a transition in density between highly urbanized areas and medium density residential development that support public transit and neighborhood serving amenities within a reasonable pedestrian walkshed. | 0 to 35 du/ac |
| High Density Residential (HDR) | Recognizes high-intensity urban-style development within the USA. | 0 to 50 du/ac |
| (Amended 8/92, Ord. 92-24, Policy 1.1.11-r; Amended 11/17, Ord. 2017-19) | | |

- B. Density and Floor Area Ratio (FAR) calculation is determined by dividing the total number of units/square footage by the net developable land area. Accessory Dwelling Units (ADUs) shall not be included in density calculations. The net developable land area for density and FAR calculation (intensity) is defined as the gross land area, excluding surface waters and certain conservation areas from the land area calculations. 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 permit from the Orange County Environmental Protection Division. (Added 8/92, Ord. 92-24; Amended 8/93, Ord. 93-19, Policy 1.1.11; Amended 6/10, Ord. 10-07; Amended 11/19 2019-18)

- C. Orange County may, in its Land Development Code, identify standards and criteria for alternative density compliance consistent with the intent of this policy . Specifically, minimum density standards may be reduced by the Planning Manager on parcels limited to less than one developable acre if conditions and constraints prohibit development in accordance with the adopted density of the future land use designation and if the project otherwise promotes infill and redevelopment. Alternative compliance should further the aims of 2007 Workforce Housing Task Force recommendations or transit ready locations consistent with the intent of the Transportation Element. There may be different standards for designated types of Transportation Planning Areas.
- D. Orange County shall periodically update the Residential Capacity Analysis to revise the estimate of residential build-out in the Urban Service Area. This evaluation shall be based on the most recent population and economic data. Based on the results of this analysis, the County shall re-evaluate its strategies related to residential densities.
- E. Student housing may be permitted only on property with a future land use designation of Medium Density Residential (MDR), Medium-High Density Residential (MHDR), High Density Residential (HDR), or Planned Development (PD) (in which medium or high density student housing is included as a single use or part of a mix of uses). (Amended 11/17, Ord. 2017-19)
 - (1) A P-D (Planned Development) zoning classification shall be required for all student housing projects.
 - (2) Student housing density shall be calculated based on the number of bedrooms, with four (4) bedrooms equal to one (1) multi-family unit. An alternative density calculation may be permitted upon the approval of the Board of County Commissioners, provided the developer has committed to a mobility plan to be implemented with the development of the student housing project, has demonstrated a need for the additional units, or has proposed a redevelopment project located within the area extending one (1) mile east and one (1) mile west of the Alafaya Trail corridor, between McCulloch Road and State Road 408.
 - (3) Any conversion of student housing to unrestricted housing shall require a Comprehensive Plan amendment and/or the approval of a substantial change to the approved Planned Development-Land Use Plan (PD-LUP) by the Board of County Commissioners at a public hearing. If the Comprehensive Plan amendment and/or substantial change is approved, school impact fees in effect at the time shall be paid, and the project shall comply with any school capacity regulations in effect at the time of the proposed change. (Added 5/13, Ord. 2013-11)

- F. A Community Residential Home (CRH) is defined in §419.001(1)(a), Florida Statutes as "a dwelling unit licensed to serve residents who are clients of the Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or the Department of Children and Families or licensed by the Agency for Health Care Administration which provides a living environment for 7 to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents". The definition of a Community Residential Home (CRH) can include uses such as Assisted Living Facilities, Adult Family Care Homes, group homes, and other similar uses.
- (1) A CRH that serves six (6) or fewer residents, which otherwise meets the definition of a CRH, shall be deemed a noncommercial, residential use and shall be permitted in any residential or rural/agricultural Future Land Use (FLU) designation or zoning district.
 - (2) A CRH serving seven (7) to fourteen (14) residents shall be permitted in the Low-Medium Density Residential (LMDR) and all higher-density residential FLU designations and the Office and Commercial FLU designations.
 - (3) A CRH, such as an Assisted Living Facility, serving greater than fourteen (14) residents shall be permitted in any residential FLU designation that allows multi-family uses, as well as the Commercial and Office designations. In residential districts, density for such uses shall be calculated based on the number of beds, with two (2) beds equal to one (1) residential unit. Facilities located in nonresidential districts shall be regulated based on the Floor Area Ratio (FAR) consistent with the FLU designation. (Added 09/2020, Ord. 2020-04)

FLU1.1.3 The interpretation of FLU1.1.2 shall not:

- A. Preclude construction of a residential unit (including ancillary buildings or improvements to include tennis courts and pools), modification, or expansion on an existing lot or tax parcel of more than one acre that is legally subdivided according to the Zoning Division records; or
- B. Preclude the construction of one (1) residential unit (including ancillary buildings or improvements) on an existing lot of record (according to Zoning Division records) as of July 1, 1991.

Pursuant to this policy, development on an existing lot of record shall continue to be subject to all applicable County development regulations. This policy is not intended to be the sole impetus for altering the type, density, intensity or character of an existing residential area, nor shall this policy preclude compliance with all development regulations. (Added 8/92, Ord. 92-24, Policy 1.1.11-r)

FLU1.1.4

In addition to the residential densities listed in FLU1.1.2(A), permitted densities and/or intensities for residential and non-residential development can be established through additional Future Land Use designations. Density and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(B). The Future Land Use and Zoning Correlation table is found in FLU8.1.1. (Added 8/92, Ord. 92-24 8/93, Ord. 93-19, Policy 1.1.11-r; Amended 6/10, Ord. 10-07; Amended 12/14, Ord. 2014-30; Amended 11/17, Ord. 2017-19)

A.

OTHER URBAN RELATED OPTIONS – The following are non-residential Future Land Use designations that are predominantly found in the Urban Service Area. These may also be located within Rural Settlements on a limited basis. (See specific policies within OBJ FLU6.2.) Also, Institutional and Educational designations may be located within the Rural Service Area on a limited basis as may be expressly allowed by other goals, objectives and/or policies in this Comprehensive Plan. (Amended 11/17, Ord. 2017-19)

| Table 1.1.4A – Urban Non-Residential | | |
|---|--|---|
| FLUM Designation | General Description | Density/Intensity |
| Office (O) | Office uses include professional office and office park-style development. Office uses can be considered as a transitional use between two different types of land use or land use intensities. | 1.25 FAR <u>within the Urban Service Area</u> {0.15 FAR for Rural Settlements per FLU6.2.9} unless otherwise restricted or increased for specific location pursuant to adopted County Comprehensive Plan policy or land development code |
| Commercial (C) | Commercial uses include neighborhood and commercial scale commercial and office development that serves neighborhood or community or village needs. Examples include neighborhood center, community center and village commercial. | 1.50 FAR <u>within the Urban Service Area</u> {0.15 FAR for Rural Settlements per FLU6.2.9} unless otherwise restricted or increased for specific locations pursuant to adopted County Comprehensive Plan policy or land development code |
| Industrial (I) | Industrial uses include the processing of both hazardous and non hazardous materials ranging from light assembly and manufacturing to chemical processing. | 0.75 FAR |
| Institutional (INST) | Institutional uses include public and private utilities, facilities, structures and lands that serve a public or quasi-public purpose. Public schools that have been designated Institutional may continue to maintain that designation. | 2.0 FAR |
| Educational (EDU) | Educational includes public elementary, K-8, middle, and high schools and ninth grade centers. | 2.0 FAR |

- B. URBAN MIXED USE OPTIONS** – The following Future Land Use designations allow for a mix of uses. Per a settlement agreement with the State Department of Community Affairs, Orange County’s Planned Development Future Land Use designation requires an adopted text amendment to specify the maximum intensity and density of a project. See Policy FLU8.1.4. Mixed-Use Corridors are a staff initiated option intended to complement the County’s Alternative Mobility Areas and Activity Center policies.

| Table 1.1.4B – Urban Service Area – Urban Mixed-Use | | |
|--|---|---|
| FLUM Designation | General Description | Density/Intensity |
| Planned Development (PD) | The PD designation ensures adjacent land use compatibility and physical integration and design. The development program established at Future Land Use approval may be single or multiple use. See FLU8.1.4. Innovation Way is another large planning area similar in some respects to the planning process for Horizon West. Developments within the Innovation Way Overlay (Scenario 5) are processed as Planned Developments. Innovation Way is being implemented through the policies found in Goal 5 of the Future Land Use Element.. | Must establish development program at Future Land Use amendment stage per FLU8.1.4. |
| Traditional Neighborhood Development (TND) | TND uses include mixed use communities with “towns and villages” designed to be within a walking distance of central commercial and transit stops. TNDs include a town center, public facilities and open space designed to integrate with the residential development. A P-D zoning district is required. | Office 1.7 FAR Commercial 1.0 FAR Industrial 0.5 FAR |
| Mixed Use Corridor (MUC) | MUCs are intended to promote redevelopment of suburban corridors and transit-oriented development, including transit design standards, in conjunction with Activity Centers and transit planning efforts. See FLU2.2.6 – FLU2.2.7. MUC amendments are staff-initiated. | Minimum 0.3 to 1.0 FAR Up to 20 DU/AC |

- C. HOLDEN HEIGHTS** – At this time, the Future Land Use designations below apply only to properties within Holden Heights. A Special Area Study was undertaken to create the eligible properties within Holden Heights. In addition, specific code provisions for Holden Heights are found in Chapter 38-1725 of the Orange County Code (OCC).

Table 1.1.4C – Area Specific Designated as boundaries on the Future Land Use Map

| FLUM Designation | General Description | Density/Intensity |
|--------------------------------------|---|--|
| Neighborhood Activity Corridor (NAC) | NAC is a linear core district providing a mixture of land uses along main roadways. Generally, mixed-use developments including single, multifamily and neighborhood scale non-residential. | Up to 25 DU/AC Up to 1.0 FAR non-residential |
| Neighborhood Center (NC) | NC is a mixture of neighborhood-serving land uses including retail, restaurants, office, and civic uses designed at a pedestrian-friendly scale. Residential units also may be considered. | Up to 40 DU/AC Up to 2.0 FAR non-residential |
| Neighborhood Residential (NR) | NR provides for diverse residential densities at higher densities than surrounding neighborhoods in NAC. | Up to 20 DU/AC Up to 0.40 all non-residential |

- 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.

Table 1.1.4D – I-Drive – Refer to International Drive Activity Center Element

| FLUM Designation | General Description | Density/Intensity |
|---|---|---|
| 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 zoning district is required. | minimum 12 DU/AC up to 30 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) Minimum 12 du/ac 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> | | |

- E. HORIZON WEST** –Horizon West Properties include those that are designated “Village” on the Future Land Use Map (FLUM), with specific parcel development entitlements assigned and secured with the approval of a required Planned Development / Land Use Plan (PD/LUP). Horizon West was originally established through the State of Florida’s Sector Planning program in 1996, but was released from the program in 2016. Currently, there are six adopted Special Planning Areas (Villages) – Lakeside, Bridgewater, Town Center, Village F, Village H (Hickory Nut), and Village I. Policies for Horizon West are found in Future Land Use Element Goal 4.

| Table1.1.4E – Horizon West – Refer to Adopted Special Planning Areas | | |
|---|--|--|
| FLUM Designation | General Description | Density/Intensity |
| Village Horizon West (V) | Horizon West is a mixed use integrated development that includes integrated neighborhoods and schools. Must be a minimum of 1,000 acres and consist of two neighborhoods. Boundaries established through Special Planning Area. Includes minimum densities (5 DU/AC), design standards, and requirements for adequate public facilities. Must be developed as PD; separate calculation standards are required. | One dwelling unit per 10 acres, unless approved as an SPA. Densities and intensities are designated through implementation of SPAs at the Planned Development stage. |

- F. GROWTH CENTER(S)** – Growth Centers are a Future Land Use designation implemented through Joint Planning Area agreements with an outside jurisdiction. These agreements provide at a minimum that the County will not incur initial capital costs for utilities. Orange County has three Growth Centers – one in the northwest referred to as the Northwest Growth Center, one in the southeast referred to as Growth Center/Resort/PD, and the Aviation Growth Center.

| Table F1.1.4 – Growth Centers 0 Refer to Future Land Use Map and associated Growth Center policies under OBJ FLU7.4 | | |
|--|---|--------------------------|
| FLUM Designation | General Description | Density/Intensity |
| Growth Center (boundary) | Growth Center recognizes urban development outside and adjacent to the boundaries of unincorporated Orange County. New Growth Centers or extensions shall be established only as part of adopted JPAs. The initial capital costs will not be incurred by Orange County. A PD is required. | PD |
| Growth Center/ Resort PD (GC/RPD) | GC/RPD is similar to GC boundary in GC requirements, but it also must have a minimum of 200 acres. FLU7.4.7 states applicant must demonstrate clear rationale for separating from Horizon West. See FLU7.4.1 – FLU7.4.7. A PD is required. | PD |
| Aviation Growth Center (AGC) | The purpose of the AGC is to anticipate and coordinate development related to future establishment of a general aviation facility within the West Orange Aviation District. | Refer to FLU7.4.9 |

- G. OPEN SPACE RELATED** – Orange County uses three Future Land Use designations to permanently establish open space, conservation protection or recreational areas. In addition, open space can be established through code provisions.

| Table 1.1.4G – Open Space – Refer to Future Land Use Map and associated open space policies | | |
|--|--|--|
| FLUM Designation | General Description | Density/Intensity |
| Open Space – Refer to Future Land Use Map and associated open space policies | | |
| Parks and Recreation/Open Space (PR/OS) | Refers to undeveloped or developed lands as passive and active parks. | 0.8 ISAR |
| Conservation (map overlay) | Conservation recognizes lands designated for conserving natural resources. EPD formally reviews proposals within these designations. Must be determined by Conservation Area Determination (CAD). Refer to Conservation Element policy C1.4.5 | 0.01 ISAR – Class 1 0.25 ISAR – Class 2 1.0 ISAR – Class 3 |
| Preservation | Preservation recognizes publicly or privately owned lands of significant environmental importance for the purposes of environmental protection. Publicly owned lands shall be lands owned by federal, state, or local governments acquired for environmental preservation, rehabilitation, or management. Designation of privately owned lands shall be limited to lands used for wetland mitigation banks. Compatible very-low impact recreational or educational uses that use natural amenities of the site for public benefit are allowable uses. All other uses are prohibited. Refer to Conservation Element policy C1.4.4 | FAR 0.10 |

H RURAL, LAKE PICKETT, AND RURAL SETTLEMENT RELATED – These Future Land Use designations are applicable only to areas outside the County’s Urban Service Area. Uses such as agricultural or agricultural-related activities predominate. These Future Land Use designations also are appropriate for locations in which residents prefer a rural lifestyle with limited services. Policies for these locations are found in Future Land Use Element Goal 6. (Amended 07/16, Ord. 2016-17)

| Table 1.1.4H – Rural and Rural Settlements | | |
|---|--|---|
| FLUM Designation | General Description | Density/Intensity |
| Rural – Rural Service Area | | |
| Rural/Agricultural (R) | Rural promotes long-term viability of agricultural uses as an economic asset while allowing single family residential on large lots. Compatible non-residential activity may be related to agribusiness. | 1 DU/10 AC |
| Rural Settlement related | | |
| Rural Settlement 1/5 (RS 1/5) | RS 1/5 recognizes and preserves existing development patterns, provides for a rural residential lifestyle, and manages the transition of rural areas near the USA. | 1 DU/5 AC |
| Rural Settlement 1/2 (RS 1/2) | Similar to above but the acreage required is less. | 1 DU/2 AC |
| Rural Settlement 1/1 (RS 1/1) | Similar to above, but lots once again are smaller size. | 1 DU/1 AC |
| Rural Settlement Low Density (RSLD 2/1) | RSLD is intended to recognize existing development patterns and rural and suburban lots at 2 DU/AC. However, this category may be suited for new residential projects abutting urban development in adjacent municipalities. | 2 DU/1 AC |
| Office (O) (RS) | See Future Land Use Element Policy FLU6.2.9 | 0.15 |
| Commercial (C)(RS) | See Future Land Use Element Policy FLU6.2.9 | 0.15 |
| Lake Pickett (LP) | The LP designation provides for a transition of development from surrounding rural neighborhood densities and preservation areas to more dense development towards the center of the Lake Pickett Study Area. Transition is provided through compatibility measures. | Transect-based; Densities/intensities established on a Conceptual Regulating Plan |

The following are footnotes applicable to the above tables related to FLU1.1.4.
 FAR – Floor Area Ratio: The amount of permitted, developable floor area of a building to the area of the lot.
 ISAR – Impervious Surface Area Ratio: Ratio of impervious surface area to area of the affected wetland or recreation, as applicable. Commonly referred to as impervious coverage.
 *** Any area outside the impervious surface areas of a conservation area shall remain undisturbed in a natural state. Furthermore, the encroachments shall be limited to restrictions in C1.4.1 of the Conservation Element. (Added 8/92, Ord. 92-24; Amended 5/03, Ord. 03-03; Amended 10/03, Ord. 03-15, Policy 1.1.12-r)

FLU1.1.5 Orange County shall encourage mixed-use development, infill development, and transit-oriented development to promote compact urban form and the efficient use of land and infrastructure in the Urban Service Area. The County may require minimum FARs and densities in its Land Development Code to achieve the County's desired urban framework.

OBJ FLU1.2 URBAN SERVICE AREA (USA); USA SIZE AND MONITORING. Orange County shall use the Urban Service Area as an effective fiscal and land use technique for managing growth. The Urban Service Area shall be used to identify the area where Orange County has the primary responsibility for providing infrastructure and services to support urban development. (Added 12/00, Ord. 00-25, Obj. 1.1-r; Amended 5/13, Ord. 2013-11)

POLICIES

- FLU1.2.1 The Urban Service Area boundary, and its acreage allocation, shall be based on the supply of usable land needed to accommodate the County's population and employment forecasts by Year 2030 with respect to the County's desired development pattern, the County's ability to provide urban services and facilities, and the County's urban strategies to achieve its desired development pattern. (Added 8/92, Ord. 92-94; Amended 12/00, Ord. 00-25, Policy 1.1.2-r; Amended 5/13, Ord. 2013-11)
- FLU1.2.2 Urban development during the 2007-2030 planning period, as identified in FLU1.2.1, will occur only in the Urban Service Area and the established boundary for the Horizon West SPA (Special Planning Area) (identified on Map 2 in the Future Land Use Element of the Comprehensive Plan), the Innovation Way Overlay, and Growth Centers where urban services are available as specified by Joint Planning Agreement or other agreements.(Added 8/92, Ord. 92-24; Amended 12/00, Ord. 00-25, Policy 1.1.2.1-r; Amended 5/13, Ord. 2013-11)
- FLU1.2.3 The amount of usable land and the need for land to accommodate the projected population within the Urban Service Area shall be monitored and updated to reflect changes in local conditions, consistent with the objectives of the Evaluation and Appraisal Report process. As part of this effort, the County will assess its progress toward implementing the urban strategies contained herein in order to achieve its planned development pattern. (Added 12/00, Ord. 00-25, Policy 1.1.2-r; Amended 5/13, Ord. 2013-11; Amended 06/17, Ord. 2017-12)
- FLU1.2.4 The County will continue to monitor the Urban Service Area allocation. Through this process, the following applicants have satisfied these requirements and are recognized as expansions to the Urban Service Area. (Added 10/02, Ord. 02-16; Amended as listed in the table; Policy 1.1.2.1.A-r)

| Amendment Number | Name | Size (acres) | Ordinance Number |
|------------------|--|--------------|------------------|
| 2002-2-A-4-4 | Spring Isle | 163.52 | 2002-16 |
| 2002-D-4-1 | Boggy Creek DRI | 469.62 | 2002-21 |
| 2003-2-A-4-2 | Colonial Sunflower Phase III | 22.7 | 2003-15 |
| 2003-2-A-4-4 | Kirby Smith PD – Stratford Pointe Subdivision | 38.34 | 2003-15 |
| 2003-D-4-1 | Moss Park DRI | 184.6 | 2003-19 |
| 2004-D-1-1 | Orange Lake Country Club DRI | 216.3 | 2004-19 |
| 2004-2-A-1-3 | Town Center SAP | 1,127 | 2004-21 |
| 2004-2-A-1-4 | Bridgewater SAP amendments | 725.5 | 2004-21 |
| 2005-1-A-4-2 | Sunflower Trail North | 70.58 | 2005-05 |
| 2005-2-A-1-2 | Village H SAP | 1,025.88 | 2006-08 |
| 2004-D-4-1 | Airport Industrial Park Orlando DRI | 19.4 | 2005-14 |
| 2005-2-A-4-2 | Boggy Creek Enclave | 251.95 | 2005-14 |
| 2005-D-1-1 | Orange Lake Country Club DRI | 26.54 | 2005-17 |
| 2006-2-A-1-1 | Fuller's Cross Road | 10.5 | 2006-22 |
| 2006-2-A-1-5 | Village F SAP | 1,159 | 2006-22 |
| 2006-2-A-4-3 | Bonnemaison | 9 | 2006-22 |
| 2006-D-4-1 | Innovation Place DRI | 1,284 | 2007-11 |
| 2007-1-A-1-1 | Black Lake Road Parcel | 34.46 | 2008-05 |
| 2007-1-A-4-1 | Boggy Creek Road | 19.58 | 2008-05 |
| 2007-2-A-1-1 | Northeast Resort Parcel | 429 | 2007-18 |
| 2007-2-A-4-1 | Sadler Road | 100.22 | 2007-18 |
| 2008-1-A-1-4 | Village I SAP | 2,228 | 2010-01 |
| 2008-1-A-4-1 | Starwood | 2,549 | 2008-09 |
| 2008-1-A-4-4 | Morgran | 1.23 | 2008-21 |
| 2010-1-A-4-1 | Lake Barton PD | 8 | 2010-07 |
| 2010-1-A-4-5 | Tyson's Corner PD | 29.55 | 2010-07 |
| 2010-2-A-1-1 | US 192 Growth Center Addition (Lake Gifford) | 17.15 | 2010-13 |
| 2010-1-A-2-2 | The Parks at Mount Dora (NW Growth Center Expansion) | 63.5 | 2010-13 |
| 2010-2-A-4-1 | Boggy Creek Land Holdings | 5 | 2010-13 |
| 2010-2-A-4-3 | Pioneers Development | 28.1 | 2010-13 |
| 2012-1-A-4-1 | Lake Whippoorwill Landing | 16.82 | 2012-14 |
| 2013-2-A-1-1 | Bridgewater Specific Area Plan (SAP) Amendment | 49.7 | 2013-22 |
| 2013-2-A-4-1 | Tyson Property | 75.32 | 2013-22 |
| 2013-2-A-4-2 | Eagle Creek Development of Regional Impact (DRI) | 85 | 2013-22 |
| 2014-1-S-4-1 | Meritage Homes/Lake Preserve | 5 | 2014-14 |
| 2014-2-A-4-1 | Spring Isle | 9.92 | 2014-30 |
| 2014-2-A-4-4 | Camino Reale | 1,032.90 | 2016-04 |
| 2015-1-A-4-1 | Eagle Creek | 86 | 2015-07 |
| 2016-2-S-4-1 | Orlando Medical Office | 3.0 | 2016-27 |
| 2016-2-S-4-4 | Nona Center | 1.8 | 2016-27 |
| 2016-2-A-4-2 | Sunbridge | 2,319.90 | 2016-31 |

| Amendment Number | Name | Size (acres) | Ordinance Number |
|------------------|-----------------------------|--------------|------------------|
| 2017-1-A-4-1 | Moss Park North | 107.78 | 2017-11 |
| 2017-1-S-2-2 | 2975 W. Orange Blossom Trl. | 1.12 | 2017-13 |
| 2017-2-A-5-1 | 15169 E. Colonial Dr. | 12.1 | 2017-19 |
| 2018-1-A-1-1 | Hubbard Place | 16.59 | 2018-27 |
| 2018-1-A-4-1 | Bishop Landing Ph. 3 | 14.83 | 2018-30 |
| 2019-1-S-4-1 | Eagle Lake | 3.15 | 2019-05 |
| 2019-1-S-4-1 | Narcoossee Retail | 1.03 | 2019-19 |

FLU1.2.5 (Policy deleted 5/13, Ord. 2013-11; see added Policy FLU1.3.1C.)

FLU1.2.6 (Policy deleted 5/13, Ord. 2013-11; see added Policy FLU1.3.1A.)

FLU1.2.7 If the Urban Service Area boundary intersects any tax parcel of land, the total parcel shall be included in the Urban Service Area unless the parcel of land intersected is of such size or nature that inclusion within the Urban Service Area constitutes a substantial alteration of the Urban Service Area boundary. The term "parcel" shall not include any alterations to the property's tax parcel legal description that are made after the adoption of the original Growth Management Policy (June 1980). A substantial alteration is determined to exist if:

More than forty acres of the parcel is outside the Urban Service Area boundary;

The property is intersected by a natural or man-made boundary that also serves as the Urban Service Area boundary; or

The developable land that is located outside the Urban Service Area is separated from the Urban Service Area by a substantial area designated as a Conservation Area by the Comprehensive Plan process. (Policy 1.1.8-r)

FLU1.2.8 Orange County will develop a fiscal sustainability analysis tool. In addition, the County will include policies to support fiscally sustainable development patterns in the Future Land Use and Capital Improvements elements. The methodology and policies will further the County's effort to evaluate the impacts of proposed Urban Service Area expansions, as well as the impact of proposed development in Rural Settlements and in the Rural Service Area, on the County's capacity to efficiently provide and maintain infrastructure and services. (Added 5/13, Ord. 2013-11)

OBJ FLU1.3 APPLICATION FOR URBAN SERVICE AREA EXPANSION. No new expansions to the Urban Service Area boundary, except for those planned for Horizon West and the Innovation Way Overlay, shall be permitted unless supported by data and analysis demonstrating consistency with Objectives FLU1.2 and FLU1.3 and associated policies. Orange County shall use the following process to evaluate Urban Service Area expansions, and as a means for achieving its goals with respect to accommodating growth within the USA and implementing the Comprehensive Plan. (Amended 5/13, Ord. 2013-11)

POLICIES

FLU1.3.1 All proposed amendments (i.e expansions) to the Urban Service Area shall include a comprehensive review to ensure the efficient provision of infrastructure, protection of the environment, and land use compatibility with adjacent development. (Added 12/00, Ord. 00-25, Policy 1.1.4.1-r)

- A. Per Section 163.3177(6)(a)9.a, Florida Statutes, amendments to the Comprehensive Plan, including Urban Service Area expansion requests, shall discourage urban sprawl. The primary indicators used to evaluate whether a plan or plan amendment encourages the proliferation of urban sprawl are listed below.
1. Promotes, allows, or designates substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need;
 2. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development;
 3. Promotes, allows, or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments;
 4. Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems;
 5. Fails to adequately protect adjacent agricultural areas and activities, including active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils;
 6. Fails to maximize use of existing public facilities and services;
 7. Fails to maximize use of future public facilities and services;
 8. Allows for land use patterns or timing that disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government;
 9. Fails to provide a clear separation between rural and urban uses;

10. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities;
11. Fails to encourage a functional mix of uses;
12. Results in poor accessibility among linked or related land uses;
13. Results in the loss of significant amounts of functional open space.

(Amended 5/13, Ord. 2013-11, Policy FLU1.2.6-r)

B. In accordance with Florida Statutes 163.3177(6)(a)9.b, an amendment to the Comprehensive Plan shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

1. Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems;
2. Promotes the efficient and cost-effective provision or extension of public infrastructure and services;
3. Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available;
4. Promotes conservation of water and energy;
5. Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils;
6. Preserves open space and natural lands and provides for public open space and recreation needs;
7. Creates a balance of land uses based upon demands of residential population for the nonresidential needs of an area;
8. Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164. (Added 5/13, Ord. 2013-11)

C. In addition to the sprawl criteria outlined in FLU1.3.1A and FLU1.3.1B, the County shall consider the following factors when evaluating development proposals for inclusion within the Urban Service Area:

1. The extent to which the proposed development contributes to the urban strategies and urban form identified in the Comprehensive Plan;
2. Whether the proposal will consist of a Traditional Neighborhood Development (TND), sector plan, or mixed use planned development that

uses traditional neighborhood development, including minimum residential densities, school-centered design, diversity of housing types, and price ranges that reduce vehicle dependency, protect natural environmental features, and create a sense of community and place through urban design principles and the arrangement of land uses;

3. The supply of vacant land within the Urban Service Area, the rate of building permit approvals as compared to the absorption of committed and pending land use inventory supply, and the timing and need for development with respect to the current building inventory and supply approved to date;
4. Whether the project demonstrates the ability to meet Orange County's adopted Level of Service (LOS) standards as required by the Concurrency Management provisions of Article XII, Sec. 30-500 of the Orange County Code. Adequate public facilities and services to support the development shall include, but not be limited to, roads, water and sewer facilities, solid waste, recreational lands, stormwater, and schools;
5. Whether the proposal can be deemed to have a prevailing public benefit such as:
 - a. establishment of a new major employer or relocation or expansion of an existing major employer, where such establishment, relocation or expansion is endorsed and/or sponsored by the State of Florida, or
 - b. Consistent with Activity Center provisions as identified in the Future Land Use, Urban Design, or Economic elements;
6. The extent to which the proposal furthers workforce housing and the transit readiness of the County;
7. Compatibility with the targeted urban densities/intensities provided for in FLU1.1.4 and provision of the following:
 - a. a sustainable development program allowing for a balanced mix of residential/non-residential uses;
 - b. appropriate timing of development complementing and coinciding with surrounding developments allowing for adequate provision of infrastructure and services;
 - c. jobs to housing balance; and,
 - d. adequate assessment of the environmental impacts of the project as well as how the site integrates with the surrounding built environment at the time of the application.

(Amended 5/13, Ord. 2013-11, Policy FLU1.2.5-r)

FLU1.3.2

An application to expand the Urban Service Area shall be approved only when the application is found to be consistent with the Comprehensive Plan and complies with the following procedural steps and additional criteria, with the exception of those planned for Horizon West and the Innovation Way Overlay.

- a. The applicant demonstrates that the proposed development is needed to satisfy acreage demands of the projected population and land use needs identified in the Comprehensive Plan and will not detract from the Comprehensive Plan's urban strategies of infill, mixed use and transit oriented development.
- b. The provision of infrastructure/services to the proposed development shall be a logical and fiscally prudent extension of existing lines, and shall not deplete capacity allocated or reserved for vacant, vested developable land within the Urban Service Area.
- c. The application shall detail existing and planned availability of services and facilities, how these services and facilities will be funded and an accounting for the development potential of vacant land within the Urban Service Area. Services and facilities shall include, but not limited to, potable water provision, wastewater disposal, law enforcement, fire protection/emergency medical service, road capacity, transit service, stormwater management, parks and open space, solid waste disposal, libraries and health care and schools. The identified funding strategies must be consistent with the County's Capital Improvements Plan (CIP) and Capital Improvements Element (CIE) processes.
- d. To ensure new development can be accommodated, an applicant wishing to request an Urban Service Area (USA) expansion must submit a Small Area Study, whose methodology is based on professionally accepted standards. This Small Area Study must demonstrate the growth-related impacts as it relates to concurrency requirements and the fiscal sustainability of a project over its lifetime. Such information must be submitted as part of a Large Scale or Small Scale Future Land Use Map amendment application process to request an expansion to the USA. For any Urban Service Area expansion or phased large-scale Future Land Use amendment, the County may require the applicant to demonstrate the capacity to provide the necessary infrastructure over the entire build-out period. The developer shall pay the full cost of initial services and facility expansion, unless excess uncommitted infrastructure/service capacity exists.
- e. To discourage urban sprawl, the travel distance between proposed residential development and identified employment centers shall not exceed a ten miles/twenty minute travel distance standard as referenced in Section 73C-40.048(2)(r), Florida Administrative Code (the Adequate Housing Uniform Standard Rule); or the project will include a mix of uses that allows a jobs/housing balance keeping with planning standards, which typically recommends a 1.5:1 jobs to housing balance.
- f. The total linear footage of the perimeter of the property to be added to the Urban Service Area shall be at least 25% contiguous (excluding wetlands and surface water) to the existing USA boundary as shown on the County's Future Land Use Map. The perimeter of the property shall be measured as a percentage of the total linear footage of the perimeter of the property proposed for inclusion as compared to the perimeter of the parcel that is contiguous. To discourage urban sprawl and reduce enclaves, the proposed development shall not extend into the Rural Service Area in a ribbon like manner or create enclaves or pockets of Rural Service Area.

If the property is contiguous but the contiguity is less than 25%, the following additional criteria must be met:

- The subject property shall not leave intervening parcels of developable property between the subject property and the Urban Service Area;
- The proposed development shall meet the minimum required site and

building placemaking design standards for Mixed-Use Development Activity Centers, consistent with Policy FLU3.2.6; (Amended 10/10, Ord. 2010-13).

- The subject property is located within five miles of a regional employment center containing no less than 5,000 existing employees;
- The proposed development shall meet the design requirements for a Multimodal Transportation District (MMTD) as outlined in FDOT's *Multimodal Transportation Districts and Areawide Quality of Service Handbook*, and the property owner/developer agrees to be included within a proposed MMTD boundary if and when the County proposes an MMTD;
- The application demonstrates that the proposed development will not adversely affect the County's ability to provide public safety services. This shall include a demonstration that adequate police and fire protection facilities are available (consistent with Policies FR1.2.2 and FR1.2.3), that adequate fire flows are or will be available, and that reflex time for fire and EMS response will be consistent with Policy FR1.2.1;
- The application contributes to the County's desired urban form strategies and urban form, consistent with Policy FLU1.3.1C(1); and
- The application meets all other requirements addressed in Policies FLU1.3.1A, FLU1.3.1B, and FLU1.3.1C.

(Added 5/95, Ord. 95-13; Amended 5/09, Ord. 2009-15, Policy 1.1.5-r; Amended 10/10, Ord. 2010-13; Amended 5/13, Ord. 2013-11)

- g. An application for an Urban Service Area expansion may be required to include an imperiled species survey. If imperiled species are identified, the applicant must demonstrate that adequate provisions have been made to protect those species.
- h. The application for an Urban Service Area expansion should include a commitment to nationally recognized Green Building standards, water and energy conservation measures and as well as to meet other sustainability criteria. Sustainability criteria can include, but are not limited to, the mix and balance of uses, the timing of development (with respect to the Capital Improvements Program (CIP)), the jobs to housing balance, the environmental impacts of the project, as well as how the site integrates with the surrounding built environment at the time of the application.
- i. (Policy deleted 6/14, Ord. 2014-12; incorporated into new Policy FLU8.8.1.A.)

FLU1.3.3

All applications must be accepted as complete by the County for the application to be processed pursuant to Objective FLU1.3. The determination of completeness shall include the use of data that meets generally acceptable professional standards as well as addressing all issues required by this process. An accepted application does not bind staff or the Local Planning Agency (LPA) to an affirmative recommendation, or the Board of County Commissioners (BCC) in its final decision on the Future Land Use Amendment request. An application request can be denied based on inadequate or inconsistent data with respect to the County's commitment to the 2030 vision. (Amended 5/13, Ord. 2013-11)

OBJ FLU1.4 The following location and development criteria shall be used to guide the distribution, extent, and location of urban land uses, and encourage compatibility with existing neighborhoods as well as further the goals of the 2030 Comprehensive Plan. (Obj. 3.2-r)

POLICIES

FLU1.4.1 Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

FLU1.4.2 Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.

Commercial and Office

FLU1.4.3 The location of commercial development shall be concentrated at major intersections and within Activity Centers and neighborhood activity nodes within the Urban Service Area. (Added 12/00, Ord. 00-25, Policy 3.2.1-r)

FLU1.4.4 The disruption of residential areas by poorly located and designed commercial activities shall be avoided. Primary access to single-family residential development through a multi-family development shall be avoided. (Added 12/00, Ord. 00-25, Policy 3.2.12-r).

FLU1.4.5 Given the results of the 2030 acreage projections for Commercial and Office Future Land Use, Orange County may require a market study to determine the need, appropriate location and form of retail and commercial development relative to existing uses, vacant land and land use, population and desired urban form.

FLU1.4.6 The County shall consider the following criteria when evaluating, on a case-by-case basis, whether conversion of residential use to non-residential use may be permitted:

- A. There has been a significant change in area land use character;
- B. The adjacent road satisfies one or more of the following: is a major street, as identified in the Land Development Code; provides access to an existing mix of residential and non-residential uses; or will support a compatible mix of uses based on existing conditions;
- C. The site satisfies one or more of the following: is adjacent to commercial or office uses that are consistent with the Comprehensive Plan and Land Development Code; adjoins an intersection of two streets; or adjoins wetlands, stormwater facilities or other features that serve to buffer the use from adjacent residential uses;
- D. Sufficient land area is available to support the land use intensity increase, such as the need for parking, stormwater retention, on-site maneuvering, and meeting minimum site and building standards of the requested zoning district;
- E. The converted use shall be compatible with adjacent land use;
- F. The conversion would provide a commercial or office use that has the potential to serve the neighborhood in which it is located;
- G. Outside traffic resulting from the converted use would not adversely affect the residential neighborhood;
- H. All other applicable policies detailed for non-residential use shall be met; and

- I. A mix of uses shall be encouraged. Office use, in a residential scale and character, may be considered to be a transitional use between commercial and residential uses. (Policy 3.6.5-r; Amended 6/12, Ord. 2012-14)

FLU1.4.7

The following guidelines illustrate different types of commercial and retail development consistent with the Orange County Comprehensive Plan.

It is the goal of the 2030 Comprehensive Plan to increase densities and intensities in the Urban Service Area in order to accommodate projected growth.

The Commercial floor area ratio (FAR) shall be 1.50 unless otherwise restricted or increased for specific locations pursuant to adopted County Comprehensive Plan policy or land development code. (See FLU1.1.4A and FLU2.2.4 – FLU2.2.7.) The basis for increasing densities and intensities is the finding that productive use of vacant land within the Urban Service Area is critical to the County's future urban form. Therefore, with respect to new development and redevelopment, the County is seeking more integrated forms of commercial and non-residential development, including vertical mixed use design and complementary land uses in close proximity to one another, in its desired development pattern for the County's Urban Service Area. (Policy 3.2.4 and 3.2.5-r; Amended 10/10, Ord. 10-13 Amended 1/17, Ord. 2017-19)

The following criteria are intended to serve as guidance for commercial-related future land use amendment requests within the Urban Service Area. Consistent with FLU1.4.5, Orange County may require a market study for Commercial and Office future land use requests. A mix of two or more uses will be encouraged where appropriate. (Amended 10/10, Ord. 10-13)

Neighborhood Centers– Neighborhood center commercial is intended to serve the needs of nearby residents, employees, visitors and businesses (within two to three miles).

Village Centers – Village Center commercial is intended to more centrally serve the needs of residents, employees, visitors and businesses within a community of neighborhoods (within three to five miles).

Lifestyle Centers – Lifestyle Centers are open-air shopping centers with a mix of national retailers and local boutiques and housing choices. These locations emphasize convenience and a mix of uses and choices.

Wholesale/Retail – Also may be referred to as Big Box retail or Power Centers. Big Box retail, as defined by County Ordinance 2007-1, is described as a retail wholesale commercial establishment (store) with more than seventy-five thousand (75,000) square feet of gross floor area, which may include a home improvement center or a membership warehouse club. The gross floor area of such a store includes outdoor storage areas and any outdoor area providing services. (Ord. 2007-1)

| Table FLU1.4.7A CHARACTERISTICS OF SHOPPING CENTERS | | | |
|--|---|----------------------------|--------------------------------------|
| Type | Size | Gross Leasable Area | FAR |
| Neighborhood Center | 4 acres | 20,000 -40,000 SF | See applicable County policy or code |
| Community Center | 10 acres | 100-300,000 SF | See applicable County policy or code |
| Village Center | 20 acres | 200-400,000 SF | See applicable County policy or code |
| Lifestyle Centers | 25 acres | 400,000 SF | See applicable County policy or code |
| Wholesale/Retail Centers | See Ordinance 2007-1, Big Box Ordinance | | |
| All commercial should have safe, adequate and appropriate access per FLU1.4.8. (Amended 10/10, Ord. 2010-13) | | | |

FLU1.4.8 Commercial activity larger than the Neighborhood Center size shall be limited to the Urban Service Area and Growth Centers. (Policy 3.2.6)

FLU1.4.9 Village Center Commercial uses shall be located at or near major road intersections where one road is an arterial. Access to the center shall be designed to promote safety and avoid conflicts with the functional classification of the road. (Policy 3.2.7-r, 3.2.8-r)

FLU1.4.10 The full retail/general commercialization of an intersection shall be avoided unless sufficient justification of need is provided. Office, hotel, and multi-family uses can be used to avoid the full commercialization of an intersection. (Policy 3.2.13)

FLU1.4.11 Strip commercial land uses shall be defined as commercial uses adjacent to roadways that are located outside the reasonable zone of influence of the intersection to which they relate. They are characterized by individual curb and median cuts and lack visual landscaped buffers. Strip commercial land use patterns shall be avoided by requiring a transition of land uses, encouraging a mix of land uses, or requiring incorporation of a buffer into the development's design. Strip commercial land uses do not include outparcels in shopping centers, malls, or similar developments where access is provided internally from the shopping center/mall or similar development, or via a system of shared or common driveways. More compact, clustered pedestrian and transit-friendly development options shall be encouraged. (Policy 3.2.14-r)

FLU1.4.12 The County shall avoid conversion of residential structures to accommodate the location of medical offices in and around major health care facilities. Instead medical offices should be located where there is sufficient and safe access and mobility.

FLU1.4.13 Primary government offices, colleges, universities, and health care facilities shall be located within Activity Centers or along major roads and transit routes to promote accessibility. (Policy 3.2.16)

FLU1.4.14 The County shall not issue a development permit for construction of a major medical facility until a Certificate of Need has been issued by the State. (Policy 3.2.17)

FLU1.4.15 RESERVED.

Industrial

FLU1.4.16 The Future Land Use Map shall reflect appropriate locations for industrial use. Potentially incompatible land use designations, such as residential or neighborhood commercial, shall not be established adjacent to industrial land use designations. Proposed land use changes from industrial to residential or commercial shall be evaluated in the context of potential impacts to long-term viability of surrounding industrial uses and of freight transportation corridors included in the National Highway Freight Network or identified in state and regional freight plans, such as the Florida Department of Transportation's *Freight Mobility and Trade Plan* and the MetroPlan Orlando *Regional Freight Study*. Proposed industrial changes shall be evaluated relative to the need to maintain adequate industrial sites to serve the projected market demand, freight movement and efficiency, and corresponding needs for job creation and economic development. (Added 05/03, Ord. 03-03, Policy 4.1.10-r; Amended 11/16, Ord. 2016-28)

FLU1.4.17 The Future Land Use Map shall reflect a distribution of industrial areas throughout the Urban Service Area to reduce the journey to work, ensure efficient freight movement and operations, avoid large concentrations of freight traffic, provide adequate and sufficient locations for industrial uses – particularly in existing corridors and areas in proximity to Activity Centers – and provide a variety of locations with different transportation accessibility opportunities (such as arterials, limited-access highways, airports and railroad). (Added 12/00, Ord. 00-25, Policy 3.2.15, Amended 11/16, Ord. 2016-28)

FLU1.4.18 Orange County shall not approve industrial uses that produce or emit noises, significant vibrations or noxious/hazardous wastes/fumes resulting in adverse impacts to adjacent residential uses, unless such impacts are mitigated. (Policy 4.1.19-r)

FLU1.4.19 Orange County may require appropriate design controls for each industrial district such as, but not limited to, building setbacks, lot size building coverage ratios, impervious surface limitations and landscaping provisions to ensure industrial districts are compatible with surrounding areas. (Policy 4.1.12-r)

FLU1.4.20 Orange County seeks to retain an adequate supply of industrial land use designations and freight-intensive land uses during the planning horizon, consistent with the findings of the County's most current *Industrial Lands Analysis* and the desire to maintain jobs to housing balance within the County. Industrial requests found to be consistent with the Comprehensive Plan in areas where there are industrial deficits should be supported, provided these locations are found to be compatible and services are available. Further, amendments to DRIs or PDs that have the effect of reducing industrial lands in these submarkets should be discouraged, consistent with FLU1.4.16. (Amended 11/16, Ord. 2016-28)

- FLU1.4.21 Orange County will plan appropriately for fuel terminal infrastructure to ensure efficient and reliable multimodal transportation, consistent with s. 163.3206, Florida Statutes, (Added 11/16, Ord. 2016-28)
- FLU1.4.22 Redevelopment of former landfills as defined by the State and "brownfield development" standards shall comply with the County's Planned Development process, S38-1201, OCC. The proponent for redevelopment shall enter into a developer's agreement with the County delineating specific procedures and/or conditions to deal with any environmental issues before redevelopment. (Amended 6/10, Ord. 10-07)
- FLU1.4.23 Orange County will evaluate, and support accordingly, the freight-intensive land use concepts, including intermodal logistics centers, distribution centers, and freight villages, identified in MetroPlan Orlando *Regional Freight Study* to enhance freight movement and efficiency and to attract high-value employment. Orange County will review the conceptual locations identified in the *Regional Freight Study* to assess their compatibility with existing Future Land Use designations and evaluate the locations within the context of surrounding land uses. (Amended 11/16, Ord. 2016-28)
- FLU1.4.24 Orange County will encourage the use of vacant land within the Urban Service Area for redevelopment to improve existing conditions on-site.
- FLU1.4.25 Utilities and public facilities, and all pipes and lines associated with such utilities and facilities, shall be allowed in all Future Land Use designations, subject to complying with applicable laws and regulations, including zoning restrictions. Utilities and public facilities, except associated pipes and lines, shall have a Future Land Use Map designation of Institutional. (Policies 4.1.15 and 4.3.1; Amended 11/17; Ord. 2017-19).
- FLU1.4.26 New adult entertainment shall be located only within Industrial designated areas within the Urban Service Area. This policy does not supersede International Drive Policy ID1.1.6. (Added 8/92, Ord. 92-24, Policy 3.2.24)
- FLU 1.4.27 The County shall not support the siting of developments at urban residential densities adjacent or near solid waste disposal facilities (landfills).

URBAN STRATEGIES: INFILL, MIXED-USE, LAND USE AND TRANSPORTATION, SMALL AREA STUDIES

GOAL FLU2 **URBAN STRATEGIES. Orange County will encourage urban strategies such as, but not limited to, infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.**

OBJ FLU2.1 **INFILL. Orange County shall promote and encourage infill development for vacant and underutilized parcels within the Urban Service Area. (Obj. 3.3-r)**

POLICIES

FLU2.1.1 Orange County shall regularly review and update the 2008 Infill Master Plan to identify vacant parcels suitable for infill development. The plan shall identify appropriate land use and intensities and address the provision of services in Orange County's established core areas to accommodate new development in these designated areas. The Plan will consider economic factors that affect development, such as land values, land requirements, market area standards, and current development prototypes. In addition, the plan shall identify incentives such as, but not limited to, density bonuses to encourage infill and redevelopment. (Policy 3.3.1-r)

FLU2.1.2 Regular updates to the Infill Master Plan will evaluate the County's redevelopment needs and capacities. Specific core areas will be the focus as the infill development potential of specific parcels is analyzed and identified, including assessment of the surrounding interconnectivity of transportation networks and land uses, road capacity, and available transit service.

FLU2.1.3 Orange County shall regularly evaluate various mechanisms for the implementation of the 2008 Infill Master Plan, including, but not limited to, code changes, incentive programs such as increased density on infill parcels, and overlays or special districts. (Policy 3.3.2-r)

FLU2.1.4 Subsequent to adoption of the Infill Master Plan, the Land Development Code shall establish incentives to promote increased density on infill parcels through innovative design or other devices such as flexible level of service guidelines, to allow a balancing of otherwise inconsistent plan policies, objectives and/or goals. (Policy 3.3.3)

FLU2.1.5 The Land Development Code shall provide a density bonus, consistent with the 2007 Workforce Housing Task Force report and Policy H.1.2.13 in the Housing Element. (Added 12/00, Ord. 00-25, Policy 1.1.13-r)

OBJ FLU2.2 MIXED-USE. 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. 3.8-r)

POLICIES

FLU2.2.1 Within the Urban Service Area, Orange County shall encourage a mixture of land uses within activity and mixed-use commercial centers. Office and residential land uses shall be part of the balanced land use mixture, in addition to the commercial component. (Added 3/99, Ord. 99-04; Amended 12/00, Ord. 00-25, Policy 3.8.8-r)

FLU2.2.2 Orange County shall use its parking standards to better integrate adjoining land uses, to cluster development near available transit service, to provide flexibility to implement smart growth strategies, and to use land efficiently in the Urban Service Area.

FLU2.2.3 Orange County shall revise its off-street parking regulations to reflect smart growth principles, current research on parking demand, methodologies to determine appropriate shared parking, incentives for adjacent transit service that may lessen parking demand, and available studies done by the private sector for land development in Orange County.

FLU2.2.4 Projections indicate that Orange County is anticipated to have an adequate amount of single use commercial land available throughout the planning horizon. Orange County will be transitioning to more mixed-use options available for new commercial future land use requests, including vertical mixed-use. As part of this transition, the County will update its land development code to provide incentives to achieve a complementary mixing of uses by revising development standards to remove constraints for development meeting criteria that may include, but is not limited to, the following:

1. Location within the Urban Service Area, with special emphasis on the Alternative Mobility Area and potential Transit Corridors;
2. Locations identified in the *Infill Master Plan*, and locations identified as Energy Economic Development Zones;
3. Locations that will facilitate the County's Mobility Planning efforts, such as those locations that either have or potentially can:
 - a) Establish and promote community and neighborhood connectivity;
 - b) Provide multimodal opportunities for enhanced mobility, improved access, and flow of people and goods;
 - c) Have proximity to existing or planned transit corridor or transit stop.

(Amended 10/10, Ord. 2010-13)

FLU2.2.5 Orange County may consider the following incentives to encourage vertical mixed-use development:

1. Reduced and shared parking standards under specified conditions;
2. Minimum and/or incentivized FARs;
3. Expedited review; and
4. Alternative urban infill code compliance standards such as those identified in the *Infill Master Plan*.

FLU2.2.6 Orange County may consider properties meeting the following criteria for Mixed-Use Corridor (MUC) Future Land Use designation, consistent with the urban strategies in the Destination 2030 Plan. This option is available only through a staff-initiated process and must consider the following criteria:

1. Access to a 4-lane road within the Urban Service Area;
2. There are opportunities for infill, reinvestment and redevelopment consistent with the Infill Master Plan and Mixed-Use Activity Center FLU3.2.1 – FLU3.2.13;
3. Locations where infrastructure can be more fully used such as an Alternative Mobility Area;
4. Automobile, bicycle, and pedestrian facilities are adequate to accommodate safe and convenient access;
5. There is potential for compact, pedestrian-friendly, mixed-use opportunities in the surrounding neighborhood;
6. There is potential for a mixture of retail, office multifamily and civic and public uses to discourage underutilized strip-style development;
7. There are opportunities to create linkages with activity centers and other similar mixed-use patterns of development; and
8. Where these locations are supportable by studies.

FLU2.2.7 As part of its transportation planning efforts, Orange County may establish Mixed-Use Corridors (MUC) with minimum FARs. To achieve and maintain the desired mixture of land uses within mixed-use corridors, the percentage of total gross leasable floor area within mixed-use corridors shall be consistent with the ranges provided for each use. The following is an example of a desirable standard. This standard should be implemented through modifications to the Land Development Code. This may be accomplished through creation of a new mixed-use zoning district or retooling of the Urban Village and Neighborhood Activity Corridor zoning districts.

| <i>Type</i> | <i>Minimum</i> | <i>Maximum</i> |
|-----------------------------------|----------------|----------------|
| Residential | 2.5% | 20% |
| Office | 20% | 25% |
| Commercial | 40% | 55% |
| Public/Recreational/Institutional | 5% | 20% |

- FLU2.2.8 Orange County shall implement a mixed-use zoning and building district to facilitate infill and mixed-use corridor development.
- FLU2.2.9 Orange County shall promote smart growth principles in residential design, parking standards, minimum project size and open space requirements of the Urban Village zoning district. These changes include providing for development of infill parcels and redevelopment of greyfield sites between 10 and 200 acres. This development and redevelopment shall provide an integrated mix of residential and residential-support uses, including recreation and limited neighborhood commercial, office and personal services. To create a community/village-like setting, the land uses within each Urban Village shall be interconnected and oriented around a Village Center and shall have specific design standards.
- FLU2.2.10 The Urban Village zoning district shall be allowed in areas designated for Residential (Low Density to High Density Residential) and in the Activity Center Mixed-Use and Activity Center Residential designations. The overall residential density for the Urban Village shall be consistent with the Future Land Use designation.
- FLU2.2.11 Government branch offices, such as libraries and post offices, shall be encouraged within the Urban Villages for convenience and to encourage multi-purpose trips. (Policy 3.1.6)
- FLU2.2.12 To create a community/village-like setting, the residential areas within each Urban Village shall be focused around a center that contains neighborhood retail uses, personal services and open space. (Policy 3.1.5)
- FLU2.2.13 The County shall expand the role of established commercial centers that are well served by transit by encouraging a mix of retail, office, and service uses that are compatible with the surrounding area. As part of these efforts, residential uses in the vicinity should be retained to support the mix of uses.
- FLU2.2.14 Orange County will encourage and promote effective examples of mixed-use development at appropriate scales through incentives, public education, transit planning, Traditional Neighborhood Development (TND) and Village principles. (Policy 3.6.1-r)
- FLU2.2.15 Orange County shall support the location of greater residential densities near employment centers to improve the jobs/housing balance in the County.
- FLU2.2.16 The County's Land Development Code shall include zoning districts that encourage a concentrated urban form in order to efficiently accommodate its projected population.
- FLU2.2.17 Throughout the planning horizon, the County shall provide policy and program mechanisms that further the principles of sustainability, including limiting urban sprawl, protecting wildlife and environmentally sensitive natural areas, promoting efficient use of land and water, and creating an environment conducive to quality building and promoting sustainable economic development.
- FLU2.2.18 New development and infill redevelopment areas shall incorporate sustainable building design, construction materials, and energy conservation strategies consistent with national and state-recognized green building standards.

OBJ FLU2.3 LAND USE AND TRANSPORTATION. The Land Development Code and Future Land Use Map shall reflect the coordination of land use and transportation as a major strategy for implementing the County's development framework.

POLICIES

- FLU2.3.1 The design function of roads shall be maintained by considering the safe, convenient access and mobility of all roadway users, incorporating context sensitive design that considers local development patterns and land use, Quality and Level of Service standards, and the functional classification of roads. (Policy 3.6.1)
- FLU2.3.2 The Future Land Use Map shall reflect a correlation between densities and intensities of development and capacity and quality of service of the transportation system. (Policy 3.6.2)
- FLU2.3.3 To maximize existing infrastructure and enhance mobility options, Orange County shall designate Alternative Mobility Areas, or AMAs (referred to in Florida Statutes as Transportation Concurrency Exception Areas) as identified in the Transportation Element. These efforts will be coordinated in conjunction with the County's Capital Improvements Element. Part of this effort will include adoption and implementation of long-term strategies to support and fund mobility enhancements within designated areas.
- FLU2.3.4 The widening of roadways shall not be the sole reason to allow increased land use intensity. (Policy 3.6.3)
- FLU2.3.5 The planning, design, and construction of road widening extension projects shall be sensitive to adjoining residential areas. The County will seek public involvement to determine measures to mitigate adverse impacts to established neighborhoods. (Policy 3.6.3-r)
- FLU2.3.6 RESERVED.
- FLU2.3.7 Access management controls, including but not limited to joint driveways, frontage roads and cross-access agreements along collector and arterial roadways, shall be applied to all development and redevelopment proposals consistent with the Land Development Code. (Added 12/00, Ord. 00-25, Policy 3.6.5-r)
- FLU2.3.8 The County shall work with LYNX to coordinate routing of regional transit service and location of facilities with the location of Activity Centers, as identified in the Future Land Use Element. (Added 12/00, Ord. 00-25, Policy 3.6.8)
- FLU2.3.9 Orange County will support land use policies that reinforce effective transportation management. This includes support for activity centers, transit-oriented developments and sector planning. (Added 12/00, Ord. 00-25, Policy 3.6.9)
- FLU2.3.10 Shopping centers shall include bicycle parking areas, and where appropriate, bus bays or shelters to encourage alternative transportation modes. Such requirements shall be referenced in the Land Development Code. (Added 12/00, Ord. 00-25, Policy 3.6.10)

- FLU2.3.11 Orange County shall encourage the use of new urbanism and sustainability concepts, such as but not limited to Traditional Neighborhood Development, Urban Villages, vertical mixed-use, livability and pedestrian-friendly environments (including safety enhancements improvements), and Transit Oriented Development, and the County shall incorporate such concepts into the Land Development Code in order to reduce urban sprawl, decrease trip lengths, promote internal capture and promote multi-modal travel. (Added 12/00, Ord. 00-25 Policy 3.6.11-r)
- FLU2.3.12 The County shall evaluate and support accordingly commuter rail proposals and plan for its supporting facilities, including locations for Transit Oriented Development and activity nodes, and shall coordinate with local jurisdictions to establish a corridor land use plan for the commuter rail stations.
- FLU2.3.13 Orange County shall improve transportation accessibility, air quality, and energy conservation by developing a multi-modal system.
- FLU2.3.14 Orange County shall promote the use of multi-occupant vehicles (car pool and transit) to minimize emission impacts to air quality in its Land Development Code (LDC), where appropriate. Further, Orange County shall support the Orange to Green Initiative as well as other sustainability efforts, including fulfilling its status as a certified Green Local Government. (Policy 4.2.2)

OBJ FLU2.4 SMALL AREA STUDIES. Orange County shall use Small Area Studies as an appropriate urban strategy to facilitate infill, mixed use development, and redevelopment in a manner compatible with existing communities. Small Area Studies shall incorporate public outreach techniques, such as charrettes and community meetings, to ensure they reflect the community's preferred vision for the area's future. (Added 10-13-09, Ord. 2009-28)

POLICIES

- FLU2.4.1 The State Road 436/SR 50 Area Redevelopment Plan, as accepted by the Orange County Board of County Commissioners on February 24, 2009, shall provide a framework for land use and urban design in the defined Study Area. (Added 10-13-09, Ord. 2009-28)
- FLU2.4.2 The "*Area Redevelopment Final Report dated February 2009*" is herein adopted by reference into the Future Land Use Element of the Orange County Comprehensive Plan to serve as a guided framework for land use and urban design within the defined area of SR436/ SR50. (Added 10-13-09, Ord. 2009-28)
- FLU2.4.3 Land use decisions in the State Road 436/SR 50 Area Redevelopment Plan Study Area shall reinforce community preservation and enhancement and promote new social, recreational, and business opportunities. (Added 10-13-09, Ord. 2009-28)
- FLU2.4.4 Urban design standards for development and redevelopment in the State Road 436/ SR 50 Area Redevelopment Plan Study Area shall continue to recognize and reinforce the unique aesthetic and cultural quality of the community. (Added 10-13-09, Ord. 2009-28)
- FLU2.4.5 New development and redevelopment in the State Road 436/50 Area Redevelopment Plan Study Area shall promote connectivity to existing development through pedestrian connections, cross-access easements, and enhanced transit stops, where possible. (Added 10-13-09, Ord. 2009-28)
- FLU2.4.6 The Planning Division shall explore the feasibility of Mixed Use Corridor designations, consistent with Policy FLU2.2.6, for properties within the State Road 436/SR 50 Area Redevelopment Plan. (Added 10-13-09, Ord. 2009-28)

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

(Added 8-31-18, Ord. 2018-17)

POLICIES

FLU2.5.1 ***Rural Residential Enclaves*** are generally described as established neighborhoods with a homogeneous and stable rural residential development pattern; well- defined or fairly defined geographic boundaries; and the presence of historic, physical, environmental, regulatory, or other site-specific constraints. Rural Residential Enclaves may also reflect other rural characteristics, despite being located in the Urban Service Area (USA), or in close proximity to designated urban growth areas. (Added 8-31-18, Ord. 2018-17)

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

- a) Lake Mabel Rural Residential Enclave
 - b) Berry Dease Rural Residential Enclave
 - c) Chickasaw Rural Residential Enclave
- (Added 8-31-18, Ord. 2018-17)

FLU2.5.3 Rural Residential Enclave designations must be initiated by the Board of County Commissioners (BCC), or by County staff, in coordination with the BCC. Comprehensive Plan Amendment(s) shall be required for all new designations, or changes to existing enclaves, with boundaries incorporated into the Future Land Use Map Series. (Added 8-31-18, Ord. 2018-17)

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

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

**Minimum Net Developable Land Area as defined by Policy FLUJ.J.2(c).*

An undeveloped parcel of property that was legally created and recorded in the Public Records of Orange County prior to July 10, 2018, and which meets all other applicable laws and regulations, shall be entitled to develop a single family residential structure on such parcel without further board action regardless of whether such

parcel meets the minimum net developable land area requirements of this Policy.
(Added 8-31-18, Ord. 2018-17)

FLU2.5.5 Clustering of residential units to accommodate smaller lot sizes than as prescribed by Policy FLU2.5.4 shall be prohibited. (Added 8-31-18, Ord. 2018-17)

FLU2.5.6 Pursuant to and consistent with Policy FLU8.1.1(a) and Section 38-77, Orange County Code, uses of property within a Rural Residential Enclave shall be permitted by right or Special Exception, permitted with conditions or prohibited, in accordance with the zoning district in which the property is located. (Added 8-31-18, Ord. 2018-17)

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

- a) Gated subdivisions shall be prohibited within Rural Residential Enclaves, except where those rights have been vested.
- b) Built forms commonly associated with suburban development, such as *'themed'* subdivisions, entryway monuments, geometric or layered landscaping forms, or similar design elements shall be prohibited.
- c) Continuous masonry walls shall be prohibited along frontages of Identified Rural Residential Corridors, as specified by Policy FLU2.5.4.
- d) The existing character of Identified Rural Residential Corridors should be preserved and/or enhanced. Examples of character-defining elements include, but are not limited to:
 - i. Agriculture, croplands, pastures, rural open spaces, thickets of trees and bushes, hedgerows, natural topography, and other natural elements.
 - ii. Rural fencing, such as split-rail, paddock, picket, rustic timber, barbed wire, wire meshes or panels, livestock fences, or similar styles and materials.
 - iii. Narrow streets, often containing no more than two vehicular lanes, grass shoulders, and limited or absent lane striping.
 - iv. Drainage swales or other open stormwater systems, and the absence of curb-and-gutter systems.
 - v. Shared use of Right-of-Way by motorists, pedestrians, cyclists, and horses.
 - vi. Single-family residential frontages, often characterized by an organic distribution of homes and auxiliary structures, with large front setbacks, narrow residential driveways, and alternative paving materials.
 - vii. Shade trees, continuous street canopy, and scattered clusters of natural landscaping. (Added 8-31-18, Ord. 2018-17)

URBAN FORM

GOAL FLU3 URBAN FORM. The County will develop urban tools to promote mixed uses, walkability, and locations with multi-modal access. These tools will include development regulations and incentives that encourage Traditional Neighborhood Development and other forms that will result in more efficient land use and better coordination between land use and transportation.

OBJ FLU3.1 TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND). The County may, at its discretion, amend the Future Land Use Map to classify lands within the County as TND (Traditional Neighborhood Development) to allow for development alternatives that will alleviate the pressure for urban sprawl, reinforce a more efficient pattern of development, provide interconnected wildlife corridors, reduce excessive travel demands, link road and transit networks, provide affordable housing and create a stronger sense of place through the layout of streets, arrangements of open space, appearance of streetscapes and linkage of neighborhoods to commercial services and jobs. (Added 8/93, Ord. 93-20, Obj. 1.6-r)

POLICIES

FLU3.1.1 To be considered as a TND, projects must contain the following general design elements:

- A. Town and Village Centered Development.** The project must be designed as a mixed-use community with "towns and villages" designed to be within an average one-third mile walking distance of a central commercial area and transit stop. Village and town centers will allow for a mix of residential, retail, office, green space and public uses within a comfortable walking distance, making it possible for residents and employees to travel by bicycle, foot or transit, as well as by car.
- B. Neighborhood Residential Area.** Village and town centers shall be surrounded by a supporting neighborhood residential area that includes lower density housing, golf courses or other open spaces, public schools, community parks and a limited number of convenience retail centers.
- C. Core Commercial Areas.** Village and town centers must have centrally located mixed-uses, core commercial areas and contiguous residential areas of such size, density and intensity to permit the ability to include a feeder bus transit stop. Each core commercial area shall include a centralized shopping area, offices and public uses such as a post office, library, civic services, and village green. A smaller scale core commercial area with a similar mix of uses may be provided for each neighborhood.
- D. Employment Centers.** Employment centers must be included as a component of design in all TNDs. The core commercial centers will provide additional employment opportunities. Employment centers may include office, light industrial, and research, as well as convenience retail and commercial services oriented toward serving the needs of workers.
- E. Multimodal Transportation Design.** The development shall be designed in a manner that encourages multiple modes of transportation, walking, bicycling,

park-and-ride, and transit. Both walking and transit is encouraged by locating residential neighborhood within 1,600 feet of transit stops.

- F. Urban Design Standards.** All applications for TND shall include Urban Design Standards and must address the building types to be included in the TND and the related requirements for use, placement, easements, parking, height, density, FAR, landscaping, street design and general architectural details relative to materials, configurations and technique unless or until Orange County approves a TND District. (Policy 1.6.1)

FLU3.1.2 The following density and intensity criteria shall be used for the TND land use classification:

- A. Residential Densities. Residential densities of TND projects shall not exceed 30 units per gross residential acre.
- B. Office Intensity. Office intensities may be permitted up to a Floor Area Ratio (FAR) not to exceed 1.7 FAR. Multi-story parking garages are not permitted in neighborhood centers.
- C. Commercial Intensity. Commercial uses may be permitted up to a maximum of 1.00 FAR. Multi-story parking garages are not permitted in neighborhood centers.
- D. Industrial Intensity. Industrial uses should be permitted for development with a maximum 0.50 FAR. (Policy 1.6.2)

FLU3.1.3 TND shall be implemented through the provisions in the Land Development Code and developer's agreements as necessary. The TND is intended to facilitate high quality mixed-use communities developed under specific design standards. The TND should, at a minimum, incorporate the following performance standards:

- A. A TND shall allow for a mix of residential, retail, office, green space and public uses at a scale and relation that is attractive to pedestrian and cycling activity, as well as at an intensity that makes transit a viable alternative to the automobile.
- B. A TND shall include one or more core commercial areas that are centrally located to residential components. These core areas shall include uses such as, but not limited to, retail, office, light industrial, day care centers, and public uses, such as a post office, library, or village green.
- C. The residential component of a TND shall be a mixture of building types, densities, and costs.
- D. The design standards of the TND shall address land use, building placement, parking, landscaping, recreation, street design and general architectural controls relative to materials, configurations, and technique.
- E. An application for TND approval shall include specific mechanisms to ensure the development will be connected to a regional mass transit system.
- F. Specific requirements for public uses and public buildings, such as parks, plazas, and schools, shall be included in the design standards to facilitate their maximum accessibility to residents and employees of the TND.
- G. The TND design criteria shall include street design criteria that promote construction of an interconnected road system. Cul-de-sacs shall be avoided.
- H. The TND design criteria shall include requirements for pedestrian and bicycle systems.

- I. The TND design criteria shall require stormwater management systems to be designed as amenities. The TND design criteria shall ensure that lakes and other natural resources are an amenity, visually accessible to the public. (Policy 1.6.4)

OBJ FLU3.2 RESERVED
POLICIES

| | |
|-----------|-----------|
| FLU3.2.1 | RESERVED. |
| FLU3.2.2 | RESERVED |
| FLU3.2.3 | RESERVED |
| FLU3.2.4 | RESERVED |
| FLU3.2.5 | RESERVED. |
| FLU3.2.6 | RESERVED |
| FLU3.2.7 | RESERVED |
| FLU3.2.8 | RESERVED |
| FLU3.2.9 | RESERVED |
| FLU3.2.10 | RESERVED |
| FLU3.2.11 | RESERVED |
| FLU3.2.12 | RESERVED |
| FLU3.2.13 | RESERVED |
| FLU3.2.14 | RESERVED |

GOAL FLU4 HORIZON WEST. It is Orange County's goal to ensure sustainable, quality development in Southwest Orange County to allow a transition from rural to urban uses while protecting environmental quality. (Added 5/97, Ord. 97-07)

OBJ FLU4.1 Orange County shall use a Village Land Use Classification to realize the long range planning vision for West Orange County created through the Horizon West planning process. The Village land use classification has been designed to address the need to overcome the problems associated with and provide a meaningful alternative to the leap-frog pattern of sprawl; create a better jobs/housing balance between the large concentration of employment in the tourism industry and the surrounding land uses; create a land use pattern that will reduce reliance on the automobile by allowing a greater variety of land uses closer to work and home; and, replace piecemeal planning that reacts to development on a project by project basis with a long range vision that uses the Village as the building block to allow the transition of this portion of Orange County from rural to urban use through a specific planning process that uses a creative design approach to address regional, environmental, transportation, and housing issues. Properties with Village Future Land Use Map (FLUM) designation, as well as six villages adopted to date, are depicted on Map 2 of the FLUM series. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07, Obj. 6.1; Amended 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

POLICIES

FLU4.1.1

General Village Principles. Each Village Special Planning Area (SPA) shall be designed based on an urban development pattern, which encourages the formation of a suburban village while ensuring the provision of adequate public facilities and services concurrent with development and protection of environmental quality.

- A. Planning for the Village shall be in the form of complete and integrated neighborhoods containing housing, shops, workplaces, schools, parks and civic facilities essential to the daily life of the Village residents.
- B. Village size shall be designed so that housing is generally within a 1.2 mile radius of the Village Center (shops, services and other activities). This radius may be relaxed where natural or community facilities and services interrupt the design.
- C. A Village shall contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries.
- D. The Village and each neighborhood shall have a center focus that combines commercial, civic, cultural and recreational uses. Higher density residential development should be encouraged in proximity to these centers, with the highest density/attached housing encouraged in proximity to the Village Center District. These residential and adjacent uses shall be sufficiently integrated to support convenient and comfortable pedestrian and bicycle movement and enhance the viability of future transit connections. (Amended 11/16, Ord. 2016-26)
- E. The Village shall contain an ample supply of specialized open space in the form of squares, greens and parks whose frequent use is encouraged through placement and design.
- F. Each Village shall have a well-defined edge, such as greenbelts or wildlife corridors permanently protected from development.
- G. Local and collector streets, pedestrian paths and bike paths shall contribute to a system of fully connected and interesting routes from individual neighborhoods to the Village Center District and to other villages. Their design should encourage pedestrian and bicycle use by being spatially defined by buildings, trees, and lighting; and by discouraging high-speed traffic.
- H. Wherever possible, the natural terrain, drainage and vegetation of the area shall be preserved with superior examples contained within parks or greenbelts.
- I. The Village Center District shall be designed to encourage and accommodate future linkage with the regional transit system. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07; Amended 05/01, Ord. 01-11, Policy 6.1.1; Amended 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.1.2

Village Size. Except as noted in FLU4.1.3, each Village shall be designed so that it includes no less than one thousand (1,000) and no greater than three thousand five hundred (3,500) acres of developable land area. Developable land area within the Village Land Use Classification is based on the total land area, excluding the area of natural water bodies as measured to the Normal High Water Elevation, and designated conservation (wetland) areas. The net density refers to the total number of units divided by the net developable area. The net developable land area is defined as developable land area less the following: upland greenbelts and land for Adequate Public Facilities (APFs) identified in FLU4.2.2 and/or APF Agreement; then less public open space as required by FLU4.6.8 and estimated stormwater areas.

Example of density calculation:

120-acre parcel designated as Village Home District with 15 acres of wetland/conservation and 5-acre APF park.

Developable Area (less wetlands/conservation):105.0 acres

Less 5-acre APF Park: 100.0 acres

Less 7.5% public open space: 92.5 acres

(required public open space is 7.5% of developable area

for all villages, except Town Center which is 7.0%)

Less estimated stormwater 12.5 acres

(assumed to be 12.5% - varies per site)

Net Developable Acres 80.0 acres

Village Home District Density x 6.0 Dwelling Units/acre

Total Unit Count: 480 Dwelling Units

(Policy 6.1.3; Amended 11/13, Ord. 2013-22, Policy FLU4.1.4-r)

(Original Policy FLU4.1.2 renumbered as Policy FLU4.7.1; original Policy FLU4.1.3 deleted 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.1.3

Each Village shall be composed of up to four (4) but no less than two (2) neighborhoods, with an average neighborhood size as noted below. The minimum overall net density within the Village shall be five (5) units per net developable acre, unless an alternative density was approved at the time of adoption of a Village. The total gross land area incorporated into the Village of Bridgewater shall not exceed 4,515 acres. The size of the village exceeds the requirements of FLU4.1.2 because of the physical features such as lakes, natural areas, major ecological systems, and major road rights-of-way that will create a well-defined village boundary. This special provision of the Village of Bridgewater is required in order to maintain the design principles of FLU4.1.4 and to preserve environmentally sensitive areas, consistent with OBJ FLU5.5.

| Village | Number of Neighborhoods | Average Net Developable Area of Each Neighborhood |
|-------------|-------------------------|---|
| Lakeside | 4 | 510 acres |
| Bridgewater | 4 | 430 acres |
| Village H | 2 | 640 acres |
| Village F | 2 | 500 acres |
| Village I | 2 | 400 acres |

(Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.1.4

Each Village shall demonstrate consistency with Policies FLU4.1.1, FLU4.1.2 and FLU4.1.3 by providing a compact, integrated development pattern with neighborhood centers generally located within a 1/2-mile walking distance of the residences, and by establishing a population density for each neighborhood that can support the neighborhood school. Modifications to these minimum densities may be approved subject to a Comprehensive Plan Amendment. Such amendments, however, shall not reduce the minimum density of any Village below four (4) dwelling units per net developable acre. Amendments may be based on, but not limited to, the following:

- To provide more diversity in lot sizes and the land use mix;
- To recognize existing geographic features or environmentally sensitive areas;
- To provide additional buffering to preexisting development;
- To make use of updated student generation rates; and
- To provide for enhanced environmental corridors.

The use of TDRs (transfers of development rights) shall be evaluated for impacts to the neighborhood schools as a part of the development review process.

Notwithstanding any density reduction, development shall continue to adhere to the General Village Principles outlined in FLU4.1.1.

The minimum densities approved for each Village (Lakeside, Bridgewater, Village H, Village F, Village I and the Town Center) are as noted in the following table:

| Village | Minimum Overall Density per Net Developable Area | Notes |
|-------------|--|---|
| Lakeside | 5.0 DU/Ac | |
| Bridgewater | 5.0 DU/Ac | In order to maintain the design principles of Policy FLU4.1.1 and to preserve environmentally sensitive areas, consistent with FLU4.5.6 and as recommended in the Village of Bridgewater Ecological Summary Report, the net density for the Village of Bridgewater may be reduced to 4.3 dwelling units per acre for the Fourth Neighborhood. |
| Village H | 4.0 DU/Ac | The maximum number of residential units allowed for each parcel will be determined with the (Preliminary Subdivision Plan (PSP) or Development Plan approval for each parcel using the surveyed upland acres within the parcel, including stormwater management areas and parks/upland open space multiplied by the density for each parcel designated within the Village H. The residential density for any district shall not fluctuate from the required density range as specified in FLU4.6.3, unless modified in accordance with the Transfer of Development Rights (TDR) Ordinance adopted by the County or through internal density transfers as described in this policy or as provided in Policy FLU4.2.6. More specifically, the ability to transfer residential density from |

| | | |
|-------------|------------|---|
| | | <p>certain Townhome, Condominium or Apartment Districts within Village H to other districts within the Village shall not undermine the intent of providing a mixture of residential densities within any Village H neighborhood, and shall promote the Horizon West planning principle of having higher density/intensity land uses within or in close proximity to the Village Center District and Neighborhood Centers. Should internal density transfers be authorized as part of a PD Land Use Plan approval or amendment, the affected districts shall be developed consistent with the applicable development standards of the resulting land use district, and the range of applicable residential densities in accordance with the TDR Ordinance.</p> <p>All wetlands and upland greenbelts within Village H are designated as TDR Sending Areas, and all development parcels are designated as Sending and Receiving Areas. As a matter of right and without use of TDRs, the actual density for any district or parcel within Village H may decrease by 20% from the maximum density allocated to that district or parcel.</p> <p>Residential units from one development parcel that are not needed to maintain the required minimum density in that parcel may be transferred to a different parcel, regardless of whether the parcels are owned by different entities or are in different Planned Developments.</p> <p>The parcels in the northern part of Village H will be outside the 1/2-mile radius, but will be proximate to the Town Center.</p> |
| Village F | 4.95 DU/Ac | The identified net density is needed to maintain the Village design principles outlined in Policy FLU4.1.1, and aids in the preservation of environmentally sensitive areas. |
| Village I | 5.0 DU/Ac | The identified net density is needed to maintain the Village design principles outlined in Policy FLU4.1.1 and aids in the preservation of environmentally sensitive areas. |
| Town Center | 4.0 DU/Ac | To ensure compatibility with existing rural development, the density for property adjacent to the Lake Avalon Rural Settlement and depicted on the Horizon West Special Planning Area Land Use Map shall be 2.0 DU/ac. |

(Added 05/03, Ord. 03-03, Policy 6.1.3.1; Amended 11/13, Ord. 2013-22, Policy FLU4.1.5-r; Amended 11/16, Ord. 2016-26; Amended 07/19 Ordinance 2019-04)

FLU4.1.5

Neighborhood Development. Residential neighborhoods shall offer neighborhood facilities and services including passive and active recreation facilities, school sites, sidewalks and bikeways. Each neighborhood shall contain a Neighborhood Center as a central public focal point consisting of an elementary school site, a minimum five (5) acre park in conjunction with the elementary school, and may include other public facilities such as churches or community centers or neighborhood commercial uses as described in FLU4.1.6. The development of a variety of lot sizes and housing types is encouraged, with generally higher densities located in proximity to the village center and neighborhood center (focal point). Public open space shall be provided within each neighborhood. Where physically possible, each neighborhood shall be designed so that most housing units are within a 1/2-mile radius of the Neighborhood Center. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07; Amended 3/99, Ord. 99-04; Amended 5/01, Ord. 01-11, Policy 6.1.4; Amended 11/13, Ord. 2013-22, Policy FLU4.1.5.1-r)

FLU4.1.6

Neighborhood Center. The location of Neighborhood Centers is flexible and shall be identified on the PD Land Use Plan and boundaries fixed no later than the time of the final development plan approval. Commercial development shall be permitted in Neighborhood Centers in association with the following standards:

- Total land area of the commercial development may not exceed two (2) acres.
- Floor area ratio (FAR) may not exceed 0.4 FAR with maximum gross floor area as follows:
 - Lakeside 20,000 square feet
 - Bridgewater 20,000 square feet
 - Village H 20,000 square feet
 - Village F 20,000 square feet
 - Village I 10,000square feet.
- Located within walking distance (generally no greater than ½ mile) of most neighborhood residents.
- Must be generally located central to the neighborhood, separated from major collector or arterial roads, and adjacent to the Neighborhood Park or Green but separated from neighborhood school/civic uses by no more than 2,000 feet.
- Access shall be limited to local and collector roadways.
- Site design that places parking behind or beside buildings and incorporates the use of landscaping and pedestrian amenities such as benches, bike parking and coordinated architectural scheme must be linked to the adjoining neighborhood by sidewalks and bike paths.
- Residential dwellings shall be permitted only above ground floor commercial uses (not to exceed five (5) dwelling units per net developable acre unless increased through the use of TDRs).
- Uses shall be limited to convenience retail service operations and offices, which are designed to serve the immediate neighborhood population.

When a neighborhood elementary school is located adjacent to the Village Center, the Neighborhood Center commercial uses District should be located adjacent to or within the Village Center. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07; Amended 3/99, Ord. 99-04; Amended 5/01, Ord. 01-11, Policy 6.1.5-r; Amended 11/13, Ord. 2013-22, Policy FLU4.1.6.A-r)

FLU4.1.7

Village Center. The Village Center District should function as a community of compatible uses in a compact setting serving the adjoining neighborhoods. The Village Center District should provide for a mix of land uses including residential, commercial and office uses, personal and household service establishments, institutional uses, public facilities, parks, playgrounds, and other similar services designed to meet the needs of the adjoining neighborhoods. The Village Center District shall be generally located central to the Village that it serves. In order to account for student population, the Village Center District shall be incorporated into the boundaries of a neighborhood. The design of the Village Center District shall not be oriented primarily to serve “pass-by” trips, but the focus shall be on serving the immediate neighborhood needs. The size and location of the Village Center District shall be determined at the time of adoption of each Village and, for reference purposes, shall be shown on the Horizon West Special Planning Area Land Use Map. The final location of the Village Center District is flexible and shall be identified on the PD Land Use Plan and boundaries fixed no later than the time of the final development plan approval. The following standards should be used in designing the Village Center District:

| | |
|--------------------|---|
| Minimum Density | 5.0 units/net developable acre as applied to residential land area only |
| Maximum FAR | .40 |
| Density Incentives | Up to 16 units/net acre with Transfer of Development Rights (TDRs) |

| <i>Land Use Mix</i> | <i>Minimum Land Area Required</i> | <i>Maximum Land Area Permitted</i> |
|--|-----------------------------------|------------------------------------|
| Residential* | 25% | 40% |
| Commercial Retail and Services* | 20% | 60% |
| Office | 10% | 25% |
| Overall Commercial and Office Combined | 30% | 60% |
| Public and Civic | 10% | No Maximum |
| Public Parks and Open Space | 5% | No Maximum |
| *Residential dwellings are permitted above the ground floor commercial and office uses at a density of 5.0 units/net developable acre, unless increased through the use of TDRs. | | |

| Village | Maximum Village Center Size | Maximum Commercial Square Footage | Notes |
|----------------|------------------------------------|--|---|
| Lakeside | 60 acres | 400,000 square feet | Office and Retail |
| Bridgewater | 60 acres | 400,000 square feet | Offices and Retail |
| Village H | 60 acres | 400,000 square feet | Maximum square footage is for first floor retail and services only. Office uses shall be in addition to this square footage limitation. |
| Village F | 35 acres | 250,000 square feet | Office and Retail |
| Village I | 60 acres | 350,000 square feet | Office and Retail An Office District designation allowing consideration of up to 56,000 square feet of professional office activity shall be established with Village I. This designation is intended for parcels with existing office development or small isolated tracts along the east side of C.R. 545 across from the Village Center District. Development within the Office District shall be consistent with the Village Center District development standards in the Village PD Code. |

The Village Center District should be located on a collector road serving the village or at the junction of two (2) collector roads. The Village Center District may be located on an arterial road, provided that it is not a principal arterial road and that the center is not designed to be located on both sides of the arterial road. The Village Center District shall be designed to accommodate future linkage with the regional transit system. The transit stops should be located so that they are easily accessible to commercial uses. The Village Center District may not be consolidated into a larger commercial complex serving more than one Village. The Village Center District should maintain a minimum separation of approximately 10,000 feet from another Village Center District and 2,640 feet from a Neighborhood Center. Prior to approving a development plan or subdivision for a Village Center District, a middle school site within the Village shall have been conveyed, or a developer's agreement for such conveyance shall have been approved by Orange County. School sites shall not be included in the computation for maximum size of the Village Center District.

Rezoning in any Village Center District shall not be approved until the following conditions have been met:

- Lakeside Village: Land for the middle school site has been conveyed to Orange County.
- Bridgewater: An elementary school site has been conveyed to the County and development in the first neighborhood has begun.
- Village H: Land for the middle school site has been conveyed to Orange County.
- Village F: The elementary school sites have been conveyed to the County and residential development in at least one of the two neighborhoods has been approved.

(Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07; Amended 3/99, Ord. 99-04; Amended 5/01, Ord. 01-11, Policy 6.1.5-r; Amended 11/13, Ord. 2013-22, Policy FLU4.1.6.B-r; Amended 11/16, Ord. 2016-26)

FLU4.1.7.1

Minimum Residential Density. The minimum 5.0 residential units/net developable acre density and land area percentage requirements addressed in the preceding Policy section may be implemented through the following procedures:

- A. The minimum residential density and land area percentage requirements may be applied on a cumulative Village Center District basis when the net developable land area of the entire Village Center District is known at the time of any Planned Development Land Use Plan (PD-LUP) submittal, and provided that the entire Village Center District is either under common ownership or when all affected Village Center District property owners agree. The total number of required or approved dwelling units may be assigned in any combination throughout the designated Village Center District as depicted on the PD-LUP(s).
- B. If the net developable land area of the overall Village Center District is unknown or undetermined at the time of any PD-LUP submittal, the number of required dwelling units shall be based on the "estimated net developable land area" within the designated Village Center District parcels/tracts for the affected PD-LUP only. Should the amount of required Village Center District dwelling units fluctuate at the time of Preliminary Subdivision Plan (PSP) or Development Plan (DP) review, and based on more accurate net developable acreage data or due to reassignment as addressed in section "A" above, a non-substantial change to the PD-LUP shall be required for tracking purposes only.
- C. Parcels/lots within designated Village Center Districts shall be configured and sized

to yield the minimum number of required dwelling units per the estimated net developable land area. In the case of parcels/lots within designated Village Center Districts that predate the adoption of these requirements, and where their estimated net developable residential acreage yields less than 30 units, the following options shall be considered:

1. The units may be transferred to other designated Village Center District parcels and/or Planned Developments within the same Village, provided that written consent of such property owners is provided; or
2. The requirement to develop such units may be waived by the County, provided that the applicant adequately demonstrates that the minimum residential density and land area percentage requirements for the overall Village Center District within a specific Village have been satisfied.

(Added 11/13, Ord. 2013-22; Amended 11/16; Ord. 2016-26)

FLU4.1.7.2

Civic, Institutional and Medical Office District. The Civic, Institutional and Medical Office (CIM) District is intended to complement Village and Neighborhood Centers by accommodating community-serving functions that meet the needs of a Village and its associated neighborhoods and are essential to the daily life of the Village residents. It should be a specialized district that can be justified as a building block to the public, civic, and wellness needs of the community. Furthermore, those specialized public, civic, and wellness uses may be of a size and scale that may not be able to be accommodated in a Neighborhood Center or Village Center. The CIM District shall be subject to the following standards:

- **General.** A maximum of one District may be allowed for each Village. The District shall be accessible to the applicable Village and its neighborhoods but generally shall not be located internal to a neighborhood. Automobiles, bicycles, and pedestrian paths shall be viable modes of transportation to access the District. No residential or free-standing commercial development shall be permitted in the District.
- **District Size.** Total land area of the District shall be ten (10) acres (with a permitted 15% deviation, plus or minus). The non-residential Floor Area Ratio (FAR) shall not exceed 0.25 with maximum gross floor area of 25,000 square feet per building unless otherwise approved by the Board of County Commissioners as part of a Development Plan.
- **Permitted Uses.** The primary services offered by facilities in the District shall be limited to the following principal uses: health/medical services, offices and clinics; government offices; and community centers. Supporting commercial or personal services uses such as restaurants with no drive-thru or walk-up windows, coffee or gift shops, or newsstands shall also be permitted subject to the limitations set forth herein. All supporting commercial or personal service uses shall be located internal to a building in which the principal use is health/medical services, offices and clinics, government offices or community centers; limited to a maximum of ten (10) percent of the gross floor area of the principal building in which the supporting use is located; limited to a maximum of ten (10) percent of the total gross floor area permitted in any given district; and supportive of the principal permitted uses. A specific set of principal and supporting uses, consistent with this policy, shall be included in the Planned Development-Land Use Plan along with appropriate development standards. Supporting commercial or personal services uses shall not be permitted as a principal use in a freestanding building. (Commercial uses on outparcels are prohibited.) Religious uses may be permitted by special exception.

- Design Standards. In order to diminish the perceived horizontal scale and massing of buildings within the District, facades and rooflines which face and/or are visible from an adjacent street and/or are located adjacent to a residential development shall incorporate rhythmic and prominent horizontal and vertical projections and recesses across their full width. Multi-story structures should express the individual floors with projected or recessed banding or finished material patterns. Structure roofs can be flat, incorporating horizontal (banding and parapet walls) elements, and/or gabled to add vertical elements to diminish scale and massing or to enhance the residential appearance of a structure when located in view of adjacent residential uses. Individual building entryways should be inviting and express human scale by incorporating arcades and protruding visually-prominent overhead components like trellises and canopies with pedestrian-scaled trim and surrounds. Building heights shall be limited to thirty-five (35) feet. To support compatibility of the District with surrounding residential neighborhoods, appropriate visual and noise buffers, hours of operation and night time lighting standards shall be addressed in the Planned Development-Land Use Plan.
- Open Space. Open space shall be provided as per the requirements of a specific Village in which the District is located and in accordance with FLU4.6.8.

Detailed performance standards for any development within the District, including specific uses allowed and prohibited, shall be established in the Planned Development-Land Use Plan but shall generally be consistent with the Village Planned Development Code included in Chapter 38 of the Orange County Code. (Added 6/14, Ord. 2014-13)

FLU4.1.8 Reserved.

(Added 6/95, Ord. 95-13; Amended 3/99, Ord. 99-04; Amended 5/01, Ord. 01-11; Amended 10/10, Ord. 2010-13, Policy 6.1.6-r; Amended 11/13, Ord. 2013-22, Policy FLU4.1.7-r; Amended 11/16, Ord. 2016-26)

FLU4.1.9

Beyond the approved boundaries of the six Villages, properties with the Village Land Use Classification shall maintain the future land use designation existing prior to the Village Land Use Classification Amendment (e.g. Rural: 1 dwelling unit per 10 acres, Conservation, Rural Settlement), except for those projects that are vested, or properties within designated Rural Residential Enclaves (FLU2.5.2), where a property's existing zoning district standards may be applied. All applications for development approval (i.e. lot splits, special exceptions, variances, etc.) on any property within the Village Land Use Classification shall be reviewed on a case-by-case basis to determine the effects of such development approval on adopted Villages. (Amended 8-31-18, Ord. 2018-17; Amended 07/19, Ord. 2019-04)

The property in the Village Land Use Classification that is adjacent to the boundaries of an approved Village may apply to amend the Village boundary to include said property through a Comprehensive Plan Amendment. Addition or deletion of properties to/from an existing Village shall not result in creation of remnant areas or fragmented Villages.

Within the approved Village boundaries, all applications for development approval (i.e. lot splits, special exceptions, variances) under the existing zoning shall be evaluated for compatibility with all applicable policies of the Comprehensive Plan.

Changes and adjustments to the land use designations for each Village shall be processed as a Planned Development (PD) rezoning (if property does not yet have a PD zoning designation), or PD Land Use Plan Amendment, or Change Determination

Request (CDR) to the existing PD. Such changes and adjustments shall be evaluated for consistency with the following, and shown on the Horizon West Special Planning Area Land Use Map when approved:

- General Village principles outlined in FLU4.1.1;
- Minimum densities for each Village summarized in FLU4.1.4;
- Consistency with Adequate Public Facilities (APF) and open space requirements for each Village identified in FLU4.2.2, FLU4.6.8 and/or APF Ordinance; and
- Consistency with Village Greenbelt requirements of FLU4.5.1 and Transfer of Development Rights (TDR) provisions for each Village identified in FLU4.5.3, FLU4.5.4 and/or TDR Ordinance.

(Added 3/99, Ord. 99-04; Amended 5/01, Ord. 01-11; Amended 10/10, Ord. 2010-13, Policy 6.1.6.1-r; Amended 11/13, Ord. 2013-22, Policy FLU4.1.8-r; Amended 11/16, Ord. 2016-26)

FLU4.1.10

Each property within an approved Village shall retain its current zoning designation until such time as the property owner, its successors or assigns enters into an agreement with the County to provide the Adequate Public Facilities (APF) lands as required by FLU4.2.1 and FLU4.2.2 or to purchase APF credits from other property owners that have APF credits prior to commencing development of its property. The valuation for APF credits shall be based on the provisions of the Adequate Public Facilities Ordinance, OCC Chapter 30, Article XIV, Division 2, Sec. 30-714(d), unless an updated appraisal is approved by the County or the property owners of the affected Village notify the County that they have agreed on the per acre valuation for APF credits. In addition, the properties within Village I and Village F shall not be rezoned consistent with the adopted SAPs until such time that the County has approved a financially feasible plan for the provision of central water and wastewater for the Village.

Notwithstanding anything contained herein to the contrary, Orange County shall not be obligated to extend utility services at Orange County's expense, except as provided by Orange County's adopted utility policies. Prior to Orange County constructing a new sewer treatment plant to serve a Village, Orange County may, at its discretion, require developers that will be served by the plant to prepay connection fees necessary to fund their proportionate share of the required improvements. (Added 11/13; Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.1.11

Planned Developments within the Lakeside Village boundary approved prior to June 6, 1995 and developments that have received a Vested Rights Certificate (VRC) for consistency with the Comprehensive Plan in accordance with Policy FLU8.5.3 are not subject to the provisions of the Village Future Land Use Classification and implementing regulations to the extent the overall densities/intensities do not exceed those specified on the Future Land Use Map prior to June 6, 1995, or as specified in the VRC. Subject to compliance with other provisions of the Orange County Code, excluding those provisions related to the Lakeside Village, any amendments to such previously approved Planned Developments shall be considered consistent as long as the densities do not exceed those depicted on the Future Land Use Map as of June 6, 1995, or as specified in the VRC. Any such previously approved Planned Development that proposes to exceed the densities depicted on the Future Land Use Map as of June 6, 1995, or as specified in a VRC, shall be required to be consistent with the Comprehensive Plan. All dwelling units within approved and vested developments located within the boundaries of Lakeside Village shall be included in

the calculations for the Lakeside Village. (Added 5/97, Ord. 97-07; Amended 5/01, Ord. 01-11, Policy 6.2.1.1; Amended 11/13, Ord. 2013-22, Policy FLU4.2.2-r; Amended 11/16, Ord. 2016-26)

FLU4.1.12

Town Center Conceptual Regulating Plan and Final Regulating Plan.

Owner(s) of property within the Horizon West Town Center shall have the right, as an alternative to processing a Planned Development/Unified Neighborhood Plan (PD/UNP) under the Town Center Code, to process a Conceptual Regulating Plan (CRP) and a Planned Development / Regulating Plan (PD/RP). A Regulating Plan is an illustrative representation of a proposed development and the location of form-based transect zones/districts.

FLU4.1.12.1

Town Center Conceptual Regulating Plan: A Conceptual Regulating Plan (CRP) is a general illustrative representation of a proposed development and the location of form-based transect zones/districts. A CRP shall be submitted for review to the Planning Division prior to formal submittal of a Planned Development/Regulating Plan (PD/RP).

- a. A CRP shall be submitted prior to the submission of a Planned Development/Regulating Plan (PD/RP). The purpose of the CRP is to allow Orange County Planning Division staff the opportunity to review the proposal. The applicant and Planning staff shall work together to collectively refine the CRP in order to meet the intent of this section.
- b. The CRP shall not be adopted as part of the Future Land Use Map or Map Series or included as an attachment, but rather the CRP will be used as a general guide for a final PD/RP.
- c. Should a Comprehensive Plan Text Amendment be required by the applicant, the CRP shall be transmitted along with the requested text amendment to the State for review.
- d. The following components shall be depicted on, or attached to, a CRP at the time of the Comprehensive Plan Amendment Application submittal:
 - i. General location of form-based transect zones/districts,
 - ii. Gross and net developable land area,
 - iii. Initially proposed development program,
 - iv. General description of proposed transect zones/districts (*character, mix of land uses, product types, block/street patterns, etc.*),
 - v. General location any types of open space or preservation areas,
 - vi. General location of neighborhoods based on a quarter-mile radius,
 - vii. General location of existing planned road system, trails, and other transportation modes, and
 - viii. General location of existing and planned public facilities, including, but not limited to, schools (as coordinated with Orange County Public Schools), parks, fire stations, etc.
- e. In addition to the specific components listed above, review of a CRP should ensure that the following elements are addressed or followed:
 - i. **Consistency with the Comprehensive Plan:** A project justification statement should be provided that identifies any relevant and supporting Comprehensive Plan policies and explains how the project is consistent with

the identified policies.

- ii. **Coordinated Development:** Planning for development will occur in a coordinated, comprehensive, and integrated manner. The CRP will establish a general guide for connectivity and coordinated development.
- iii. **Community Meetings/Public Participation:** A community meeting/public workshop shall be held for any proposed CRP prior to the submittal of the final PD/RP. The purpose of the community meeting is to provide surrounding property owners a proposed project overview consistent with the CRP.

FLU4.1.12.2 **Transportation Road Network Agreement:** Prior to submittal of a PD/RP, an applicant shall meet with Transportation Planning Division staff regarding a required Transportation Road Network Agreement to address all road right-of-way, design, and construction obligations, including any related terms or conditions with respect of right-of-way contributions and/or transportation impact fee credits. The agreement shall be processed through the Road Agreement Committee (RAC) for concurrent approval consideration by the Board of County Commissioners with the final PD/RP.

FLU4.1.12.3 **Adequate Public Facilities Agreement:** A Town Center PD/RP shall be subject to the Adequate Public Facilities (APF) provisions outlined in Policy FLU4.2.2 including concurrent approval consideration by the Board of County Commissioners with the final PD/RP/.

FLU4.1.12.4 Town Center Final PD Regulating Plan (PD/RP): Upon Orange County Planning Division staff review and acceptance of a CRP, in accordance with FLU4.1.12.1, and in lieu of a Planned Development/Unified Neighborhood Plan (PD/UNP), applicants shall submit a PD/RP rezoning application for the subject property.

- A. Development within a PD/RP may be subject to the provisions of the Town Center Planned Development Code, but only to the extent that those certain regulations, standards, and procedures are not addressed within the PD/RP. The Village Planned Development Code shall not apply to the PD/RP unless specifically stated in the PD/RP. In the event of a conflict or ambiguity between the provisions set forth in Orange County Code and those within the PD/RP, the PD/RP shall control. In the event Orange County Code and an approved PD/RP is silent as to a performance or development standard, the Development Review Committee (DRC) shall establish the standards or make the determination, which in turn can be appealed by an applicant to the Board of County Commissioners. Notwithstanding the foregoing, the Village Planned Development Code shall not apply to the Town Center unless specifically stated in the Town Center Planned Development Code, applicable PD/UNP, or applicable PD/RP.

- B. At a minimum, the following components must be identified or addressed by a PD/RP:
- Final transect zone/district boundaries,
 - Final gross and net developable acreage,
 - Final land uses and development program,
 - Final location and types of open space or preservation areas,
 - Transferable Development Rights (TDR) calculations,
 - Street types, and
 - Intersection density analysis/diagram.
- C. In addition to the required components listed above, review of a P/RP should ensure that the following elements are addressed or provided:
- **Transect Zones/Districts and Development Program:** A PD/RP shall reflect a development program that is consistent with the CRP. The final configuration of the PD/RP transect zones/districts may vary from the CRP provided they are generally consistent with the intent of the CRP and with the written descriptions of the transect zones/districts on the CRP. Upon adoption by the Board of County Commissioners, the final PD/RP transect zones/districts shall be depicted and referenced on the staff-maintained Horizon West Special Planning Area Land Use Map.
 - **Connectivity:** All development within a PD/RP shall provide for an interconnected transportation network (including pedestrian trails, multi-modal systems, trail systems, etc.) and achieve an overall intersection density between 100 and 140 intersections per square mile. Eligible intersection types shall include those along roads, streets, trails, and designated pedestrian passageways
 - **Green Infrastructure:** A PD/RP shall include a plan for a connected network of natural resources, open spaces, recreational areas, and constructed nature-based systems, including but not limited to, :Low Impact Development (LID) features and stormwater management areas.

FLU4.1.12.5 PD/RP Amendments and Expedited Development Review Process:

- A. Amendments to an approved PD/RP shall be subject to the Land Use Plan and Development Plan alterations process and criteria addressed in the Orange County Code.
- B. Following approval of a PD/RP, any subsequent Preliminary Subdivision Plan (PSP), Master Development Plan (MDP), or Development Plan (DP) may be submitted for concurrent review with related construction permits; however, final permits shall not be issued until an approved PSP, MDP, or DP has become effective.
- C. Any waiver approved by the BCC at the time of PSP approval shall deemed an approved waiver under the PD/UNP or PD/RP, as applicable, without additional application or review required of the PD/UNP or PD/RP.

OBJ FLU4.2 ADEQUATE PUBLIC FACILITIES AND SERVICES. Each Village shall include regulatory measures which require the provision of Adequate Public Facilities and services concurrent with development. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.2.1 **Adequate Public Facilities and Services.** Orange County shall use an Adequate Public Facilities Ordinance (APFO) as a growth management tool for directing the timing and location of future development within the Horizon West Village Classification. Prior to commencing development within any Village, the following adequate public facilities shall be determined to meet the standards, as established by the APFO:

- Distance to workplace
- Regional roadway network
- Road rights-of-way
- Stormwater management
- Water supply
- Wastewater treatment
- Solid waste collection and disposal
- Regional, community and local parks
- School sites
- Distance to transit
- Environmental preservation/constraints
- Police and fire protection
- Relationship to existing urban development
- Distance to community shopping centers
- Employment generation
- Incentives for infrastructure completion

Prior to or in conjunction with approval of the land use plan for any **Village Planned Development** within any particular neighborhood or the Village Center District, a developer's agreement addressing the conveyance of adequate public facility lands in accordance with the APFO, where applicable shall be approved by Orange County to include, but not be limited to the following:

- Land for the neighborhood elementary school
- Land for the minimum five (5)-acre park in association with the elementary school
- Land for APF Park Sites
- Right-of-way for all roads necessary to serve the particular development
- Land for bicycle/pedestrian facilities
- Land for the water and wastewater treatment sites
- Right-of-way for all utilities necessary to serve the particular development
- Land for the middle school as required for the Village Center District.

Subsequent to approval of the land use plan and prior to approval of the development plan or subdivision for any Village Planned Development, the APF lands identified above that fall within the boundaries of that development plan, for the following adequate public facilities shall be conveyed to Orange County in accordance with the APFO and the approved developer's agreement.

Prior to, or in conjunction with approval of the land use plan for any **Village Center District**, a developer's agreement addressing the conveyance of the following adequate public facility lands in accordance with the APFO shall be approved by Orange County:

- Middle school site
- Village Center District park and community space, including any land provided for transit facilities.

The valuation for such adequate public facilities shall not exceed \$22,500 per acre. These criteria shall be in addition to and shall not replace or supersede any provisions of the Orange County Concurrency Management System. The following additional adequate public facilities shall be provided, as needed to support development:

- Town Center: High School Site.

Each Village shall be evaluated to determine that adequate facilities and services are or will be available. Where facilities or services are determined to be inadequate, the developer(s) shall have the option of entering into a Development Agreement with Orange County to correct any deficiency and allow development to proceed. All development in the Village will be served by central sewer and water service operated by Orange County or other utility providers as approved by Orange County Public Utilities. Septic tank use shall be discouraged. However, on-site utilities, temporary septic tanks and potable water wells, where approved by Orange County Utilities, may be used in initial stages of development until adequate demand is available to support a central water and wastewater system. On-site utilities may be used only where soil and water table conditions will permit their use, and where the developer will install the necessary water and sewer lines (dry lines) to ultimately connect the development to the central utility system; and the area is included in a capital improvement program or enforceable development agreement, pursuant to the APFO referenced in this policy and the Village Code referenced in FLU4.6.2, that provides for central utility services to be in place in the next five (5) years.

Where it is determined that services and facilities are adequate to permit development, the project shall be deemed in compliance with the Urban Service Area requirements in the Orange County Comprehensive Plan.

In order to ensure that new development adequately pays for growth-related impacts, the Board of County Commissioners shall have the authority to determine the valuation or date of valuation of property for the purpose of impact fee credits for property deemed as a required adequate public facility. The terms of this valuation shall be incorporated into the developer's agreement for a specific development.

Trails that are not part of the County trail system identified in the Trails Master Plan or are in excess of the width required by the County subdivision standards will be required to be in a tract owned and maintained by a Homeowner's Association (HOA) or Property Owners' Association (POA) and the maintenance responsibility will be solely that of the related HOA or POA. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07; Amended 3/99, Ord. 99-04; Amended 5/01, Ord. 01-11, Policy 6.1.7; Amended 6/08, Ord. 08-09, Policy 6.1.7.1-r; Amended 11/13, Ord. 2013-22, Policy FLU4.1.10-r; Amended 11/16, Ord. 2016-26)

FLU4.2.2

Adequate Public Facilities. The Adequate Public Facilities (APF) Ordinance shall require each property owner to make provisions to set aside a portion of their land for public facility use in exchange for APF credits, based upon the total public land area needs for each adopted Village. The APF Ordinance shall be amended to include the following APF ratio requirements:

| Village | Adequate Public Facilities Ratio Net Developable Acreage/ Required Public Facilities |
|----------------|---|
| Lakeside | 6.5/1 |
| Bridgewater | 5.5/1 |
| Village F | 8.0/1 |
| Village I | 7.25/1 |
| Village H | 7.6/1 |
| Town Center | 5.1/1 |

For properties that do not include public facilities lands or for which public facilities lands have been provided, a fee in lieu of donation shall be required. Such APF revenues shall be allocated first to re-payment to properties with excess approved APF credits, then for public facilities land acquisition, support, and maintenance within the subject Village or Town Center. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.2.3

Prior to obtaining approval of a Preliminary Subdivision Plan and/or a Development Plan for any portion of its property within Village H, the property owner shall deliver evidence satisfactory to the County that the owner or its predecessor in title has entered into an agreement with the County to convey APF lands or purchase APF credits available for sale and has also entered into an agreement with the County or with other property owners in the Village that is satisfactory to the County to:

1. Pay the owner's proportionate share of costs associated with mitigating the projected impacts that development within Village H will have on the off-site road system, including C.R. 545;
2. Pay the costs associated with providing any necessary school capacity that is not funded through the collection of school impact fees;
3. Pay the principal and interest that may be due if another landowner in Village H was required to pay a disproportionate share of the costs associated with mitigating off-site road impacts, or the costs associated with providing necessary school capacity that were not paid earlier by the owner of the land on which the development is proposed or by the owner's predecessor in title; and
4. Pay the costs associated with services provided by an escrow agent, if any, retained by property owners in Village H to track various payment obligations, APF credit sales, TDR sales, and to issue receipts for payments made. Interest charged for advancing another property owner's proportionate share of off-site road costs or other costs specified herein shall not exceed the applicable prime rate as reported in the *Wall Street Journal*. (Added 6/06, Ord. 06-08, Policy 6.18.2; Amended 11/12, Ord. 2012-20; Amended 11/13, Ord. 2013-22, Policy FLU4.15.2-r)

FLU4.2.4 **Plan Implementation.** Orange County will continue to examine and recommend a variety of funding mechanisms that will be considered by the Orange County Board of County Commissioners to accomplish the extension of public facilities and services as well as allow for the acquisition of environmentally sensitive areas within the Village District Center. Alternate financing methods should consider the funding for both capital and operation and maintenance of facilities. The County shall also consider the establishment of a Special Taxing Districts for each adopted Village for the construction and maintenance of common open space and civic uses and Adequate Public Facilities required to support development in the village. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-04; Amended 5/01, Ord. 01-11, Policy 6.1.12; Amended 11/13, Ord. 2013-22, Policy FLU4.1.15-r)

FLU4.2.5 **Water, wastewater, and reclaimed water.** With the exception of the Estate Rural District in Village F, all development within each adopted Village shall receive service from the central water, wastewater and reclaimed water facilities operated by Orange County or other utility providers as approved by Orange County. Interim facilities may be provided in accordance with County requirements. All development shall also be required to install reclaimed water lines to service the entire property of the development and such systems shall be designed to facilitate future extensions. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

For water, wastewater, and reclaimed water utilities, the following conditions are required for all development within all Villages:

The property owners shall be responsible for building master utilities transmission and collection infrastructure adequate to serve the Planned Development and to accommodate the ultimate flows for the entire Village. Utilities infrastructure shall be built connecting to the build-out points of connection approved in the Village Master Utility Plan.

Prior to construction plan approval, all property owners within the Village, excluding public entities, shall be required to sign an agreement between the parties addressing their proportionate share of funds for the costs of the offsite and onsite master utilities sized to Village requirements. Property owners may elect to use alternate financing in lieu of the private proportionate cost share agreement provided master utilities sized for Village requirements are constructed.

Property owners shall coordinate with the Orange County Utilities Director, or their designee, with respect to any utility easements necessary to accommodate appropriately-sized wastewater sewer mains or lines, potable water mains or lines, and/or reclaimed water mains or lines.

FLU4.2.6 **Village H.** The method for allocating all shared costs within Village H, including costs associated with the mitigation of transportation impacts, shall be based on Total Two-way PM Peak Hour Trips (Trips) determined for each property owner's development program. The *Institute of Traffic Engineers Trip Generation Report, 8th Edition*, shall be used to determine the Trips for development within Village H through full build-out of the Village, and later editions of this Report shall not be used. In addition, the following provisions shall apply for Village H:

- A. Within 120 days following the effective date of the Specific Area Plan, each property owner, for itself, its successors and assigns, informed the County's Planning Manager in writing of the specific type of land uses and the maximum number of residential units that will be developed on that owner's property within the range of land uses and densities approved in the Village as applied to the property owner's actual acreage. The maximum density allocated to each parcel can only be exceeded through the purchase of TDRs, or through internal

density transfers as provided in Policy FLU4.1.5, or as provided in this policy. The owners of land approved for non-residential uses have informed the County's Planning Manager in writing of the maximum square footage for each type of non-residential use that will be developed on that owner's land.

- B. With the exception of those property owners within the Rural Enclave, each property owner within Village H, its successors or assigns, shall pay a proportionate share of the cost of mitigating the Village H transportation impacts on CR 545. Each property owner's proportionate share of the costs of the Road Mitigation Costs shall be determined in the following manner:
 - 1. The maximum land use/density information provided by each property owner, in accordance with FLU4.6.3, shall be used to determine the projected Trips that will be generated by each owner's property (the Property Owner's Trips);
 - 2. The trip generation projections for each owner's land shall be added to determine the cumulative projected total Trips for Village H (the Cumulative Trips);
 - 3. The Property Owner's Trips shall be divided by the Cumulative Trips to determine that owner's proportionate share of the Cumulative Trips, expressed as a percentage figure (the Property Owner's Percentage); and
- C. No building permit shall be issued within any Neighborhood or the Village Center unless the APF lands necessary to support a specific development proposal (including an elementary school and a middle school) have been conveyed to the Orange County Board of County Commissioners or have been provided for in a developer's agreement that also requires the purchase from other landowners within Village H of any APF credits that may be required in addition to the APF land conveyance. A Preliminary Subdivision Plan or Development Plan for lands within any specific Neighborhood may be obtained only when a development agreement between the property owner and Orange County has been executed addressing the conveyance of public land necessary to support the provision of adequate facilities and services to the Neighborhood.

(Added 6/06, Ord. 06-08, Policy 6.18.3; Amended 11/12, Ord., 2012-20; Amended 11/13, Ord. 2013-22, Policy FLU4.15.3-r, Amended 11/16, Ord. 2016-26)

FLU4.2.7

Town Center. The Town Center Code will require all property owners within each of the identified Town Center Neighborhoods to address, at a minimum, the planning and funding of public utilities and major transportation facilities consistent Town Center Neighborhood planning requirements and applicable Comprehensive Plan policies. All applicable property owners will be required to participate in Neighborhood-based Adequate Public Facilities/Developer Agreements to address the provision and funding of public infrastructure. Approval by the Board of County Commissioners of such agreements shall be required prior to, or in conjunction with, approval of a Planned Development (PD) application. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

OBJ FLU4.3

TRANSPORTATION SYSTEM. Within each Village, there shall be a balanced transportation system that offers, with equal priority, multiple transportation options. This will include local and regional transit options, bicycle and pedestrian ways, and both higher speed thoroughfares and lower speed local roads for automobiles. (Added 12/04, Ord. 04-21, Obj. 6.11; Amended 11/13, Ord. 2013-22, OBJ FLU4.11-r; Amended 11/15, Ord. 2015-21; Amended 11/16, Ord. 2016-26)

FLU4.3.1

Transportation System. Each Village shall be designed with a transportation system designed to encourage connectivity between internal land uses and allow connection of major streets to existing or planned streets outside the Village. The street network shall adhere to the following principles:

- Create a hierarchy of interconnected streets to allow access between neighborhoods and to promote alternate routes.
- The distance between intersections and the roadway cross sections shall be designed to promote walkability.
- The Village Development Code shall establish street cross sections and maximum block lengths in order to provide safe travel conditions for pedestrians, bicyclists and motorists, as well as providing an integrated, interconnected sense of community.
- Street networks within a Village Center shall be generally designed on a grid system. Street networks outside of the Village Center may be more curvilinear in design, depending on environmental constraints.

(Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.3.2

Limited Access Expressways and Principal Arterial Roadways. To protect the Village form of complete and integrated neighborhoods, and to maintain a center focus that combines commercial, civic, cultural, and recreational uses accessible within a system of fully connected routes from neighborhoods to the village center at distances that encourage pedestrian and bicycle use; limited access expressways or principal arterials shall not be located within Villages.

Except as planned in adopted Villages, limited access expressways or principal arterials shall not be located so as to sever any Village and, where practicable (as determined by the applicable governmental authority), shall be located within the greenbelt area in a manner that provides a separation from the Town Center or Village perimeter to the edge right-of-way of not less than 150 feet. The area of separation shall be maintained as a permanent greenbelt and buffer.

Area sufficient to accommodate long-range plans for mass transit shall be considered when acquiring rights-of-way for limited access expressways and principal arterial roadways serving the area included in the Village Land Use Classification.

Any owner or developer of property located within the Village Land Use Classification and within the right-of-way of the limited access expressways or principal arterial roadways may donate the right-of-way in exchange for on-site density. Prior to approval of any new or revised Horizon West Special Planning Area Land Use Map adjacent to or including right-of-way or an interchange for a limited access expressway, or directly connecting feeder road, a developers agreement must be approved that includes, but not limited to, valuation of property for impact fee credits, if applicable, donation of rights-of-way, and transfer of density.

To encourage provision of rights-of-way for limited access expressways or principal arterial roadways necessary to support the Villages, Orange County will allow Transfer of Development Rights from the rights-of-way to developable receiving areas. Transfer will be limited to the property on which the right-of-way is located or within 1/4 mile of the rights of way sending area, whichever is greater.

The County shall also consider other incentives to promote higher densities. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07; Amended 3/99, Ord. 99-04; Amended 11/12, Ord. 2012-20, Policy 6.1.9; Amended 11/13, Ord. 2013-22, Policy FLU4.1.12-r and Policy FLU4.1.13-r; Amended 11/16, Ord. 2016-26)

FLU4.3.3 **Roadway Design.** In order to enhance the effectiveness of proposed environmental corridors, the design of proposed major roadways shall take into account maintenance of natural hydrology and movement of wildlife. (Added 3/99, Ord. 99-04, Policy 6.7.4; Amended 11/13, Ord. 2013-22, Policy FLU4.7.4-r)

FLU4.3.4 **Mass Transit.** Each Village and the Town Center shall be designed to accommodate access to a hierarchical system of mass transit opportunities, including regional, sub-regional and local routes when and if implemented. The regional system would provide service between the Horizon West Town Center and employment/activity centers outside of Horizon West. The sub-regional system would provide service between each of the Village Centers and the Horizon West Town Center. The local system should be internalized within each neighborhood and the Village Center. (Added 11/13, Ord. 2013-22)

FLU4.3.5 **Bike and Pedestrian Paths:** Bike trails and pedestrian paths shall be an integral part of each Village and the Town Center. These facilities, where practicable (as determined by the County), shall be incorporated within street design and may also be located within public open space and utility corridors or other corridors, as approved by the County. Upon completion, this bike and pedestrian system shall form a hierarchical system of connections to promote walkability and connectivity within Village or Town Center. Parcels that are isolated from the primary development area of a Village shall also be required to provide bicycle and pedestrian paths that connect to the other APF paths, neighborhood schools and the Village Center. Where applicable, the Bike Trail System shall provide future connections to the Town Center and other Villages within Horizon West and surrounding areas. (Added 11/13, Ord. 2013-22)

FLU4.3.6 **Concurrency.** All development within an adopted Village shall be subject to the provisions of the Concurrency Management System, unless a separate agreement has been entered into with the County to establish an alternative method for offsetting road impacts, such as proportionate fair share agreement or other form of mitigation agreement. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.3.7 The arterial and collector roadway systems that serve each of the adopted Villages and Town Center shall be designed to accommodate transportation impacts through a 20-year planning horizon. Upon completion of any segment of the collector or arterial network, that road segment shall become part of the overall Orange County transportation network and shall be periodically evaluated in conjunction with future updates to the Orange County Comprehensive Plan. (Added 11/13, Ord. 2013-22)

FLU4.3.8 **Town Center Street Network.** The street network in the Town Center shall be designed for a high degree of connectivity between uses, districts and neighborhoods within the Town Center and connection of major streets to existing or planned streets outside the Town Center. The distance between intersections and the roadway cross sections shall be designed to create walkable streets. Street networks in the Traditional Town Center Core should be designed on a grid system. Pedestrian, bike and recreational paths shall be an integral part of the Town Center. They shall be incorporated within street cross-sections, and shall be encouraged within public open space, along storm water management areas (when used as an amenity), and within utility corridors. Equestrian trails should be considered as part of the recreational trail system, as demand warrants. (Added 11/13, Ord. 2013-22)

FLU4.3.9 **Road Network Agreements.** Prior to County approval of the first Preliminary Subdivision Plan or Development Plan in Village F, H or the Town Center, a Road Network Agreement that substantially conforms with the Horizon West Global Road Term Sheet, originally approved on September 20, 2011, by the BCC and as amended, must be signed by the owners of a majority of the undeveloped acreage in the particular Village or the Neighborhoods it addresses. No building permit shall be issued until the applicant has submitted to the County evidence satisfactory to the County that the property owner, a predecessor in title or the applicant has paid that portion of the property owner's proportionate share contribution for the Road Mitigation Costs that is applicable to the development program reflected in the Preliminary Subdivision Plan and/or Development Plan. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.3.10 **Village I.** Prior to commencing development beyond Phase I per Table 7.5 of the document entitled *Village I Specific Area Plan (the "SAP")*, Village I developers/owners will assess the projected cumulative transportation impacts of Village I and demonstrate that any significant and adverse impacts, including impacts outside Orange County's jurisdiction, will be mitigated. The SAP will be amended to reflect any improvements needed to serve the approved Future Land Uses. Development beyond County approval of zoning, rezoning, and zoning amendment requests shall be subject to, and may not proceed without, a Board of County Commissioners-approved global road network agreement (the "Road Network Agreement") in place that is determined to be financially feasible by the County and that substantially complies with a term sheet for Village I and unless adequate public facilities are demonstrated to be available or planned to be available in a financially feasible manner in Orange County's Capital Improvements Element, consistent with Chapter 163, Florida Statutes.

The Road Network Agreement, which must substantially conform with the Horizon West Village I Term Sheet reviewed and accepted by the BCC on November 13, 2018, must be signed by the owners of a majority of the undeveloped acreage in Village I and approved by the BCC prior to approval of the first preliminary subdivision plan ("PSP") and/or development plan ("DP") in Village I. The foregoing notwithstanding, any project that has been issued a capacity encumbrance letter ("CEL") prior to November 13, 2018, may proceed with the applicable development in Phase I, pursuant to and in compliance with the terms of such CEL, prior to entering into such a Road Network Agreement pursuant to a Global Road Network Term Sheet for Village I; provided, however, that such development shall be required to enter into and join the Road Network Agreement prior to approval of any subsequent PSP and/or DP request beyond that applicable to the aforementioned CEL. In the event any such project does not timely obtain a capacity reservation certificate in connection with the CEL, such project shall be subject to the County's concurrency management system, as if the CEL had not been issued. If a

development project is proposed after the Road Network Agreement has been finalized, then such proposed development shall be subject to the County's concurrency management system (and, potentially, entering into a proportionate share agreement), unless all of the signatories of the Road Network Agreement agree to amend such Road Network Agreement in order to add such development to the Agreement. (Added 02/10, Ord. 10-01; Amended 11/13, Ord. 2013-22, Policy FLU4.21.7.1-r; Amended 11/15, Ord. 2015-21; Amended 11/16, Ord. 2016-26; Amended 07/19, Ord. 2019-04)

FLU4.3.11 In order to account for extra-jurisdictional transportation impacts, for development that otherwise would be subject to the provisions of Section 380.06, F.S., the County may require, in all villages except Village H, in addition to the requirements of Future Land Use Element FLU4.1.8 IV 2.b., monitoring and modeling for transportation facilities impacted by a Village Recommended Land Use Plan (RLUP). In addition, future RLUPs shall include a list of candidate roadways for such monitoring and modeling. The County may require mitigation based on the RLUP or subsequent monitoring and modeling. Any required monitoring and modeling will be in addition to concurrency requirements otherwise required by the Orange County Code. (Added 11/99, Ord. 99-19, Policy 6.1.14.3-r; Amended 11/13, Ord. 2013-22, Policy FLU4.1.20-r; Amended 11/15, Ord. 2015-21; Amended 11/16, Ord. 2016-26)

FLU4.3.12 Orange County shall coordinate with Osceola County regarding significant and adverse impacts to extra-jurisdictional roadways related to development in Village I, which are summarized in Table 7.5 of the *Village I Specific Area Plan* adopted by the Board of County Commissioners on June 10, 2008. Pursuant to Policy FLU4.3.10, a transportation analysis will be performed to identify these impacts within both Orange and Osceola Counties. Osceola County will be provided a copy of the analysis by Orange County and will be given 30 days upon receipt to respond with comments. Upon determination by Orange County of the transportation impacts and mitigation for substantial impacts to regional roadways within both jurisdictions, Orange County shall amend the Horizon West Special Planning Area Land Use Maps to include the agreed-upon mitigation, including the identified improvements, timing of construction, and funding of such improvements. (Amended 11/13, Ord. 2013-22, Policy FLU4.21.7.2-r; Amended 11/15, Ord. 2015-21 Amended 11/16, Ord. 2016-26)

OBJ FLU4.4 SCHOOLS. Villages are comprised of neighborhoods which are defined by a neighborhood center with an elementary school site and neighborhood park. Each Village shall be designed with school facilities as a focal point of the community. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.4.1 Each Village shall contain space for up to four Elementary Schools and one Middle School. High school requirements are included in FLU4.4.5. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.4.2 The exact location of the school sites are not fixed in the approved SAP and may be relocated by the Board of County Commissioners through the Planned Development process, provided that the site remain in the same village or neighborhood and review and comment has been solicited by Orange County Public Schools (OCPS).

When a school site is to be relocated, the original site shall be re-designated through the Planned Development process with land uses of comparable densities and/or intensities of surrounding properties. Such land uses shall be deemed compatible by Orange County.

OCPS may agree to allow the school sites to be sized as an urban prototype of less acreage than provided in the Orange County School Siting Ordinance. Through the Planned Development process, the balance of any planned school site not used for such facilities shall also be re-designated with land uses of comparable densities and/or intensities of surrounding properties, provided that such land uses are deemed compatible by Orange County.

If a middle school is located in the Village Center, the site shall be excluded from the computation for the maximum Village Center size limit of 60 acres, as outlined in FLU4.1.7. (Added 11/05, Ord. 05-14, Policy 6.3.8.1; Amended 11/13, Ord. 2013-22, Policy FLU4.3.9-r)

FLU4.4.3 The Signature Lakes and Fourth Neighborhoods of Bridgewater, Village F and Village I have been designed and sized such that, at build-out, the neighborhoods will support an elementary school that is designed in accordance with the Florida State Class Size Amendment requirements. However, per the design requirements of Horizon West and Orange County, at build-out, these schools will have excess capacity and may accommodate the residential development from Neighborhoods 1 and 2 of the adjacent Horizon West Town Center. Excess school capacity should not be considered justification for increased densities in the Signature Lakes or Fourth Neighborhoods of Bridgewater or Village F. (Added 12/04, Ord. 04-21, Policy 6.6.1.2; Amended 11/13, Ord. 2013-22, Policy FLU4.6.3-r)

FLU4.4.4 The adopted Villages shall contain space for the following school facilities:

- Lakeside: One elementary school per neighborhood and one middle school;
- Bridgewater: One elementary school per neighborhood and one middle school;
- Village H: One elementary school per neighborhood and one middle school;
- Village F: One elementary school per neighborhood and one high school site in accordance with the requirements of Town Center Policy FLU4.4.5. ;
- Village I: One middle school and the necessary elementary schools to serve surrounding areas and Horizon West;
- Town Center: One elementary school.

(Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.4.5

In addition to the planned school facilities stated in Policies FLU4.4.3 and FLU4.4.4, special conditions apply for the following:

Village of Bridgewater

The Fourth Neighborhood of the Village of Bridgewater includes a potential High School Site that is intended to serve portions of Horizon West and surrounding areas. The underlying use of the high school site is Garden Home District. In the event that Orange County Public Schools chooses not to purchase the High School at this location, the underlying land use of Garden Home District shall apply. Prior to construction of any residential development within the Fourth Neighborhood in the Village of Bridgewater, Orange County Public Schools must have closed on the purchase of land for one of the two high schools projected to serve the Horizon West area.

Village H

Parcel 17 of Village H shall be one of the two elementary school sites. Parcel 43a shall be the other elementary school site. Executed warranty deeds for both elementary school sites have been placed in escrow with an escrow agent satisfactory to the County. Note 5 on the Village H Master Development Plan is no longer applicable.

Village F

A high school site within the Village F boundary has been provided by Horizon West Town Center property owners and rezoned for the high school. This site, however, shall be reflected only in the gross Village F acreage and not affect the net developable acreage or APF calculations. The high school site shall not interrupt the walkability, connectivity or compactness of the Village. The location of the high school provides access to a collector road and does not divide a neighborhood, Neighborhood Center or the Village Center.

Prior to approval of the first Planned Development (PD) within Village F, a developer's agreement with Orange County for conveyance of both elementary schools and the co-located parks must be executed.

Village I

Prior to approval of the first Planned Development (PD) within Village I, a developer's agreement with Orange County for conveyance of all public school sites and the co-located parks must be executed.

Town Center

Prior to approval of any Development Plan or Preliminary Subdivision Plan containing residential uses within the Town Center, a development agreement between the property owner and Orange County must be executed that would convey the land for the elementary school. However, this requirement may be satisfied for Town Center Neighborhoods 1 and 2 pursuant to FLU4.4.3, to the extent that excess school capacity is available to serve the residential development in Town Center Neighborhoods 1 and 2.

A high school site located in Village F has been provided to Orange County Public Schools for the purpose of serving students of the Town Center and rezoned to Planned Development. The high school site shall be considered the Town Center APF site. Though included in the Village F gross estimate, the high school site shall be depicted on the Town Center Recommended Land Use Plan. Furthermore, the high school acreage only shall affect the Town Center APF calculations. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

OBJ FLU4.5 ENVIRONMENT. Development standards shall be adopted and implemented that ensure protection of the natural and built environmental through the provision of greenbelts, transfer of development rights, storm water management, water-wise development standards and preservation of ecosystems through the creation of open space linkages. (Added 11/13, Ord. 2013-22)

FLU4.5.1 **Village Greenbelts.** In addition to requirements for formal parks and neighborhood greens, greenbelts surrounding each Village and the Town Center averaging 500 feet in width shall be required at the perimeter of each Village, except for those perimeters located adjacent to designated water Conserv II lands that otherwise provide the permanent undeveloped edge contemplated by this policy. This greenbelt must be provided to discourage sprawl by creating a definable Village and provide a permanent undeveloped edge, except as set forth in FLU4.3.2, so that planning a Village within limited spaces takes on meaning. Topography and other physical features may allow this width to be reduced where visual separation can be accomplished with less distance. Where it may be beneficial to concentrate the acreage to enhance wildlife corridors, wetland connections, or preserve valuable uplands and protect sites critical for Floridan Aquifer protection, the greenbelt may be concentrated in one section of the Village Perimeter. In no case shall the greenbelt separation between villages be less than 300 feet. Subject to subdivision regulations and conservation area protection requirements, access drives and bicycle/pedestrian paths may be allowed within the greenbelt/buffer to connect properties that would otherwise be denied reasonable access. Development standards for access drives and pedestrian/bicycle paths through greenbelt/buffer shall be addressed in the Village and Town Center Development Codes. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07; Amended 3/99, Ord. 99-04, Policy 6.1.8; Amended 11/13, Ord. 2013-22, Policy FLU4.1.11-r; Amended 4/20, Ord. 2020-08)

FLU4.5.2 **Density in Greenbelts.** Development in the greenbelt at a maximum density of 1 unit/10 acres shall be permitted to be clustered in upland areas where the land owner(s) is willing to dedicate development rights for the balance of the property to Orange County. (Added 11/13, Ord. 2013-22)

FLU4.5.3 **Transfer of Development Rights (TDRs).** In order to encourage the implementation of the greenbelt requirements in FLU4.5.1, preserve other important uplands, agricultural areas, water reuse areas, Floridan aquifer recharge, wetland connections and wildlife corridors, Orange County may allow the Transfer of Development Rights from these sending areas to receiving areas in Orange County. To provide rights-of-way for limited expressways or principal arterial roadways necessary to support the villages, Orange County will allow Transfer of Development Rights (TDR) from the rights-of-way to developable receiving areas. Transfer will be limited to the property on which the right-of-way is located or within 1/4 mile of the right-of-way sending area, whichever is greater. Net density in Village Centers and the Town Center may be increased from 5.0 DU/net developable acre up to 16 DU/net developable acre where TDRs are used. Net density in the Town Center may be increased from 4 DU/net developable acre up to 30 DU/net developable acre where TDRs are used or through internal density transfers and use conversions permitted within a PD/UNP or PD.RP. However, the implementation of the greenbelt requirements in FLU4.5.1 and the preservation of other important uplands, agricultural areas, water reuse areas, critical Floridan Aquifer recharge sites, wetland connections and wildlife corridors will not be limited to Transfer of Development Rights. Orange County may allow for purchase of these areas through special taxing districts and special impact fees for a specific Village to be used in the establishment of that Village. Orange County has adopted an ordinance implementing Transfer of

Development Rights. The TDR ordinance enhances the preservation of ecologically sensitive areas and reinforces the defined village edge by identifying TDR sending areas within the Village Greenbelt as identified in FLU4.5.1. The use of TDRs also provides for protection of private property rights within the sending areas. Additionally, limits are placed on the amount of development rights that can be transferred within any neighborhood to ensure a compact and integrated development form that has a population density to meet the requirements of a neighborhood school while providing for a diversity of housing types. The TDR limits established for each Village do not create entitlements for their use within any particular development. The use of TDR credits is subject to approval by the Board of County Commissioners on a case-by-case basis. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07; Amended 3/99, Ord. 99-04, Policy 6.1.9; Amended 11/13, Ord. 2013-22, Policy FLU4.1.13-r; Amended 11/16, Ord. 2016-26. Amended 04/20, Ord. 2020-08)

FLU4.5.4

TDR Ratios. Development within Lakeside Village, the Village of Bridgewater, and Villages F, H and I shall be subject to the provisions of the Orange County Ordinance 97-10, Village Land Use Classification Implementation, Orange County Code Chapter 30, Article XIV, Division 3 (TDR Ordinance). Residential densities may also be increased or decreased within the applicable density range allowed for each respective land use district, in conjunction with the requirements of the TDR Ordinance and the following TDR ratios:

| Village | Upland Greenbelt TDR Ratio | Wetland TDR Ratio |
|-------------|---|---|
| | Units / Acre | Units / Acre |
| Lakeside | 11 units / 1.0 acre | 1 unit / 3.5 acres |
| Bridgewater | 17.1 units / 1.0 acre | 1 unit / 2.9 acres |
| Village F | 17. 1 units / 1.0 acre | 1 unit / 2.9 acres |
| Village H | 25.5 units / 1.0 acre | 1 unit / 2.9 acres |
| Village I | 38.9 units / 1.0 acre | 1 unit / 2.9 acres |
| Town Center | 5.8 units / 1.0 acre or 8,700 sq. ft. / 1.0 acre | 1 unit / 3.3 acres (non-residential – N/A) |

(Added 11/13, Ord. 2013-22)

FLU4.5.4.1

Reams Road Corridor Study Area. In Lakeside Village, the Reams Road Corridor Study Area is established in recognition of the changing character of properties fronting Reams Road, increased densities in the area, and the area's proximity to a major employment center. The Corridor Study Area is limited to several properties located along Reams Road, which, combined, constitute the largest greenbelt system in the Horizon West Special Planning Area that separates Lakeside Village and Village of Bridgewater. The goal of establishing the Corridor Study Area is to achieve the mix of residential uses and desired minimum overall density of 5 DU/ac within the Village and to provide a residential transition zone within the largest greenbelt system while protecting the local environmental systems by connecting Lake Spear with the ecosystem within the Reedy Creek Improvement District on the west and south. The general principles and procedures for acquiring a residential land use designation within the Corridor Study Area are as follows:

- The Reams Road Corridor Study Area boundary shall be depicted on the Horizon West Special Planning Area Land Use Map.
- Uses on properties within the Corridor Study Area shall be limited to residential.
- Residential uses within the Corridor Study Area shall be limited to areas currently designated as Greenbelt (GB) on the Horizon West Special Planning Area Land Use Map.
- Requesting a residential land use district designation within the Corridor Study Area requires Planned Development Review.
- The maximum residential density considered to be appropriate within the Corridor Study Area is 6 DU/ac. Additional density increases may be allowed, consistent with the provisions of the Transfer of Development Rights (TDR) Ordinance.
- At the time of the Comprehensive Plan Amendment, an applicant shall enter into an agreement with the County to provide the right-of-way necessary for the Reams Road widening project.
- Any future development within the Corridor Study Area shall provide cross-access to adjacent developments, requirements for which shall be determined at the time of PD-LUP approval. The County might also require connectivity of recreational facilities, including multi-purpose trails, between the properties included in the Corridor Study Area and development north and south of the study area.
- Development proposals that are inconsistent with this policy shall meet the standards of the adopted Future Land Use designation.

(Added 07/15, Ord. 2015-14; Amended 11/16, Ord. 2016-26)

FLU4.5.5

Up to 20% of designated greenbelt tracts may be used for permitted stormwater ponds. Passive not-for-profit recreation facilities may also be permitted in greenbelts. (Added 11/06, Ord. 06-22, Policy 6.16.2; Amended 11/13, Ord. 2013-22, Policy FLU4.19.2-r)

FLU4.5.6

Additional greenbelt requirements apply as follows:

Lakeside Village

The Village greenbelt requirement for Lakeside Village shall be provided by utilizing the environmental systems connecting Lake Spear with the ecosystem within Reedy Creek Improvement District on the west and south.

Village of Bridgewater

The Village greenbelt for the Village of Bridgewater shall provide for the connection of the environmental systems connecting Lake Speer and Lake Hancock with the ecosystem within Lakeside Village, and Reedy Creek Improvement District.

Golf courses shall be permitted to form a portion of the Village of Bridgewater greenbelt/buffer only where it can be demonstrated that such greenbelt/buffer does not contain environmentally sensitive uplands and where it is not providing connectivity of wetland/wildlife corridors. The golf course within the greenbelt/buffer shall not supplant any requirement to provide connectivity of wetland/wildlife corridors, or protection of environmentally significant uplands elsewhere within the Village. The golf course shall provide public open space as permanent Village edge. The golf course shall provide connectivity and access to other public open spaces within the Village. The golf course shall contribute to compactness of the Village, and not isolate residences from the Village or Neighborhood Centers.

Village F

The Village F greenbelt shall include the environmental systems connecting Saw Grass Lake and Reedy Lake and the wetlands between Lakeside Village, the Village of Bridgewater and the Reedy Creek Improvement District.

Orange County National Golf Course shall be permitted to form a portion of the Village F greenbelt/buffer.

Village I

The Village I greenbelt shall include the environmental systems connecting Lake Oliver, Lake Gifford, Lake Dennis and Doe Lake and the wetlands between adjacent Horizon West Villages and the Reedy Creek Improvement District. The extensive wetlands, conservation areas and other designated greenbelt areas shall provide a well-defined edge to Village I and shall be protected from the influence of urban development patterns.

Town Center

Town Center will develop at urban densities and intensities; therefore, upland greenbelt areas shall not be required as a buffer between SR 429 and development in Town Center.

The Upland Greenbelt requirement between the Village of Bridgewater and Town Center may be accomplished as depicted on the adopted Recommended Land Use Plan (RLUP) for both Villages or by an alternative location within the Village of Bridgewater as may be approved through a rezoning to Planned Development (PD), PD Land Use Plan Amendment, or Change Determination Request (CDR) to the existing PD. The portion of the existing Urban Greenbelt for which an alternative may be proposed shall be limited to adjacency with Parcels CCMU-1 and CCMU-3 depicted on the Town Center RLUP. An alternative location of the Upland Greenbelt shall:

1. be consistent with the requirements of FLU4.5.1;
2. provide a similar degree of physical separation between the Village of Bridgewater and Town Center as provided through the existing Urban Greenbelt designation;
3. include upland areas;
4. be fully capable of accommodating any planned trail or pedestrian/bicycle facility intended for inclusion within the Upland Greenbelt; and
5. be planned to minimize impacts to adjoining property owners that may be associated with any type of public facilities or private development located within

the Urban Greenbelt. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.5.7 **Aquifer Recharge.** Prior to permitting any urban development on recharge soils, (as defined in accordance with the Orange County Land Development Code), an analysis shall be completed to insure that appropriate water recharge of the Floridan Aquifer can be maintained. The analysis must demonstrate that the recharge characteristics of water anticipated to enter the soil in the post-development condition shall be comparable to that anticipated in the pre-development condition. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-04; Amended 5/01, Ord. 01-11, Policy 6.1.10; Amended 11/13, Ord. 2013-22, Policy FLU4.1.14-r)

FLU4.5.8 **Regionally Significant Natural Resources.** With respect to protecting regionally significant natural resources, an SAP must identify such resources and shall meet the requirements of Rule 9J-2.041, Florida Administrative Code. This rule requires an evaluation of the development impacts on listed plants and wildlife species and listed wildlife species habitats. The rule also sets forth appropriate methods to mitigate or avoid said impacts. If an SAP impacts such natural resources, the applicant will evaluate the impacts and mitigate the impacts consistent with the requirements of Rule 9J-2.041, Florida Administrative Code. (Added 11/99, Ord. 99-19, Policy 6.1.14.2; Amended 11/13, Ord. 2013-22, Policy FLU4.1.19-r)

OBJ FLU4.6 VILLAGE DEVELOPMENT CODE. The design principles of the Horizon West planning process shall be implemented through adoption of the Village Development Code, Town Center Planned Development Code, and ultimately, a Planned Development/Land Use Plan (PD/LUP), Planned Development/Unified Neighborhood Plan (PD/UNP)/ or Planned Development/Regulating Plan (PD/RP). (Added 11/13, Ord. 2013-22; Amended 04/20 Ord. 2020-08)

FLU4.6.1 **Density.** The density shown on the Village Land Use Plan for any particular Village Planned Development may be increased or decreased in conjunction with the requirements of the Transfer of Development Rights Ordinance adopted by Orange County for the area designated on the Orange County Comprehensive Plan as "Village," subject to meeting the density requirements of FLU4.1.4 for each neighborhood and subject to approval by the Board of County Commissioners on a case-by-case basis. However, such transfers shall not denigrate the intent of providing a mixture of residential densities within any Village or Town Center neighborhood. (Added 5/97, Ord. 97-07; Amended 5/01, Ord. 01-11, Policy 6.2.3.1; Amended 11/13, Ord. 2013-22, Policy FLU4.2.6-r)

FLU4.6.2 **Land Development Code Update.** All development within the boundary of an adopted Village shall comply with the provisions of the Village Planned Development of the Orange County Code and the Planned Development District processing and site development regulations. Where the performance standards in the Village Development Code conflict with said regulations, the Village Development Code shall govern, except as noted in the adopted Village Development Code. Orange County shall amend the Adequate Public Facilities, and Transfer of Development Rights Provisions of the Orange County Code to incorporate the requirements for the adopted Villages as needed. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-04; Amended 3/99, Ord. 99-04; Amended 5/01, Ord. 01-11, Policy 6.1.13; Amended 6/12, Ord. 2012-14, Policy FLU4.1.16-r; Amended 11/13, Ord. 2013-22, Policy FLU4.1.16.1-r; Amended 11/16, Ord. 2016-26)

FLU4.6.3

The following residential districts and densities are established for the adopted Villages:

| Residential District | Density |
|-----------------------------|----------------|
| Estate Rural | 1 |
| Estate | 2 |
| Estate Home | 3 |
| Garden Home | 4 |
| Village Home | 6 |
| Townhome | 8 |
| Townhome/Apt | 12 |
| Condominium/Apartment | 16 |

Notes:

- In order to accommodate the design principles of FLU4.1.4, the boundary between two adjacent residential districts may be blended within any particular Village Planned Development and the density of the adjacent districts may be blended. Such boundary revisions and density mixes may not be allowed at the perimeter of the Planned Development.

Lakeside Village

- In order to provide for compatibility with existing and approved development abutting Lake Mabel, any redevelopment within the boundaries of the existing Lake Mabel Shores Subdivision shall be limited to a minimum one (1) acre lot size. Development of existing platted lots within the Lake Mabel Shores Subdivision shall be permitted in accordance with the existing zoning and subdivision as recorded in Plat Book Q, page 151, Orange County Records.

Village of Bridgewater

- Development within the Townhome/ Apartment district of the Fourth Neighborhood shall be limited to Townhomes only (no apartments) and shall allow the density within the Townhome District of the Fourth Neighborhood to be reduced from a net density of 12.0 dwelling units per acre to 8 to 10 dwelling units per acre, which shall be designated on the land use plan for the Fourth Neighborhood.
- In order to achieve the required density of 6.0 dwelling units per acre in the Village Home District while maintaining the housing diversity of the overall Village, townhomes shall be considered a permitted use in the Village Home District. Approval of Townhomes within the Village Home district shall only be allowed as a component of the PD. The PD shall indicate compliance with the principles of the Horizon West Policies and the Village Development Code.

Village H

- Village H Master PD LUP allows minimum and maximum densities within identified parcels that vary from the above standards.
- Estate District Parcel 9 may develop at a minimum density of 1.0 DU/AC based upon commitments made to the Hickory Nut Lake Estates Rural Enclave homeowners during adoption of the Village. Minimum densities in the PD LUP are without the use of TDRs.

- New homes within the Rural Enclave may be developed at up to one dwelling unit per developable acre. Homes and lands in the Rural Enclave shall not be included in determining the overall density of Village H or requirements for Adequate Public Facilities. The Rural Enclave is not subject to the Adequate Public Facilities' requirements of Village H, unless determined otherwise by the County for new development.

Village F

- Minimum lot size in the Estate Rural District is 1 acre.
- In order to achieve the required density of 6.0 dwelling units per acre, while maintaining the housing diversity of the overall Village, townhomes shall be considered a permitted use in the Village Home District. Approval of townhomes within the Village Home District shall only be allowed as a component of the PD and shall be in compliance with Village Development Code.
- To ensure a mix of housing types in the Garden Home District, townhomes shall be considered a permitted use, provided that lots are no less than 25 feet in width.
- Consistent with the density requirements outlined in FLU4.1.4, the Village F Townhome District shall be limited to either single family detached units or attached townhomes (no apartments). In Townhome Districts adjacent to the Village Center, live-work units with ground floor office or residential uses shall be permitted.
- Approval of townhomes within the Village Home District shall only be allowed as a component of the PD and shall be in compliance with Village Development Code.
- Apartments are permitted as a residential use in the Village Center.
- The minimum density for the Estate Rural district in Village F is 0.

Village I

- In order to reflect an appropriate development transition from the adjacent and more intense U.S. Highway 192 Tourist/Commercial Growth Center, a minimum average net density range of 16.0 to 18.0 dwelling units per acre may be considered in the Apartment Districts located in the Village I East Neighborhood. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.6.4

Housing product types shall be allowed in each district, as established in the following table. The Planned Development Land Use Plan shall specify the location for each housing type proposed for development. Following approval of the Land Use Plan, any proposed change in housing type shall be subject to a substantial change determination.

| <i>District</i> | <i>Product Type</i> | | | | |
|--|---------------------|---------------|-----------------|---------------|---------------|
| | <i>Apts.</i> | <i>Condos</i> | <i>Townhome</i> | <i>Duplex</i> | <i>Single</i> |
| Estate Rural | No | No | No | No | Yes |
| Estate | No | No | No | No | Yes |
| Estate Home | No | No | No | No | Yes |
| Garden Home (single-family only) | No | No | No | No | Yes |
| Garden Home | No | Yes | Yes | Yes | Yes |
| Village Home | No | Yes | Yes | Yes | Yes |
| Townhome | No | Yes | Yes | Yes | Yes |
| Condominium | No | Yes | Yes | Yes | No |
| Apartment | Yes | Yes | Yes | Yes | No |
| Village Center/ Neighborhood Center | Yes | Yes | Yes | Yes | No |

Properties within the Lakeside and Bridgewater Villages that are designated as Townhome/Apartment District shall identify on the PD Land Use Plan the specific location and use of townhomes or apartments, consistent with the adopted Village Development Code, as amended. Properties within the Lakeside and Bridgewater Villages that are designated as Garden Home District shall identify on the PD Land Use Plan the specific location of townhomes, consistent with the adopted Village Development Code, as amended. (Added 6/06, Ord. 06-08, Policy 6.17.11; Amended 11/13, Ord. 2013-22, Policy FLU4.14.11-r; Amended 11/16, Ord. 2016-26)

FLU4.6.5

Design Standards. The Village Development Code shall establish design standards to control building location, landscaping and signage. In addition, the Village Development Code shall include the following:

- To encourage appropriate residential neighborhood design, the Village Development Code shall establish maximum block lengths and require mixing of block sizes and regulate on-site parking for residential uses.
- The design standards of the Village Development Code shall apply, except that waivers or variances may be approved for such features as garage setbacks, building heights, Village Center parking lot landscaping, lot coverage, building setbacks, lots sizes, other items, when determined by the Board of County Commissioners to further the design objectives of Horizon West through the application of design measures suitable to offset the waived or varied Village Development Code standard.
- To encourage appropriate Neighborhood Center Design, the Village Development Code contains parking controls, including provisions for on-street parking and controls on garage location.
(Added 11/13, Ord. 2013-22)

FLU4.6.6

Lake access. Subject to County approval and all applicable permitting requirements, each single-family lakefront lot may have a boat dock. Private boat docks and boat ramps may also be allowed in Village H lakefront parks subject to County approval and all applicable permitting requirements. (Added 6/06, Ord. 06-08, Policy 6.17.24; Amended 11/13, Ord. 2013-22, Policy FLU4.14.24-r)

FLU4.6.7

Park/Civic Use. Land designated for park and civic use by the Recommended Land Use Plan for each adopted Village shall allow for public community buildings including meeting halls, libraries, schools, police and fire station, post offices, cultural facilities, and other governmental buildings. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.6.8

Open Space. In addition to the Adequate Public Facility (APF) parks and civic use areas shown on the Horizon West Special Planning Area Land Use Map, a minimum of seven and one-half (7.5) percent of the developable land area less APF lands of any development project within each Village and seven (7.0) percent of developable land area less APF lands within the Town Center shall be permanently allocated to public open space tracts for neighborhood parks, linear parks or squares. These neighborhood parks and squares should be distributed throughout all land use districts within the village and shall be accessible, centrally located and designed to create focal points for the development. Useable landscaped and unfenced stormwater ponds may be included to satisfy this requirement as allowed by the Village Development Code, but if included may not be counted toward the required amount of recreational area in the applicable Planned Development.

As part of the Planned Development rezoning process, the County may allow all or a portion of the designated APF parkland on the east side of Lake Spar to contribute towards the 7.5% open space requirement in the design of the Lakeside Village Center. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

FLU4.6.9

Stormwater. To the extent feasible, all stormwater facilities within the Horizon West area shall be designed as an amenity, and should incorporate pedestrian/bike trails where doing so contributes to connectivity of the community. (Added 11/13, Ord. 2013-22)

- FLU4.6.10 The coordination of master stormwater management planning shall be encouraged through the Unified Neighborhood Plans and/or the Planned Development zoning processes. (Added 11/13, Ord. 2013-22)
- FLU4.6.11 Stormwater management systems shall be designed to meet the requirements of the Orange County Subdivision Regulations and the regulations of the South Florida Water Management District, including specific requirements for recharge areas and for land-locked basins, where applicable. (Added 12/04, Ord. 04-21, Policy 6.12.6; Amended 11/13, Ord. 2013-22, Policy FLU4.12.6-r)
- FLU4.6.12 **Village H Master Property Owners Association.** All residential subdivisions, townhome developments and condominium developments shall be members of a Village H Master Property Owners Association (the "Master Association") formed for the purpose of promoting community activities and social interaction within Village H. The Master Association documents shall be prepared and recorded in the Public Records of Orange County at the time the first residential subdivision plat within Village H is recorded. Thereafter, all residential subdivision plats, conditions of approval for townhome developments, and declarations of condominium shall include a provision establishing membership in the Master Association. The Master Association shall be organized and managed by a voluntary committee of interested residents (the Master Association Committee). Membership on the Master Association Committee shall not be an elected office. The Master Association Committee shall not have the authority to levy assessments but shall be able to accept donations, hold fundraising events and other functions for the benefit of the Village H residents. The Master Association shall not have any regulatory or enforcement authority. Each residential subdivision, townhome development or condominium association that levies assessments on its residents shall include a nominal annual assessment to fund the Master Association's community activities. (Added 6/06, Ord. 06-08, Policy 6.18.17; Amended 11/13, Ord. 2013-22, Policy FLU4.15.17-r)

OBJ FLU4.7 EMPLOYMENT AND HOUSING. Town Center shall serve as the sole regional retail and employment center for Horizon West, west Orange County and southeastern Lake County, providing nearby employment opportunities for residents of Horizon West and diverse housing opportunities for employees to live near their workplace. (Added 11/13, Ord. 2013-22)

FLU4.7.1 **Town Center.** The purpose of the Town Center is to provide a place for residential, office, retail and light industrial land uses with a more regional market base that serves as an employment center, the scale of which is not permitted in the villages. The Town Center shall be oriented towards serving the residents of the Villages and surrounding area and not designed as a tourist destination. The Town Center shall be planned and established with limited access expressways within the greenbelt (as defined in FLU4.5.1) of the Town Center. In order for development to take place, the Town Center must be located so that it has immediate access to an interchange or interchanges of the Western Beltway, or similar facility with connections to the regional market base. The Town Center must be designed to encourage and accommodate future linkage with the regional transit system and must provide for connections to, and be integrated with, the collector streets, pedestrian and bike path system provided in individual villages. One high school site and one activity-based community park site shall be provided to serve the Town Center and Horizon West.

The Town Center will be integrated with the regional transit system. The design shall include designated locations for establishment of transit stations as a component of a mixed-use development. (Policies 6.1.2.1, 6.1.3; Amended 6/12, Ord. 2012-14; Amended 11/13, Ord. 2013-22, Policy FLU4.1.2-r; Amended 11/16, Ord. 2016-26; Amended 04/20, Ord. 2020-08)

FLU4.7.2 Town Center – Development Linkage and Timing. Prior to approval by Orange County of any application for a Planned Development (PD) Land Use Plan (PD-LUP)/Unified Neighborhood Plan (UNP), or Regulating Plan (RP) within Corporate Neighborhoods 1, 2, 3 and 4, or within the Town Center Core Neighborhood (as depicted on the Horizon West Special Planning Area Land Use Map), the following conditions intended to address the traffic needs as determined by the County shall be met:

- A. A developer’s agreement(s) shall be approved by the Board of County Commissioners addressing, at a minimum, those roadway facilities assigned by location within one or more of the Corporate Neighborhoods or the Town Center Core as identified below. The agreement shall, at a minimum, identify the responsibility for planning, funding, and scheduling of design, permitting, right-of-way acquisition, and construction of roadway segments based on the location of the property as prescribed below.
- Location – Corporate Neighborhood 3 and 4, and Town Center Core Neighborhood:
Responsibility – Avalon Road from Old YMCA Road to New Independence Parkway
 - Location – Town Center Core Neighborhood:
Responsibility – Horizon Boulevard from Porter Road to Valencia Parkway; Valencia Parkway from Horizon Boulevard to Schofield Road/Karl Kahlert Parkway; and Schofield Road/Karl Kahlert Parkway from Valencia Parkway to Avalon Road

- Location – Corporate Neighborhood 1 and 2:
Responsibility – Hamlin Groves Trail from Horizon Boulevard to New Independence Parkway; Horizon Boulevard/Porter Road from CR 545 to Hamlin Groves Trail; and extension of New Independence Parkway to S.R. 429

In the event an alternate roadway segment provides a comparable service area and capacity, it may substitute for portions of one or more of the roadway segments identified above. The developer's agreement(s) shall be consistent with all required roadway improvements and conditions of approval specified in the Horizon West Global Road Term Sheet, originally approved on September 20, 2011, by the BCC and as amended.

- B. Right-of-way values shall not exceed \$22,500 per acre.
- C. Condition of approval on the PD stating, "Should the level of service on CR 545 fall below LOS 'E,' no construction plan approvals will take place until a developer's agreement(s) is approved among the owners of property in Neighborhoods 3, 4, and 5 (exclusive of any property owner whose responsibility has been met through a pre-existing developer's agreement), and the Board of County Commissioners. The agreement shall, at a minimum, address the responsibility for planning, funding, and scheduling of design, permitting, right-of-way acquisition, and construction of necessary improvements to CR 545." (Added 12/04, Ord. 04-21, Obj. 6.13; Amended 6/12, Ord. 2012-14; Amended 11/13, Ord. 2013-22, Objective FLU4.13-r; Amended 11/16, Ord. 2016-26; Amended 04/20 Ord. 2020-08)

FLU4.7.3 **Town Center Planned Development Code.** Orange County adopted a Town Center Planned Development Code with innovative standards and guidelines based upon traditional city planning and design principles to ensure an urban development pattern that encourages a mix of compatible uses within the Town Center neighborhoods and a well-defined, mixed-use Traditional Town Center Core Area. All development within the boundary of the Town Center shall comply with the provisions of the Town Center Planned Development Code or any alternative provisions outlined within an approved Town Center Planned Development/Regulating Plan (PD/RP). (Added 11/13, Ord. 2013-22; Amended 04/20, Ord. 2020-08)

FLU4.7.4 The Town Center Planned Development Code shall encourage development through either Unified Neighborhood Plans (UNPs) or optional Regulating Plans (RPs). The development program associated with a UNP or RP shall generally reflect a proportionate share of the allocated development program for the subject property, as identified in Policy FLU4.7.9 – Table 1.1 and as depicted on the originally-adopted Town Center Recommended Land Use Plan Map. A development program may also be adjusted to account for internal Town Center unit (DU whether originally programmed in Table 1.1 as DU or converted from commercial square footage into DU) transfers and use conversions. (Added 12/04, Ord. 04-21, Policy 6.8.8; Amended 5/13, Ord. 2013-11; Amended 11/13, Ord. 2013-22, Policy FLU4.8.8-r; Amended 04/20, Ord. 2020-08)

FLU4.7.5 Through provisions of the Town Center Development Code, dwelling unit and/or commercial square foot increases may be granted for this dedication of functional open space over the minimum seven percent requirement. (Added 12/04, Ord. 04-21, Policy 6.8.9; Amended 11/13, Ord. 2013-22, Policy FLU4.8.9-r)

FLU4.7.6 To encourage innovative planning and design solutions and creative development in Town Center, Orange County shall include provisions in the Town Center Development Code that allow for transfer of development units within and between proposed Town Center Neighborhoods. (Added 12/04, Ord. 04-21, Policy 6.8.10; Amended 11/13, Ord. 2013-22, Policy FLU4.8.10-r)

FLU4.7.7 The Town Center Development Code shall include development standards for placemaking, key elements and design guidelines and a sufficient, yet flexible streamlined review process for each of the Town Center Land Use District Classifications, consistent with the purpose and intent of each district, described as follows:

A. Urban Residential District. Urban Residential districts should be developed to reflect the character and quality of traditional neighborhoods. The Urban Residential districts are expected to develop with a mix of attached and detached housing, civic uses, neighborhood parks and recreational facilities. Neighborhood type and scale commercial and office uses may be permitted within this District as either ancillary to a principal use, or freestanding at sites permitted and specifically identified as appropriate for such uses as part of the applicable Unified Neighborhood Plan/Planned Development. The Town Center Development Code shall include provisions to address the following aspects of neighborhood scale commercial and office uses permitted by location: compatibility with adjoining uses; location of sites relative to Framework or Urban Collector streets; scale and types of uses; and, standards that would control the number of non-residential uses that may be permitted by location.

The districts should be developed such that the typical street and block pattern will be fully interconnected to accommodate pedestrians, bicyclists and motor vehicles. All pedestrian and bike trail systems within the districts should be linked to the APF bike and recreational trail system of Town Center.

B. Corporate Campus Mixed-Use District. Corporate Campus Mixed-Use districts should have a mix of attached and detached housing, office, hotel, limited warehouse and associated light industrial uses, and civic, open space, and recreation uses. Limited support retail uses may be allowed as: ancillary uses within buildings where the primary use is office or residential; or as freestanding uses on one or more sites specifically identified as appropriate for such uses as part of the applicable Unified Neighborhood Plan/Planned Development. The Town Center Development Code shall include provisions to address the following aspects of support retail uses permitted by location: compatibility with adjoining uses; location of sites relative to Framework or Urban Collector streets; scale and types of uses; and, standards that would control the number of freestanding support retail uses that may be permitted by location. Within Corporate Campus Mixed-Use districts, office uses will dominate, and the residential development will be of a higher density than Urban Residential districts.

C. Corporate Neighborhood Center District. The Corporate Neighborhood Center (CNC) district is intended to provide attached residential, retail and service support to and within walkable distance from the adjacent Urban Residential and Corporate Campus Mixed-Use districts. The Corporate Neighborhood Centers will provide neighborhood-serving retail, service and civic activities. When attached residential uses are proposed for inclusion in a CNC District, the applicant shall demonstrate that sufficient land area will remain in

the applicable CNC district to accommodate at least 80% of the non-residential development program entitlements described in Table 1.1 of Policy FLU4.7.9.

- D. Retail/Wholesale District.** The Retail/Wholesale district is intended to accommodate regional retail business, personal services, office, warehouse, and warehouse showroom uses for the Horizon West area. Transit stops and on-site parking for such stops shall be provided. Attached residential uses may be allowed pursuant to the Town Center Code (once adopted) as: an ancillary use within buildings where the primary use is office, retail, or hotel; or as freestanding uses on one or more sites specifically identified as appropriate for such uses as part of the applicable Unified Neighborhood Plan/Planned Development. The Town Center Development Code shall include provisions to address the following aspects of attached residential permitted by location: compatibility with adjoining uses; location of sites relative to Framework or Urban Collector streets; scale and types of uses; and, standards that would control the number of attached residential sites and/or units that may be permitted by location. The manner in which buildings relate to streets within this type of District shall be governed by the provisions of the Town Center Planned Development Code.
- E. Traditional Town Center Core.** The Traditional Town Center Core will serve as the civic and retail heart of Horizon West and the surrounding area. The Traditional Town Center Core will be a vital, mixed-use center that contains a variety of residential, retail, office, hotel, civic, and entertainment uses. The Traditional Town Center Core will be designed as the primary pedestrian-oriented activity center of the entire Town Center. Building fronts will have a primary orientation to streets and parks. Civic spaces and public buildings will be encouraged, designed and located as focal points throughout the Traditional Town Center Core.
- F. Civic, open space and recreation.** Open space shall be interspersed throughout Town Center as a common thread that, when sited and designed properly, can tie districts, neighborhoods, land uses, and residents together, creating community character, image, and identity. Open space may include passive uses and should be in the form of publicly accessible squares, greens, formally designed parks, small but intensely used civic activity and special event areas, and elements of the master stormwater system. Particularly in expansive commercial sites, landscaped pedestrian plazas can provide access from public streets, through parking lots, and to individual buildings. (Added 3/99, Ord. 99-04; Policy 6.8.2; Amended 6/12, Ord. 2012-14; Amended 5/13, Ord. 2013-11; Amended 11/13, Ord. 2013-22, Policy FLU4.8.2-r; Amended 11/16, Ord. 2016-26)

FLU4.7.7.1

Land Use District Boundary Adjustment. The Horizon West Special Planning Area Land Use Map depicts the approximate location and boundaries of all land use districts (districts) or form-based transect zones (transects) within the Town Center. These districts and transects are required to be depicted as part of each Town Center Planned Development – Unified Neighborhood Plan (PD/UNP) or optional Town Center Planned Development/Regulating Plan (PD/RP), as approved by the Board of County Commissioners. Changes or adjustments to the land districts and/or transects may be considered and processed as a Planned Development (PD) rezoning (if the property does not yet have a PD zoning designations), or PD Land Use Plan Amendment, or Change Determination Review (CDR) to request an existing PD. Such changes and adjustments shall be evaluated for consistency with the criteria

outlined in Policy FLU4.1.9, and shown on the Horizon West Special Planning Area Land Use Map when approved.

Such changes and adjustments shall be evaluated for consistency with the criteria outlined in Policy FLU4.1.9 and shown on the Horizon West Special Planning Area Land Use Map when approved. (Added 5/13, Ord. 2013-11; Amended 11/13, Ord. 2013-22, Policy FLU4.8.2.1-r; Amended 11/16, Ord. 2016-26; Added 04/20, Ord. 2020-08)

FLU4.7.8 Town Center open spaces and recreation areas should serve the dual function of providing both passive and active recreation opportunities and reinforcing the urban form of each district and the Town Center as a whole. Non-APF civic, recreational and passive use open space will be provided at a rate of 7% per useable acreage. Useable acreage shall be defined as the remaining land area of a property after the areas included in natural water bodies, conservation (wetland areas), APF lands and greenbelts have been deducted from the total area within a property or parcel boundary (Added 3/99, Ord. 99-04; Policy 6.8.2; Amended 6/12, Ord. 2012-14; Amended 5/13, Ord. 2013-11; Amended 11/13, Ord. 2013-22, Portion of Policy FLU4.8.2.F-r).

FLU4.7.9 **Development Program.** Each Neighborhood Parcel listed in Table 1.1 below and shown on the Horizon West Special Planning Area Land Use Map shall be allowed to develop when approved pursuant to the Town Center Development Code, applicable PD/UNP, or PD/RP.

Development programs approved as part of the initial PD/UNP or PD/RP may be permitted to vary from those identified in Table 1.1, consistent with provisions of the Town Center Planned Development Code. Proposed variations in development programs may reflect bonus assignments associated with transfers of development rights, land use entitlement transfers, land use conversions, or bonus assignments.

Table 1.1 identifies residential, non-residential and hotel development entitlements assigned to individual Neighborhood Parcels. In addition, the table provides for a bonus residential entitlement of 1,540 dwelling units intended as an incentive for the submittal of a PD/UNP or a PD/RP. In addition, Table 1.1 allocates hotel unit entitlements to Corporate Campus Mixed Use (CCMU), Retail/Wholesale (RW), and Traditional Town Center Districts. The assignment of the bonus residential and hotel entitlements shall be accomplished in the following manner.

- A. The submittal of a complete PD/UNP or PD/RP, consistent with any applicable requirements, shall entitle the applicant to request an assignment of dwelling units from the bonus residential entitlement provided in Table 1.1. The assignment shall be limited to the pro rata share of the number of dwelling units available under the bonus category of entitlements. The share shall be determined by the ratio of the percentage of net developable land area included in the applicable PD/UNP or PD/RP, to the total net developable area included in the Town Center.
- B. Assignment of a share of the hotel unit entitlement available to CCMU, R/W, Traditional Town Center Districts or Transect Zones may be requested by Town Center property owners through the PD-UNP, PD/RP, PSP and/or DP approval process. The conditions of an assignment include:
 - 1. Limited to Neighborhood Parcels that contain CCMU, R/W, or Traditional Town Center Land Use District/Transect Zone designations;
 - 2. Any single assignment is limited to no more than twenty-five (25) percent of the total number (700) available;
 - 3. The assignment shall expire within two years if a building permit for the applicable hotel units has not been approved by Orange County; and
 - 4. Any unused entitlements in a PD/UNP or PD/RP may be transferred to another PD/UNP or PD/RP within the Town Center through the PD Change Determination Review (CDR) request process.

(Added 12/04, Ord. 04-21; Amended 2006-2; Policy 6.8.3; Amended 6/12, Ord. 2012-14; Amended 5/13, Ord. 2013-11; Amended 11/13, Ord. 2013-22, Policy FLU4.8.3-r; Amended 07/15, Ord. 2015-14; Amended 06/16, Ord. 2016-14; Amended 11/16, Ord. 2016-26; Amended 04/20, Ord. 2020-08)

FLU4.7.10 Infrastructure in Town Center Neighborhoods shall be sized for ultimate build-out to avoid costly upgrades and ROW restoration. (Added 12/04, Ord. 04-21, Policy 6.9.7; Amended 11/13, Ord. 2013-22, Policy FLU4.9.7-r)

FLU4.7.11 To manage growth in West Orange County, the timely development of Town Center as a retail and employment center for Horizon West, West Orange County and east Lake County is critical. To promote employment opportunities in Horizon West and curb unplanned sprawl development outside Horizon West, Orange County shall consider the use of special financing mechanisms in Town Center. Special financing may be used for the construction and maintenance of common open space, civic uses and public facilities required to support development in Town Center. Special financing mechanisms should also be used for schools, colleges, economic development, and employment generators, particularly within the Corporate Campus Mixed-use Districts and the Town Center Core. (Added 12/04, Ord. 04-21, Policy 6.10.1; Amended 11/13, Ord. 2013-22, Policy FLU4.10.1-r)

FLU4.7.12 A water balance analysis that evaluated the impacts of urban development on recharge soils within the Town Center and demonstrated that the recharge characteristics of water anticipated to enter the soil in the post development condition is comparable to that anticipated in the pre-development condition was completed prior to the adoption of the Town Center. (Added 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

INNOVATION WAY

GOAL FLU5 **INNOVATION WAY.** Orange County continues to recognize the importance of a diverse local economy and the need to protect sensitive resources, specifically as they relate to high tech/clean tech jobs and the protection and preservation of the Econlockhatchee River Basin within the Innovation Way Overlay. The Innovation Way Overlay is illustrated on Map 4 of the Future Land Use Map Series. (Added 08/08, Ord. 06-08; Amended 10/10, Ord. 2010-13, Goal 8-r; Amended 01/16, Ord. 2016-04)

OBJ FLU5.1 **Innovation Way Overlay.** The Innovation Way Overlay is a conceptual transect-based overlay designation where the County envisions a transit-ready, multi-modal mixed-use, walkable community with sustainable economic development, adequate public infrastructure, and the protection and resource management of environmentally sensitive areas. The Innovation Way policies and Environmental Land Stewardship Program ("ELSP") ordinance provide the foundation necessary to support and guide the implementation of the Innovation Way vision. (Added 08/08, Ord. 06-08, Objective 8.2; Amended 10/10, Ord. 2010-13, Obj. FLU5.2-r; Amended 01/16, Ord. 2016-04)

POLICIES

FLU5.1.1 **Prior Development Approvals in the Innovation Way Overlay.** Properties located in the Innovation Way Overlay with development that meets one of the criteria listed below shall not be required to comply with the Innovation Way policies.

- A. Development that has approval as of June 13, 2006, and is developed consistent with such approval; or
- B. Development with a consistency vested rights determination, provided the vested rights do not expire and the development occurs in a manner that is consistent with the vested rights determination; or
- C. Development that is consistent with the uses, densities and intensities allowed by the Comprehensive Plan as of June 13, 2006.
- D. Nothing in these policies is intended to supersede Orange County's existing environmental regulations or the Econlockhatchee River Protection regulations. (Added 01/16, Ord. 2016-04)

FLU5.1.1.1 RESERVED

FLU5.1.2 **Innovation Way Conceptual Urban Form.** Map 4 of the Future Land Use Map Series is intended to provide for the generalized and illustrative location and extent of transect zones that collectively depict the desired urban form for the Innovation Way Overlay. This map will guide the preparation of Conceptual Regulating Plans and Planned Development Regulating Plans. Final boundaries and configurations of transect zones and the specific location and type of Innovation Way land use districts, road alignments and trails shall be determined through the adoption of an Innovation Way Planned Development Regulating Plan for individual properties within the Overlay.

The Innovation Way Overlay (Map 4) does not provide any entitlements beyond the underlying Future Land Use Map designations and zoning classifications. As such, Orange County shall, in conjunction with a transect-based approach, use Conceptual Regulating Plans (CRP), the Innovation Way (IW) Future Land Use Map designation, and Innovation Way-Planned-Development-Regulating Plans (IW-PD-RP) to

implement the long-range planning vision for Innovation Way. Proposed Future Land Use Map amendments and rezonings in the Innovation Way Overlay, except as permitted by FLU5.1.1, must follow the process as outlined in the associated policies. (Added 01/16, Ord. 2016-04)

FLU5.1.3 **General Implementation Process.** Development within the Innovation Way Overlay requires a Future Land Use Map designation of Innovation Way (IW) and a zoning designation of Innovation Way-Planned Development-Regulating Plan (IW-PD-RP). A Conceptual Regulating Plan shall be submitted in conjunction with a Future Land Use Map amendment application to change the underlying Future Land Use Map designation to IW. The requested Future Land Use Map designation of IW must be approved by the Orange County Board of County Commissioners and processed as a Comprehensive Plan amendment pursuant to Chapter 163, Florida Statutes. A rezoning to IW-PD-RP is also required and may be processed concurrently with a Future Land Use Map amendment. A PD-Regulating Plan shall be submitted in conjunction with a rezoning application to IW-PD-RP and must be approved by the Orange County Board of County Commissioners. Future Land Use Map amendment and rezoning applications shall be submitted in accordance with the established application submittal requirements. (Added 01/16, Ord. 2016-04)

FLU5.1.4 **Innovation Way Study.** Future Land Use Map amendments and rezonings shall make reference to the *Innovation Way Economic Development and Resource Management Study*, dated December 15, 2005 (The Innovation Way Study) as a non-binding resource to define the purpose and intent of the Overlay. The Innovation Way Study serves as a tool to guide decision making and interpretation of the Future Land Use map amendments and land development code as it relates to the Innovation Way Overlay.

The vision for the Innovation Way Overlay incorporates the high-technology corridor concept and includes protection of ecologically important lands. This balancing of high technology/high value economic development with environmental protection requires innovative urban form, multimodal transportation concepts and infrastructure, and sustainable development practices. (Added 08/08, Ord. 06-08, Policy 8.2.2; Amended 10/10, Ord. 2010-13, Policy FLU5.2.2-r; Amended 01/16, Ord. 2016-04)

FLU5.1.5 **Implementation and Transect-Based Approach.** Transect-based planning shall be used to design complete communities requiring walkable streets, mix of uses, transportation options, and housing diversity. Transect-based planning and incremental urbanism allows for communities to evolve sustainably over generations. The IW-PD-RP shall identify and locate transects and districts to ensure the basis for a complete neighborhood structure within which a development program is planned that includes a mix of residential and non-residential uses and furthers the Innovation Way vision. The Innovation Way transect zones and corresponding Innovation Way districts are described in FLU5.1.5.1 and FLU5.1.5.2, respectively.

The IW-PD-RP shall also include a proposed plan for the provision of housing types including housing supportive of planned workforce in the RP area. In addition, if applicable, strategies shall be included linking the provision of land for high value jobs and economic catalyst industries in balance with the provision of housing within the project. (Added 01/16, Ord. 2016-04)

FLU5.1.5.1 Transects

The Innovation Way transects shall be defined for the Innovation Way Overlay and shall be used as a mechanism to allow development to increase in complexity, density, and intensity over a period of years.

- A. T-1 (Transect Zone -1) Natural Zone (NZ) contains lands approximating or reverting to a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation.
- B. T-2 (Transect Zone-2) Rural Development Zone (RDZ) contains sparsely settled lands in open or cultivated state. These include woodland, agricultural land, grassland. Typical buildings are single-family detached dwellings, farmhouses, and agricultural buildings that are designed consistent with other Innovation Way policies. The RDZ is intended to provide a transition from rural to urban, and, as such, may be located within the Urban Service Area.
- C. T-3 (Transect Zone-3) The Low-Medium Density Zone (IW-LMDZ) contains lower density neighborhood development beyond the boundaries of the Transect Station Area Core (TSAC) and Medium Density (MDZ) zones, but not within the Rural Development or Natural zones.
- D. T-4 (Transect Zone-4) Medium Density Zone (IW-MDZ) includes a full range of medium density/intensity residential, commercial and workplace uses that serve the daily needs of residents and employees from nearby neighborhoods and workplaces. When located in conjunction with a T-5 zone, the T-4 zone will occupy an area between 1/4 to 1/2 mile radius from the transit station/discernible center identified on the IW-PD-RP. When the T-4 zone is established without a companion T-5 zone, the Activity Center will occupy an area within one-half mile of a discernible center.
- E. T-5 (Transect Zone-5) Transit Station Area Core (TSAC) includes a full range of high density/intensity residential, commercial and workplace uses intended to support a high level of transit service in the future. The TSAC includes an area within 1/4 mile of a discernable center that may include a transit station, central park or open space, or other development/feature that is identified as the center of the TSAC on the IW-PD-RP.
- F. T-SD (Transect Zone - Special District) provides the opportunity to plan an area for one or more types of uses in a unified manner. Such uses may include, but are not limited to high-tech/clean tech industrial parks, medical/research catalytic parks, tourist/resort centers, and major public works activities. Generally, T-SD zones will include uses that by their function, disposition, or configuration cannot, or should not, conform to one or more of the five Innovation Way normative Transect Zones. (Added 01/16, Ord. 2016-04)

FLU5.1.5.2 Districts

The Innovation Way districts provide the means to implement the transect based policies through the identification of a variety of urban or rural development standards that address land use, transportation, green infrastructure, utility, site design and permitting procedures. The Innovation Way districts will function to ensure a compatible transition from rural to urban and facilitate a mix of uses that support multi-modal transportation. With the exception of Special Districts, all other districts are intended to be located within a transect zone with which they are compatible.

- A. Transit Station Area Cores (TSAC) are consistent with the T-5 transect zone and Transportation Network. These centers are generally located where access is provided through at least one of the Multimodal Corridors, and it has been identified as a location to be served by a high-capacity transit service. Permitted uses include high tech/clean industry, support commercial/retail, personal and business services, office, light industrial/research, hotel, high-density residential, civic, and parks/open space. Walkable blocks and compact high density/intensity mixed use development characterize this type of district. Vertical mixing of uses shall be highly encouraged within the TSACs. The average perimeter of blocks within each (TSAC) shall be sized to achieve a 5-minute walk.
- B. Town Centers and Innovation Way Activity Center (IWAC) districts are consistent with the T-4 transect zone and are intended to include a variety of uses that support the daily needs of residents within adjoining neighborhoods. When collocated with a TSAC district, the IWAC shall be the appropriate district to provide the land uses necessary to support high capacity transit service. Alternatively, when located independently of a Medium Density Zone, the Town Center district shall be the appropriate option and be located with multimodal access serving the civic, commercial and personal service needs of a larger market area. These districts shall provide a place for a mix of residential, office, retail, light industrial uses, and high tech/clean tech uses at a scale that should not be permitted in the T-3 (Transect Zone-3). IWAC and Town Center districts must be designed to encourage and accommodate linkage with the regional transit system and must provide for connections to, and be integrated with, the collector streets and pedestrian and bike path systems. The average perimeter of blocks within each Town Center and IWAC shall be sized to achieve a 5 to 10-minute walk.
- C. The Neighborhood district is consistent with the T-3 transect zone and is intended to be walkable, highly connected by streets, trails and pedestrian paths, and adequately served by parks and open space. Standards and requirements for neighborhood development will vary based on several criteria including the mix of housing types provided, overall residential density, inclusion of non-residential uses permitted by location, and placement of dwellings relative to street frontages. The following policy elements provide direction for standards that will be developed for inclusion in an Innovation Way Sustainable Development Code and the Regulating Plans for individual Innovation Way projects.
 - 1) Individual neighborhoods should be sized so that dwellings are generally within a maximum five-minute walk of a central focal point or neighborhood node.
 - 2) Developments within neighborhoods that are proposed to develop within a density range of 6-10 dwellings per net developable acre should be located in close proximity to a neighborhood node, or a location that would serve as

a transition between a T-3 zone and T-4 or T-5 zone.

- 3) An elementary school site shall be provided for each 2,500 dwellings and school sites should be centrally located to serve up to four (4) typical neighborhoods.
 - 4) Each Neighborhood may contain a maximum of one Neighborhood Node, but shall be required to include a central neighborhood focal point in a form determined through the adopted Regulating Plan. Residential Neighborhoods can be clustered particularly in proximity to the transit corridors.
 - 5) Neighborhoods shall not be gated and perimeter walls will not be permitted.
 - 6) Neighborhoods should be planned with at least seventy-five (75) percent of the blocks having a perimeter length that does not exceed a distance associated with a ten-minute walk.
- D. Neighborhood Nodes are consistent with the T-3 transect zone and may contain a mix of neighborhood serving commercial, business personal service, and civic uses to provide for daily commercial and service needs of a residential neighborhood. Neighborhood retail and office uses shall be characterized by small-scale units, organized in compact nodes, designed to be visually compatible with surrounding development. The following standards shall apply to Neighborhood Nodes:
- 1) Centrally located and grouped as nodes of non-residential or mixed-use development easily accessible on foot or by bicycle to neighborhood residents;
 - 2) Use type and size shall be limited to neighborhood scale commercial, personal service and civic uses, which are designed primarily to serve the needs of residents and/or employees within the immediate area;
 - 3) Residential uses shall be encouraged to be built above ground floor commercial or office uses and may be configured into live/work type of units;
 - 4) Designs shall incorporate access to transit and include bicycle-related facilities; and
 - 5) Additional standards regarding design, specific use types, size, and location criteria, shall be adopted in the land development code to ensure compatibility with surrounding development and consistency with the urban development patterns envisioned for the Innovation Way Overlay.
- E. The Rural Residential and Conservation Development districts are consistent with the T-2 transect zone and are intended to provide conventional or clustered single-family detached dwellings in a traditional rural setting. Clustered dwellings shall comply with the County's existing cluster district code. In addition to residential dwellings, the Rural Residential and Conservation Development districts may include and emphasize agricultural lands, conservation areas, and/or passive parks and open space. Dwellings may be included in a conservation subdivision designed to enhance the living environment and promote the ecological well-being of both the built and natural environments. Standards and requirements for neighborhood development will reflect a rural lifestyle in harmony with the non-residential uses permitted by location and shall emphasize placement of dwellings relative to open space, conservation and agricultural vistas. (Added 01/16, Ord. 2016-04)

FLU5.1.5.3 Within the Innovation Way Overlay, all development proposals shall contribute to accomplishing an overall mix of residential and non-residential uses that is consistent with the requirements in the table below and shall meet the requirements of the Innovation Way Jobs-to-Housing Linkage Program (Ord. 2010-05). Additionally, each designated Mixed-Use Center within a proposed or adopted IW-PD-RP shall also meet the land use mix requirements in FLU5.1.6. (Added 10/10, Ord. 2010-13)

| Land Use | Preferred Overall Mix (Minimum percentage of total land area) |
|---|---|
| Residential | 20% |
| Office/Commercial/Industrial | 30% |
| Institutional/Civic ² | 5% |
| Open Space/ Parks/Recreational ^{1, 3} | 5% |
| ¹ Does not include "Stewardship Lands" as defined in FLU5.5.1. ² Institutional and civic uses are allowed in any Innovation Way use district, except as otherwise restricted by the Orange County land development codes. ³ Within TSA Cores, open space shall consist of urban open spaces, such as but not limited to plazas, squares, and greens; County parks larger than 5 acres shall be designated as "Park" and should preferably not be located within TSA Cores. | |

FLU5.1.5.4 Within the Innovation Way Overlay, each IW-PD-RP and PD-LUP adopted after October 19, 2010 shall accommodate land uses within one or more of the following types of use districts, which shall be designated on the PD-LUP:

1. Mixed-Use Centers, which may consist of any of the following:
 - a. High Tech Centers,
 - b. Town Centers,
 - c. Innovation Way Activity Centers,
 - d. Village Centers, and
 - e. Neighborhood Nodes;
2. Industrial;
3. Residential neighborhoods;
4. Parks, which shall be used to designate public parks larger than five (5) acres that Orange County agrees to maintain subject to BCC approval; and
5. Stewardship Lands, as defined in Objective FLU5.5. (Added 10/10, Ord. 10-13, Policy 5.2.5-r)

FLU5.1.6 Within the Innovation Way Overlay, each IW-PD-RP adopted after January 26, 2016 shall identify the Innovation Way transect zones, districts, and uses and shall contribute to accomplishing an overall mix of residential and non-residential uses.

The following correlation table shall be used in connection with the evaluation of a proposed development's consistency and compatibility with the Innovation Way Overlay policies, the conceptual development framework depicted on Future Land Use Map Series Map 4, and the Innovation Way Regulating Plan document:

| Transect Zones | Allowable Use Districts | General Uses | ¹Preferred Mix of Uses |
|---|--|---|---|
| T1 – Natural Zone (NZ) | N/A | Passive parks and open space, greenbelts, agriculture | ² Passive Parks and Open Space, Agriculture |
| T2 – Rural Development Zone (RDZ) | Rural Residential Development Conservation Subdivisions | Clustered, conservation, and/or conventional single-family detached residential uses, agriculture, passive parks and open space | ² Passive Parks and Open Space, Agriculture Residential |
| T3 – Low Medium Density Zone (IW-LMDZ) | Neighborhood Nodes Residential Neighborhoods | Single-family attached and detached, neighborhood commercial, business and personal services | Residential ² Open Space/Parks/Recreation Neighborhood Node |
| T4 – Medium Density Zone (MDZ) | Town Center and Innovation Way Activity Center | Single-family attached and detached residential, apartments, business and personal services, employment centers, commercial and retail uses that serve the surrounding market area, high tech/clean tech and light industrial, hotel & entertainment, civic , health care | Non-residential Residential ² Open Space/Parks/Recreation ⁵ High Tech/Clean Tech/Light Industrial |
| T5 - Transit Station Area Core (TSAC) | Transit Station Area Core | Employment centers, commercial and retail uses that serve the surrounding market area, mixed-use buildings that accommodate retail, offices, workspaces, civic buildings, apartments, hotel, and high-tech/clean tech industries | Non Residential Residential ^{2, 4} Open Space/Parks/Recreation ⁵ High Tech/Clean Tech/Light Industrial |
| T-SD - Special District | PD-SD | Established during the Innovation Planned Development Regulating Plan process | Established during the Innovation Planned Development Regulating Plan process |

¹The mix of uses is listed for each transect zone in descending order of the preferred allocation. The mix of uses will be calculated as a percentage of net developable acres

² Does not include “Stewardship Lands” as defined in Chapter 15 of the Orange County Code.

³ Institutional and civic uses are allowed in any Innovation Way use district, except T-1 Natural Zone and as otherwise restricted by the Orange County land development codes.

⁴ Within T-5 TSA Cores, open space shall consist of urban open spaces, such as but not limited to plazas, squares, and greens; County parks larger than 5 acres shall be designated as "Park" and should preferably not be located within TSA Cores.

⁵ The percentage of High Tech/Clean Tech and the type of uses that constitute High Tech/Clean Tech shall be included in the non-residential percentage. (Added 01/16, Ord. 2016-04)

FLU5.1.7

The following densities and intensities shall apply to the transect zones, unless otherwise approved in a DRI, CRP or IW-PD-RP. Maximum development programs shall be established through the CRP or IW-PD-RP, except as exempted in Objective FLU5.14.

| Innovation Way Transect Zone | Residential (Density) | Non-Residential (Intensity) |
|--|--|---------------------------------------|
| T-1 Natural Zone (NZ) | N/A | See FLU5.1.7.1 |
| T-2 Rural Development Zone (RDZ) | Planned yield ¹ of 2 du per net developable acre- with a range of 1-4 du/acre | See FLU5.1.7.1 |
| T-3 Low-Medium Density Zone (LMDZ) | Planned yield ¹ of 3-4 du per net developable acre with a range of 1-10 du/acre | See FLU5.1.7.1 |
| T-4 Medium-Density Zone (MDZ) ¹ | Minimum ² of 7 du per net developable acre with a range of 4-20 du/acre | See FLU5.1.7.1 |
| T-5 Transit Station Area Core ² | Minimum ² of 10 du per net developable acre with range of 7-100 du/acre | See FLU5.1.7.1 |
| T-SD Special District | Established through the CRP process | Established through the CRP process |
| ¹ The specific density will be determined by the IW-PD-RP. ² The term "minimum" refers to the minimum number of units for the net developable area of any given transect. | | |

(Added 01/16, Ord. 2016-04)

FLU5.1.7.1 Maximum building heights, setbacks, floor area ratios, or any combination thereof may be used to regulate the intensity of the development of a mixed use and/or non-residential site within the transect zones defined for the Innovation Way Overlay. The standard(s) for building intensity shall be established as part of the IW-PD-RP and may vary by transect, district or site based on guidelines established in the Regulating Plan. (Added 01/16, Ord. 2016-04)

OBJ FLU5.2 Innovation Way Future Land Use Map amendment (FLUM) and IW-Planned Development – Regulating Plan (IW-PD-RP). The approval of development in the Innovation Way Overlay, shall require an IW Future Land Use Map designation and an approved IW-PD Regulating Plan, which determines the adopted boundaries and location of the transect zones. The proposed location of the transects shall be illustrated on the Conceptual Regulating Plan during the Future Land Use Map amendment process and finalized in the approved IW-PD-RP. Nothing in this policy is intended to supersede the exceptions as outlined in FLU5.1.1 and OBJ FLU5.14 and the associated policies. (Added 01/16, Ord. 2016-04)

FLU5.2.1 Innovation Way FLUM. A Future Land Use Map amendment for properties within the Innovation Way Overlay shall require the following:

A. Conceptual Regulating Plan (CRP): The Conceptual Regulating Plan is a general and illustrative representation of the proposed development and location of transects, and it is precursory to the IW-PD-RP. The Conceptual Regulating Plan is provided during the transmittal phase of the Future Land Use Map amendment application and review process, and will be refined throughout the review process. When a CRP is approved by the Board of County Commissioners, the net developable land area allocated for urban development by the Conceptual Regulating Plan shall be counted against the amount of additional land identified by FLU1.2.4. The following items shall be depicted on the Conceptual Regulating Plan or included as an attachment:

1. Location of the transect zones
2. The location of existing roadways and the proposed location of major roadways, trails, or other transportation modes
3. Location of any primary utility facilities and operations areas
4. Location of any fire or emergency response facilities
5. Location of public school sites
6. Orange County Public Schools Capacity Enhancement or Mitigation Agreement (prior to adoption)
7. Amount of net developable land area for each transect zone
8. Proposed development program
9. Environmental Land Stewardship Program (ELSP) lands

B. Transportation Analysis: Prior to submittal of an application for an IW PD, a pre-application meeting shall be required with the Transportation Planning Division to determine the methodology required for the traffic study. The traffic study shall be submitted in accordance with the deadlines for the associated IW-PD-RP and will evaluate the existing and future conditions of the transportation network in accordance with the agreed upon methodology and will serve as data and analysis for an Innovation Way Transportation Agreement (IW-TA).

C. Environmental Land Stewardship: Identification of the amount and type of land to be dedicated to Orange County to satisfy the requirements of the Environmental Land Stewardship Program (Chapter 15, Article XVIII), consistent with Ordinance 2010-04, as it may be amended from time to time. Data must be

based on professionally acceptable standards and analysis and identification of ELSP lands shall be based on the following sources: the Innovation Way Study, Florida Natural Areas Inventory, St. Johns River Water Management District and South Florida Water Management District Databases, Florida Land Use and Cover Classification Systems, Natural Resources Conservation Service, Federal Emergency Management Agency, Florida Fish and Wildlife Conservation Commission Habitat Model Data, and specific site indicators such as topography, vegetation, soils data, floodplain information, and other field observations.

D. Consistency with the Comprehensive Plan: The justification statement should:

- 1) Identify relevant Comprehensive Plan policies
- 2) Explain how the proposed request is consistent with the identified policies.
- 3) Any privately-initiated text amendments related to the application should also be included and explained as part of the justification statement. Proposals for privately-initiated text amendments must also include an evaluation of consistency with the Comprehensive Plan.

E. Infrastructure and Public Services: Development within Innovation Way is subject to the requirements of Orange County's Concurrency Ordinance and the Capital Improvements Element.

F. Coordinated Development: Although there is separate property ownership within the Innovation Way Overlay, planning for development will occur in a coordinated, comprehensive, and integrated manner. The Conceptual Regulating Plan will establish a general guide for connectivity and coordinated development.

G. Community Meetings/Public Participation: A minimum of two community meetings/public workshops shall be held. All workshops are subject to the County's notification requirements. The County maintains the discretion to require additional community meetings/workshops as part of the application review process.

Future Land Use Map Amendment: The first community meeting is intended to provide an overview of the proposed change and to present the proposed development program and Conceptual Regulating Plan and receive feedback from residents and property owners.

Rezoning/Planned Development Regulating Plan: The purpose of the second community meeting is to present the IW PD-RP which should incorporate and acknowledge the community input received on the Conceptual Regulating Plan.

Previous Submittals: If a Future Land Use Map amendment application was previously submitted to the County for review and workshops were held consistent with the requirements of the Comprehensive Plan policies requiring a Detailed Area Plan, only one workshop is necessary to explain the proposed revisions from the previous submittal. If the Comprehensive Plan amendment and IW-PD-RP are not processed concurrently, however, the County shall require an additional community meeting when the PD- Regulating Plan is submitted. (Added 01/16, Ord. 2016-04)

FLU5.2.2

Innovation Way – Planned Development – Regulating Plan

The IW-PD-RP requires the following during the rezoning phase of a proposed development in the Innovation Way Overlay:

- A. Regulating Plan:** The Regulating Plan shall finalize the specific transect locations and establish detailed development performance standards. The performance standards in the regulating plan shall be consistent with the adopted Innovation Way Regulating Plan Structure Guide and, at a minimum, address the following:
1. Classification of streets/street hierarchy
 2. Location, boundaries and land area of transect zones
 3. Location, boundaries and land area for land use districts within the respective transect zones
 4. Block and intersection density standards within the transect zones
 5. Open space requirements
 6. Identification of Environmental Land Stewardship Program lands
 7. Maximum building heights by districts/transects
 8. Building frontage and placement standards
 9. Landscape and streetscape requirements
 10. Proposed location of major infrastructure components including water, wastewater, reclaimed water and stormwater
 11. General location of public school sites
 12. General location and size of proposed parks and open space based on development standards and park and open space types
 13. Storm water management and low impact development standards and facilities where appropriate
 14. General location of police substations, fire stations, and government buildings (if any)
- B. Planned Development-Land Use Plan:** The IW-PD-RP should be used as a mechanism to promote coordinated development that allows for a transit-ready development pattern and a comprehensive provision of infrastructure and services within the Innovation Way Overlay.
- C. Development Program:** The proposed development program shall be included and adopted as part of the IW-PD-RP. The development program shall be substantially consistent with the program submitted with the Conceptual Regulating Plan and approved with the IW FLUM amendment, with revisions necessary to reflect any changes to the boundaries of transect zones or as required for consistency with the provisions of the Regulating Plan and required Agreements.
- D. Connectivity:** All development within the Innovation Way Overlay shall provide for an interconnected transportation network. The intersection density shall range between 100 and 140 intersections per square mile. Compliance with the intersection density requirements shall be a condition placed on the IW-PD-RP and subsequent Preliminary Subdivision Plans, Development Plans, and amendments to the IW-PD-RP must meet the intersection density requirements.
- E. Transportation Analysis:** In conjunction with submittal of an application for IW PD, a pre-application meeting shall be required with the Transportation Planning Division to determine the methodology required for the traffic study. The traffic study shall be submitted in accordance with the deadlines for the IW-PD-RP and

will serve as the data and analysis for the provision of a financially feasible capital improvements plan as defined by the County and applicable policies in the adopted Comprehensive Plan, including but not limited to Objective CIE1.6 and implementing Policies CIE1.6.5 and 1.6.6.

F. Infrastructure Agreements: To facilitate coordinated infrastructure, the following items are required prior to or concurrent with the adoption of the IW-PD-RP:

1. Orange County Public School Capacity Enhancement or Mitigation Agreement;
2. Financially feasible capital improvements plan as defined by the County and applicable policies in the adopted Comprehensive Plan, including but not limited to Objective CIE1.6 and implementing Policies CIE1.6.5 and 1.6.6;
3. Adequate Public Facilities Agreement for sheriff, fire, utilities, parks and recreation; and
4. Prior to approval of the IW-PD-RP, the developer shall meet with Orange County Utilities to discuss connection points and any facility locations for water, wastewater, and reclaimed water.

G. Environmental Land Stewardship Program Compliance: Proposed ELSP lands shall be identified on the PD-IW-RP. If a proposed stewardship land is either partially or completely within the Econlockhatchee Basin, the land to be protected or development rights to be dedicated shall be uplands or wetlands, or both, within or abutting the River Protection Zone as defined by Chapter 15, Article XI. Section 15-443(1), as amended from time to time. (Added 01/16, Ord. 2016-04)

FLU5.2.3

Changes to and consistency with an Existing CRP. Upon adoption of a Comprehensive Plan Amendment and its associated Conceptual Regulating Plan, any addition or deletion of property or substantial changes to the Conceptual Regulating Plan boundaries shall be processed as an amendment to the Comprehensive Plan and shall include an evaluation and analysis of the impacts to the approved or planned land uses, overall densities, adequate public facilities, green belts, schools and other general urban community principles and the ability to meet the conceptual prototypical urban form size and density requirements. Subject to approval by the Board of County Commissioners, the uses within any particular IW-PD-RP may vary in arrangement from the adopted Conceptual Regulating Plan, provided that the overall density for the Conceptual Regulating Plan continues to meet or exceed the minimum density requirements specified in Policy FLU5.1.7.

Approval of variations shall be based on consistency with the Conceptual Regulating Plan, Map 4 of the Future Land Use Map Series, and the Innovation Way policies. The process for the review or approval of those variations shall be established in the Innovation Way land development code. (Added 08/08, Ord. 06-08, Policy 8.2.11; Amended 10/10, Ord. 2010-13; Amended 01/16, Ord. 2016-04)

OBJ FLU5.3 HOUSING. Orange County will promote the provision of workforce housing as defined by Policy H1.2.1 within the Innovation Way Overlay to ensure a diverse mix of housing types and prices. Development within the Innovation Way Overlay is intended to create complete communities that offer a diversity of housing types to support a variety of lifestyles, family sizes, and opportunities for people to work and live within the same community. (Added 08/08, Ord. 06-08, Obj. 8.3; Amended 01/16, Ord. 2016-04)

POLICIES

FLU5.3.1 Granny flats and garage apartments will not be included in unit or density calculations. Loft apartments and rental units over retail or office may be included in unit calculations for density considered for an exemption from unit calculations for density purposes in the IW-PD-RP, or substantial changes thereto. In accordance with Policy H1.2.6, opportunities to include workforce housing and associated incentives shall be discussed and coordinated with Orange County staff at the time of the IW-PD-RP. (Amended 01/16, Ord. 2016-04)

OBJ FLU5.4 ENVIRONMENTAL RESOURCE MANAGEMENT. To ensure that viable environmental communities are sustained during and after development, Orange County has develop a Natural Resources Conservation Program that includes adoption of an Environmental Land Stewardship Program for the Innovation Way Study Area for key environmental features and existing protected areas.

Key unprotected areas have been identified for protection through mechanisms including development buffers, acquisition, conservation easement, and/or requiring that all development use ecologically friendly design at the neighborhood level by promoting conservation, creating nature trails and boardwalks, providing educational opportunities, and promoting expedited design reviews for projects that are environmentally friendly.

Designs will create a friendlier pedestrian environment (walking and biking), create a wider variety of active and passive recreational uses, maintain large patches of natural vegetation, and minimize fragmentation of natural resources.

Designs will maintain viable habitat areas to include natural vegetation, transitioning through passive uses, and avoid fragmentation of natural resources. (Added 08/08, Ord. 06-08; Amended 10/09, Ord. 2009-28; Amended 06/10, Ord. 10-07, Obj. 8.4)

POLICIES

FLU5.4.1 Wetland and environmentally sensitive corridors significant to the Overlay area shall be identified prior to preparation of regulating plans affecting such corridors. Any new crossings of such corridors shall be evaluated on a case-by-case basis and the number of new crossings shall be minimized to the greatest extent practicable. In addition, effective wildlife crossings will be provided to maintain the continuity of affected wetland and environmentally sensitive corridors. To enhance the effectiveness of these wildlife crossings, Orange County shall require appropriately sized crossings and fencing to direct target species to the crossings. (Added 01/16, Ord. 2016-04)

FLU5.4.2 Orange County's land development code will be amended, if applicable, by July 1, 2017 to consider and implement appropriate mechanisms to preserve Ecologically Important Lands through acquisition and/or conservation easements. Ecologically Important Lands are defined as lands, with a qualifying environmental characteristic or function based on scientific data or study. Lands that should be protected include key wildlife corridors and key habitat, which are defined as follows: contiguous stands of natural plant communities that have the potential to support healthy and diverse populations of plants and animals, including, but not limited to, state and federal Imperiled Species. Orange County has addressed the protection of state and federal Imperiled Species with the implementation of Objective FLU5.5 and the underlying policies. (Added 08/08, Ord. 06-08; Amended 10/09, Ord. 2009-28; Amended 06/10, Ord. 10-07, Policy 8.4.4-r; Amended 01/16, Ord. 2016-04)

- FLU5.4.3 Development shall minimize damage to wetland/environmentally sensitive areas by ensuring that public and private roads are sited on lands affording the least environmental impact, including impacts to the hydraulic needs of natural systems, FFWCC designated critical habitats and wildlife corridors. (Added 08/08, Ord. 06-08; Amended 10/09, Ord. 2009-28, Policy 8.4.6; Amended 01/16, Ord. 2016-04)
- FLU5.4.4 The County will collaborate with the Florida Fish and Wildlife Conservation Commission (FFWCC) to develop site development standards that promote preservation of wildlife during construction and focus on the provision of useable habitat post-development. Such site development standards shall include but are not limited to monitoring, low voltage lighting, berms, and fencing. Post-construction measures may include, but are not limited to native plantings, low voltage lights, berms, fencing and controlled burns.. (Added 08/08, Ord. 06-08, Policy 8.4.7-r; Amended 01/16, Ord. 2016-04)
- FLU5.4.5 Orange County will collaborate with the FFWCC, the U.S. Fish and Wildlife Service (FWS), the Central Florida Expressway Authority, and Florida Department of Transportation to establish development standards to ensure that wildlife crossings are provided at public roads that cross river systems, wetlands, and other potential wildlife corridors. To facilitate these wildlife crossings, Orange County shall require appropriately sized crossings and fencing to direct species to the crossings. (Added 08/08, Ord. 06-08; Amended 10/09, Ord. 2009-28, Policy 8.4.8-r; Amended 01/16, Ord. 2016-04)
- FLU5.4.6 Orange County will continue to use the County's clustering policies to encourage the preservation of native uplands and to further minimize wetland and floodplain impacts. (Added 08/08, Ord. 06-08, Policy 8.4.10; Amended 01/16, Ord. 2016-04)
- FLU5.4.7 Orange County shall identify transect zones and land use districts through the CRP and IW-PD-RP approval process that establish appropriate densities for lands abutting the Econlockhatchee River Corridor and other regionally significant wetland/environmentally sensitive areas. The transect zones would be implemented through continued use of appropriate low density type land use designations (e.g., 1 DU/acre), clustering and/or through environmental overlay areas. Density and intensity of development permitted on parcels or property wholly or partially within the corridor are encouraged to concentrate or cluster on the most landward portions of the parcel or parcels. (Added 08/08, Ord. 06-08; Amended 10/09, Ord. 2009-28, Policy 8.4.11; Amended 01/16, Ord. 2016-04)
- FLU5.4.8 The County shall require upland buffers for environmentally sensitive areas within the Innovation Way Study Area and determine the appropriate criteria for such buffers, which may be similar to those used in the Econlockhatchee River Protection Area. (Added 08/08, Ord. 06-08; Amended 10/09, Ord. 2009-28, Policy 8.4.12-r; Amended 01/16, Ord. 2016-04)
- FLU5.4.9 Orange County will continue to coordinate with the Water Management Districts on all development approvals to ensure the continued protection of the water quality standards of the Econlockhatchee River as an Outstanding Florida Water. (Added 08/08, Ord. 06-08, Policy 8.4.13; Amended 01/16, Ord.2016-04)
- FLU5.4.10 To promote wildlife usage and corridors, all proposed development within the Innovation Way Study Area shall incorporate the use of native vegetation in the landscaping. (Added 08/08, Ord. 06-08; Amended 10/09, Ord. 2009-28, Policy 8.4.14-r; Amended 01/16, Ord. 2016-04)

OBJ FLU5.5 ENVIRONMENTAL LAND STEWARDSHIP PROGRAM. In fulfillment of Objective FLU5.4, the following Environmental Land Stewardship Program is established to ensure that a viable network of environmentally sensitive lands is sustained during and after development of approved sites within Innovation Way. (Added 08/08, Ord. 06-08; Amended 10/09, Ord. 2009-28, Objective 8.5)

POLICIES

FLU5.5.1 The requirement for Innovation Way property owners to participate in the Environmental Land Stewardship Program (ELSP) is hereby incorporated into the Comprehensive Plan pursuant to Chapter 163, Florida Statutes. The requirements for the ELSP, referred to in the following Policies as the "Program," have been adopted by Ordinance No. 2010-04.

The ELSP shall include measures to ensure perpetual protection of certain ecologically important lands within the Innovation Way Study Area consistent with the principles identified in FLU5.5.2. These lands include conservation areas, certain developable areas, stewardship lands and preservation areas. The *Innovation Way ELSP Conceptual Map 2009* is a guiding document that shows the conceptual location of lands to be included in the ELSP. (Added 01/16, Ord.2016-04)

FLU5.5.2 Orange County shall coordinate with the owners of land within the Innovation Way Study Area to establish alternative uses consistent with the goals of Innovation Way and the ELS Program. Such alternative uses may include, but are not limited to:

- A. Option agreements for sale to public entities or recognized conservation oriented land acquisition agencies. These agreements may be in the form of fee simple ownership or conservation easement;
- B. Stewardship lands may be used as passive recreation and open space if designed in an environmentally friendly manner; and
- C. Use of stewardship lands as recipient sites for gopher tortoises and/or other protected species.

Stewardship lands are those lands offered for preservation through the ESLP that are determined to be consistent with Comprehensive Plan Objective FLU5.5 and associated policies. Stewardship Lands must meet one or more of the principles of ELSP, which are to:

- A. Provide additional buffers along the Econlockhatchee River;
- B. Provide adequate crossings for wildlife and water conveyance;
- C. Enhance or create wildlife corridors;
- D. Protect habitat on ecologically important lands; or
- E. Protect rare habitat. (Amended 01/16, Ord.2016-04)

FLU5.5.3 All property owners seeking a Conceptual Regulating Plan and/or IW-PD-RP, within the Innovation Way Overlay must commit to the protection of stewardship lands or dedicate suitable lands to the County or a County-approved conservation-related public or private entity pursuant to the requirements of the ELSP Ordinance. If the proposed stewardship land is either partially or completely within the Econlockhatchee Basin, the land to be protected or development rights to be dedicated shall be uplands within or abutting the River Protection Zone as defined by Chapter 15, Article XI, Section 15-443(1), as amended from time to time. (Added 10-09, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

FLU5.5.4

The *Innovation Way ELSP Conceptual Map 2009*, is hereby incorporated into the Future Land Use Element Map Series as Map 20. (Added 10/09, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

OBJ FLU5.6 GREEN INFRASTRUCTURE. Orange County shall develop a coordinated Green Infrastructure program for Innovation Way to address requirements for the provision of parks and open space, stormwater management and low impact development practices, energy conservation, and site lighting.
(Added 01/16, Ord. 2016-04)

POLICIES

FLU5.6.1 Orange County will amend the land development code, to include practices to guide sustainable development, such as, but not limited to, the Florida Green Development Designation Standard, innovative mechanisms to preserve environmentally sensitive areas that consider development siting and land use issues, energy conservation, water, and, energy- and resource-efficient products. (Added 01/16, Ord. 2016-04)

FLU5.6.2 Orange County shall develop education programs and requirements for Innovation Way that encourage Waterwise landscaping and other water conservation measures. The County will, through development approvals and regulation changes, minimize the amount of impervious surface area for development in the Innovation Way Overlay Area. (Added 01/16, Ord. 2016-04)

FLU5.6.3 Master planning stormwater requirements shall be the preferred method to address the permitting requirements of Orange County and the Water Management Districts of jurisdiction. Wherever feasible, stormwater facilities should be located and sized to accommodate stormwater from multiple basins. Joint use stormwater facilities intended to serve drainage requirements associated with major thoroughfares as well as adjoining development should also be planned to provide the maximum benefits associated with master planning. It is the County's desire to reduce the number of stormwater facilities for which maintenance is required, and to increase opportunities to utilize master planned facilities as site amenities and as focal points for development within Innovation Way, while still being protective of the hydrologic needs of natural systems. (Added 01/16, Ord. 2016-04)

FLU5.6.4 The use of Low Impact Development (LID) practices will be encouraged by Orange County, particularly for:

- A. Basins that drain to an impaired water body for which a BMAP is applicable; and
- B. For land use districts that are intended for intense residential and non-residential development.

LID practices should be utilized, at a minimum, to improve water quality of receiving bodies, limit the amount of gray infrastructure required, and to reduce the amount of post development stormwater discharge. (Added 01/16, Ord. 2016-04)

FLU5.6.5 Parks and open space shall be provided for use by residents, employees, and the general public for many different functions, requiring a range of sizes and types. All parks shall be connected to each other by the network of sidewalks, trails, and streets. These spaces should be integrated into the fabric of the community along with other public infrastructure systems such as streets, utilities, and stormwater drainage. Therefore, a multitude of parks of different size and character is better than a small number of larger parks. Different elements of each park fall along a spectrum as described below and standards for these elements will be developed and included in the IW-PD-RPs:

- A. Design ranging from formal to informal;
- B. Use ranging from active to passive;
- C. Activities ranging from planned and structured to spontaneous and unstructured; and,
- D. Sizes ranging from tiny to expansive. (Added 01/16, Ord. 2016-04)

FLU5.6.5.1 Parks and Open Space. In order to accommodate a wide range of park sizes and types, all development within Innovation Way land use districts shall provide park space classified in the following levels:

- A. Adequate Public Facilities (APF) Parks – APF parks are intended to be community-scale parks with a target size of at least twenty (20) acres. The locations of APF parks are identified as part of the IW-PD-RP. These parks are intended to be sized and designed to ultimately fall under County ownership and maintenance and they are to be included in an “Adequate Public Facilities Agreement”.
- B. Parks and Open Space. Parks and open space are intended to serve day-to-day park needs, provide for spatial community organization, and link homes, offices and workplaces with outdoor spaces. Parks and open space shall make up at least seven (7) percent of the net developable acreage of a land use district, and their type and location will be determined based on a service radius linked to the size of the park or open space and other criteria as defined in the standards associated with the IW-PD-RP, except as provided in Policy 5.1.6. These parks and open space shall be owned and maintained by a Home Owners Association or other similar entity. (Added 01/16, Ord. 2016-04)

OBJ FLU5.7 ECONOMIC DEVELOPMENT. Orange County shall promote economic development within Innovation Way through strategic job creation linkages to the University of Central Florida and Medical City/Orlando International Airport and the provision of incentives to attract High Tech/Clean Tech industries. These actions are intended to create economic diversification and increased average annual salaries while making Orange County a recognized national leader in merging development need with transportation system availability and environmental sustainability. (Added 08/08, Ord. 06-08, Obj. 8.6; Amended 01/16, Ord. 2016-04)

POLICIES

FLU5.7.1 Orange County will develop a program that includes: incentives to promote Innovation Way as a premiere high-tech/clean-tech community; the identification of public/private partnership opportunities for infrastructure planning and development supporting sites intended for high-tech/clean-tech industries; and, a target industry analysis of high-tech/clean tech companies that provides a framework for economic development strategies designed to attract and site such industries. Orange County will coordinate with the Linkage Program Area property owners in the development of the program.(Added 08/08, Ord. 06-08, Policy 8.6.2-r; Amended 01/16, Ord. 2016-04)

FLU5.7.2 Orange County shall develop programs that provide expedited site and development plan review for Innovation Way development proposals that include high-tech/clean-tech users, similar to the expedited development review process used for certified affordable housing projects. Orange County shall coordinate with appropriate state or regional entities in the expedited processing of approvals and permits for high-tech/clean-tech uses. (Added 08/08, Ord. 06-08, Policy 8.6.3; Amended 01/16, Ord. 2016-04)

Policies FLU5.8.2 through FLU5.8.5 were deleted (10/10, Ord. 2010-13)

OBJ FLU5.9 TRAIL SYSTEM. Innovation Way should include a system of bicycle and pedestrian trails that will accommodate commuters as well as a greenway network that respects the natural environment, buffers incompatible land uses, and provides right-of-way for bicycle and pedestrian trails. (Added 08/08, Ord. 06-08, Obj. 8.9)

POLICIES

FLU5.9.1 Orange County will continue to develop the regional recreational trail system, where appropriate, that connects county parks and other publicly owned environmentally sensitive areas. (Added 08/08, Ord. 06-08, Policy 8.9.1)

FLU5.9.2 Orange County will negotiate with developers and landowners to obtain rights-of-way that further the regional recreational trail system. (Added 08/08, Ord. 06-08, Policy 8.9.2)

FLU5.9.3 Orange County will work with the landowners and developers to ensure that sufficient land, commensurate with the needs of the projected population, is identified and set aside for an Activity-based Community/Regional Park within Innovation Way. (Added 08/08, Ord. 06-08, Policy 8.9.3)

OBJ FLU5.10 INNOVATION WAY FUNDING. Orange County will work with developers, landowners, MetroPlan Orlando, Florida Department of Transportation, Central Florida Expressway Authority, Lynx, and other transportation agencies as needed to ensure adequate funding for the transportation network. (Added 08/08, Ord. 06-08, Obj. 8.10; Amended 01/16, Ord.2016-04)

POLICIES

FLU5.10.1 The County will consider a full range of financing options to facilitate the funding the construction of Innovation Way. (Added 08/08, Ord. 06-08, Policy 8.10.2; Amended 01/16, Ord. 2016-04)

FLU5.10.2 Orange County shall evaluate alternative funding mechanisms to finance adequate public facilities in Innovation Way. The County may require, as a condition of development approval, the participation of the development in such funding programs. (Added 08/08, Ord. 06-08, Policy 8.10.3; Amended 01/16, Ord. 2016-04)

OBJ FLU5.11 PUBLIC SCHOOLS. Recognizing that public schools are one of the key recruiting assets for new businesses, Orange County shall continue to work with the Orange County Public School (OCPS) to provide an excellent school system for Innovation Way and surrounding areas. Orange County in collaboration with OCPS will work to provide adequate resources to ensure public schools are provided in a timely manner to accommodate anticipated school age children and to locate school sites in close proximity to neighborhoods that promotes walking, creates community centers, provides opportunities for multi-use public spaces. (Added 08/08, Ord. 06-08, Obj. 8.11)

POLICIES

FLU5.11.1 Elementary schools shall be centrally located in neighborhoods. Housing units should generally be located within a half-mile of elementary schools. Where feasible, parks should be co-located with school sites. (Added 08/08, Ord. 06-08, Policy 8.11.1)

FLU5.11.2 Orange County shall provide technical assistance to OCPS and developers to ensure that school sites are planned and reserved during project master planning. (Added 08/08, Ord. 06-08, Policy 8.11.2)

OBJ FLU5.12 WATER, WASTEWATER, AND RECLAIMED WATER. Orange County will provide a reliable water supply for the Innovation Way Study Area and will provide adequate wastewater treatment capacities. (Added 08/08, Ord. 06-08, Obj. 8.12; Amended 01/16, Ord. 2016-04)

POLICIES

- FLU5.12.1 Orange County will work with the water management districts to explore alternatives to ensure adequate water capacity for qualified high tech users. This capacity may be obtained from a variety of sources to include withdrawal from surficial sources as may be appropriately permitted. (Added 08/08, Ord. 06-08, Policy 8.12.1)
- FLU5.12.2 Orange County will require connection to central water, wastewater and reclaimed water collection and transmission infrastructure for all new development approved. (Added 08/08, Ord. 06-08, Policy 8.12.2; Amended 01/16, Ord. 2016-04)
- FLU5.12.3 Water, wastewater, and reclaimed water transmission and collection infrastructure shall be sized to accommodate the ultimate flows at build-out associated with each Future Land Use Map Amendment Area (e.g., ICP, IWE, and Camino Reale). Sizes and connection points to existing utilities shall be in accordance with a detailed Master Utility Plan approved by Orange County Utilities. Water, wastewater and reclaimed water systems shall be designed to facilitate future extensions. (Added 01/16, Ord. 2016-04)

LAND AND ENVIRONMENTAL ASSETS

GOAL FLU6 PROTECTION OF RURAL LAND RESOURCES AND OTHER ASSETS. The County will promote the management of land uses within the Rural Service Area, including agricultural lands, historic resources, the Lake Pickett Study Area, and Rural Settlements, together with environmental lands, natural resources and the Wekiva and Econlockhatchee River Protection Areas environmental lands including the Wekiva Area, so as to conserve these assets and their values. (Goal 2-r; Amended 07/16, Ord. 2016-17)

OBJ FLU6.1 RURAL SERVICE AREA. Orange County shall designate that portion of the County outside the Urban Service Area as the Rural Service Area. The intended rural character and assets of the Rural Service Area shall be promoted through the following policies. (Obj. 2.3)

POLICIES

FLU6.1.1 The Future Land Use correlation for the Rural Service Area is:

| <i>Future Land Use (R)</i> | <i>Zoning</i> |
|----------------------------------|--|
| Rural /Agricultural (1 DU/10 AC) | A-1, A-2, A-R, R-CE |
| Lake Pickett (LP) | Lake Pickett-Planned Development-Regulating Plan (PD-RP) |

(Amended 07/16; Ord. 2016-17)

FLU6.1.2 Orange County shall enforce criteria to ensure the scale, and density and/or intensity of development within the Rural Service Area so that it promotes the intended rural character. The regulations may include, but shall not be limited to, height limitations and buffer requirements. (Added 12/00, Ord. 00-25, Policy 2.3.1-r)

FLU6.1.3 Residential uses in areas designated Rural shall be limited to a maximum density of 1 DU/10 acres.

Density shall refer to the total number of units divided by developable land area, excluding natural water bodies and conservation areas (wetlands areas). Agriculturally zoned areas that do not have active agricultural use may be the subject of amendments to the comprehensive plan in order that such areas may be rezoned to an appropriate residential category. Cluster zoning shall not be permitted in the Rural Service Area except where required for protection of significant environmental features, such as Wekiva Study Area, Class I conservation areas, or rare upland habitat. (Added 11/99, Ord. 99-19; Amended 10/10, Ord. 2010-13, Policy 2.2.4-r)

FLU6.1.4 Institutional uses, such as wastewater treatment and landfill facilities, whether operated by a local government or private enterprise, while allowed in the Rural Service Area shall not be an impetus for additional urban development in the Rural Service Area. (Policy 2.3.2)

FLU6.1.5 Agriculturally zoned land shall be rezoned to an appropriate residential district prior to subdivision for residential purposes. (Policy 2.2.3)

FLU6.1.6 Orange County shall promote agribusiness to accommodate uses such as vegetable and fruit packaging, ornamental horticulture operations, fish culture, and other new and innovative agribusiness and support functions. (Added 12/00, Ord. 00-25, Policy 2.2.2-r)

FLU6.1.7 Orange County shall evaluate the Conservation Subdivision as a development tool for Rural Settlements within the Rural Service Area. In addition, Orange County shall support the use of low impact development strategies as a means to conserve water, soils, and vegetation where needed. Such techniques shall not be used to enable more density than would be allowable in the Rural Service Area.

FLU6.1.8 Under special conditions, the County may consider approval of those uses that by their nature:

- A. Require isolation due to a high degree of security for national defense purposes, such use may involve hazardous operation or testing that should be located in remote areas away from population concentrations; or
- B. by their nature are appropriate to locate in the Rural Service Area. Such uses may include gun ranges, landfills, and kennels.

Both types of uses will require review as a special exception to the existing zoning or under the Planned Development zoning category; with special attention and analysis applied to the following considerations, at a minimum:

- A. General public safety measures;
- B. Environmental impacts, particularly related to surface and subsurface hydrological effects and endangered flora and fauna;
- C. Access limitation considerations and increased service provisions to ensure an adequate level of self-sufficiency, and
- D. Availability and requirements for central water service
- E. Where such uses are located in the Rural Service Area, but adjacent to the Urban Service Area, these uses requiring isolation or separation from residential uses may be approved by the Board of County Commissioners for central water services. Central water services provided within the Rural Service Area may only be approved when the applicant agrees to pay all connection fees related to water services, where central water is available immediately adjacent to the project, and where the use of a potable well would clearly present a health hazard due to the normal byproducts of the activities proposed on the subject site. Connection to such services shall not be an impetus or basis to urbanize adjacent land, nor can it create a precedent for adding additional properties into the Urban Service Boundary. Any alternative use will require an amendment to the Future Land Use Map of the comprehensive plan. (Added 11/99, Ord. 99-19, Policy 2.2.5)

FLU6.1.9 Notwithstanding the requirement of FLU6.1.3 (that no development shall occur on parcels less than ten acres in size within the Rural Service Area), any parcel of property that was legally created and either (A) recorded in the Public Records of Orange County prior to May 21, 1991, or (B) sold under a valid "contract for deed" prior to May 21, 1991 and that has a land use designation permitting a residential structure, in addition to other permitted uses, may be developed with a single principal residential structure and related ancillary structures. Furthermore, nothing in Future Land Use FLU6.1.3 shall act to prevent an existing or future residential structure from being expanded, enlarged, renovated, demolished or removed, and rebuilt or replaced. However, nothing in this policy shall act to exempt any project from other County land development regulations, and multiple contiguous parcels in common ownership or under a common "contract for deed" as of May 21, 1991, shall be aggregated and deemed to be one parcel for purposes of this policy. (Policy 3.7.7-r)

- FLU6.1.10 Orange County shall support the goals of the Rural Land Stewardship program as presented in Chapter 163.3248, F.S., and consider cooperative implementation of this program where there are interested property owners, and adjoining entities willing to participate in this effort. (Amended 06/17, Ord. 2017-12)
- FLU6.1.11 Orange County shall protect and promote the vitality of the nursery industry in Northwest Orange County.
- FLU6.1.12 Orange County shall continue to promote the long-term viability of agricultural uses, and agribusiness itself, as an economic asset. (Obj. 2.2-r)
- FLU6.1.13 Orange County will support the creation and availability of fresh food initiatives and efforts, including local farmers markets, community vegetable gardens, and other small scale agricultural efforts that promote local sustainability.

OBJ FLU6.2 RURAL SETTLEMENTS. Rural Settlements provide for a rural residential lifestyle. In some instances, Rural Settlements allow a transition of rural areas adjacent to the Urban Service Area while avoiding development in active agricultural areas. Rural Settlements were intended to recognize and preserve existing development patterns at the time the Comprehensive Plan was adopted in 1991. The creation of Rural Settlements recognized the need to maintain agricultural areas and rural uses in the Rural Service Area, while providing for rural communities. (Added 12/00, Ord. 00-25, Obj. 2.1-r)

POLICIES

FLU6.2.1 The following Rural Settlements shall be designated on the Future Land Use Map to meet the desire for a rural lifestyle. No new Rural Settlements or expansions to the existing Rural Settlement boundaries shall occur.

| <i>Rural Settlements</i> |
|------------------------------------|
| Bithlo |
| Bridle Path (annexed by Apopka) |
| Christmas |
| Clarcona |
| Corner Lake |
| Gotha |
| Lake Avalon |
| Lake Hart/Lake Whippoorwill |
| Lake Mary Jane |
| Lake Pickett |
| North Apopka/Wekiva |
| North Christmas |
| Otter Lake |
| Paradise Heights |
| Rainbow Ridge |
| Sunflower Trail/Seaward Plantation |
| Tangerine |
| Tildenville |
| Wedgefield |
| West Windermere |
| Zellwood |
| Zellwood Station |

Rural Settlements were implemented to recognize communities that existed at the time of the 1991 Comprehensive Policy Plan adoption. The intent of the prohibition of expansions of existing or the creation of new rural settlements is to focus development within the County’s Urban Service Area and discourage the proliferation of extended Rural Settlement boundaries. In addition this policy will allow time for vacant and committed lands within existing Rural Settlements to develop as a means of satisfying this style of living. This policy will be monitored and evaluated as part of the 2014 EAR. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07, Policy 2.1.1-r)

- FLU6.2.2 Every effort shall be made to preserve the existing character of the Christmas, Clarcona, Gotha, Tangerine, and Zellwood Rural Settlements as part of Orange County's heritage and historic preservation. Rural Settlements may be designated as Preservation Districts for the purposes of municipal annexation pursuant to the Orange County Charter, Article V. (Added 12/00, Ord. 00-25, Policy 2.1.2-r)
- FLU6.2.3 Development proposals consisting of over 10% of the overall acreage of the Rural Settlement or greater than 25 residential units within a Rural Settlement shall have final approval as a Planned Development. The Planned Development shall reflect the intended rural character consistent with the criteria listed in Future Land Use Policies FLU6.2.4 and FLU6.2.5. (Added 12/00, Ord. 00-25, Policy 2.1.6)

- FLU6.2.4 The County may use the Planned Development designation to ensure new development within the Rural Settlement contributes to the community's sense of place. These criteria shall include, but not be limited to, the following:
- A. Designs for new roads, and alterations to existing roads, should ensure the physical impact on the natural and historic environment is kept to a minimum;
 - B. New roads or road improvements shall be designed to accommodate the anticipated volume and nature of traffic, but pavement shall be kept as narrow as safety allows while encouraging equestrian, bicycle, pedestrian, and other non-motorized, alternative means of transportation, preservation of wildlife corridors and habitat, and aesthetically pleasing landscape treatment; and,
 - C. New buildings and structures shall be located where their construction or access does not cause substantial modification to the topography and natural resources.
 - D. Provide for increased setbacks along roadways to preserve views, open space, and rural character; and provide guidelines for lot layout and cluster development for residential development to maintain open space and rural character. (Added 12/00, Ord. 00-25, Policy 2.1.7-r)
- FLU6.2.5 The permitted densities and intensities of land use within the Rural Settlements shall maintain their rural character. Factors to be considered shall include lot size, open space and views, tree canopy, building location and orientation, and compatibility with existing land uses. Density and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(B). (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07, Policy 2.1.8-r, 2.1.9-r)
- FLU6.2.6 The Future Land Use Map shall reflect the permitted densities of development within the Rural Settlements. Clustering of units with dedicated open space shall be allowed so long as the overall density does not exceed that specified on the Future Land Use Map. Density and Floor Area Ratio (FAR) calculations shall be defined as the language specified in the Future Land Use Element Policy FLU1.1.2(B). (Added 8/92, Ord. 92-24; Amended 8/93, Ord. 93-19; Amended 6/10, Ord. 10-07, Policy 1.1.11)
- Clustering shall be supported to maintain the rural character through preservation of open space and lot layout and design. Generally recognized and accepted conservation subdivisions can be used where they minimize impacts on areas with rural character provided their use is consistent with the overall intent of Rural Settlement boundaries.
- Clustering, with permanent protection of open space, shall be encouraged or required for all new development and redevelopment within the Wekiva Study Area, based on location, i.e., Urban Service Area, Rural Service Area, Rural Settlement, Growth Center and overall project acreage. The County shall evaluate incentives to further the implementation of open space preservation and maximum impervious surface ratios and include these in the Land Development Code. (Added 12/00, Ord. 00-25, Policy 2.1.9-r)
- FLU6.2.7 Amendments to the residential densities of the Rural Settlement shall not allow residential densities greater than one dwelling unit per acre, except for those exemptions listed below:
- A. Land designated Low Density and Low-Medium Density Residential at the time of the 1991 Comprehensive Plan adoption;
 - B. County certified affordable housing projects that are rural in character and meet the Small Scale FLUM criteria and requirements. (Added 6/94, Ord. 94-13; Amended 12/00, Ord. 00-25, Policy 2.1.10)

- FLU6.2.8 Residential development in a Rural Settlement may be permitted up to two (2) dwelling units per acre in limited areas that are adjacent to higher density or intensity urban development located in adjacent municipal jurisdictions, provided site design standards are provided to ensure compatibility with the Rural Settlement. This provision is intended to serve as a buffer and transition. The Future Land Use designation of Rural Settlement Low Density Residential shall be restricted to no more than 2 DU/AC. Parcels greater than 25 Acres must be approved as a PD. Higher density shall only be considered if existing or vested development. Adjacency requires a minimum of 25% contiguity. Such increased density shall not be an impetus for the provision of central services within Rural Settlements. (Added 6/94, Ord. 94-13, 12/00, Ord. 00-25, Policy 2.1.17-r)
- FLU6.2.9 RESERVED.
- FLU6.2.10 The future land use, density, and intensity of development adjacent to a Rural Settlement shall not negatively impact the character of the Rural Settlement. Density on adjacent parcels shall be reviewed in the context of its compatibility with the Rural Settlement. Additional compatibility may be provided using buffering or the clustering of units with dedicated open space, consistent with Future Land Use FLU6.2.6. Adjacent development shall be designed to produce minimal impact on local roads within the Rural Settlement. (Added 12/00, Ord. 00-25, Policy 2.1.18)
- FLU6.2.11 Neighborhood commercial and office uses shall be allowed in Rural Settlements in areas designated for such on the Future Land Use Map. Only those commercial and office uses that will support existing residential uses shall be permitted in Rural Settlements. The scale and intensity of commercial and office uses must be compatible with the development pattern of the existing Rural Settlement. Corner stores or professional services that utilize existing structures and small scale personal services permitted within agricultural zoning are the type of non-residential uses consistent with Rural Settlements. Limited C-1 zoning uses and FARs up to 0.15 shall be considered suitable for Rural Settlements that have maintained their historic character. (Added 12/00, Ord. 00-25, Policy 2.1.12-r)
- FLU6.2.12 Neighborhood commercial uses in Rural Settlements shall be developed according to the following criteria:
- A. These uses shall be located to serve the residents of the rural area and not primarily to attract "pass-by" trips; and,
 - B. These uses shall contain retail and personal services intended to serve the immediate population. (Added 12/00, Ord. 00-25, Policy 2.1.14)
- FLU6.2.13 Any proposed use within a Rural Settlement intended for the construction of a structure(s) with a Gross Buildable Area of 50,000 square feet (on a cumulative basis) or more or projected to have a weekly trip rate of 10,000 total trips may be considered inappropriate for a Rural Settlement if the following conditions exist:
- A. The proposed use is located in a Rural Settlement that has maintained a rural and historic character, consistent with the intent of Rural Settlements;
 - B. It is determined that the proposed use(s) by size, massing, and traffic, will unduly impact the historic and rural character of the Rural Settlement;
 - C. The use, as determined by a market study, is primarily intended for those whose daily life activities do not occur within the Rural Settlement;and
 - D. It is not demonstrated that other potential sites were evaluated as being suitable. (Amended 11/17, Ord. 2017-19)

- FLU6.2.14 Industrial uses in the Rural Service Area shall be permitted only as shown on the Future Land Use Map within the Rural Settlements of Bithlo, Christmas, and Zellwood. Any development order permitting industrial uses within a Rural Settlement shall be consistent with the Orange County Individual On-site Sewage Disposal System (OSDS) Ordinance, Article 17, Chapter 37 of the Orange County Code and shall be contingent upon the provision of adequate fire flows. Furthermore, such industrial uses shall be limited to those that do not produce hazardous, toxic, or industrial waste. Further industrial designations shall be prohibited from all Rural Settlements including Bithlo, Christmas, and Zellwood. (Added 12/00, Ord. 00-25, Policy 2.1.13)
- FLU6.2.15 Expansion of existing water and wastewater facilities providing service to Rural Settlements shall be consistent with Conservation Element C1.11.7, Potable Water, Wastewater and Reclaimed Water Element Objectives WAT1.5 and WAT1.6, and applicable Future Land Use Policies. The existing capacity shall not be used as a reason for increased densities within the Rural Settlement. (Added 12/00, Ord. 00-25, Policy 2.1.15)

OBJ FLU6.3 Orange County shall protect and preserve certain existing Rural Settlements and their established neighborhoods, which by their particular location, may be impacted by adjacent urban uses. This objective shall be made measurable by implementing the following policies. (Added 05/01, Ord. 01-11, Obj. 2.4)

POLICIES

Lake Hart/Lake Whippoorwill Rural Settlement

- FLU6.3.1 Orange County shall continue to address development impacts to the Lake Hart/Lake Whippoorwill Rural Settlement from adjacent properties in the City of Orlando via agreements or studies. (Added 5/01, Ord. 01-11, Policy 2.4.1-r)
- FLU6.3.1.1 The Narcoossee Road-Lake Hart/Lake Whippoorwill Rural Settlement Study refers to properties fronting the eastern side of Narcoossee Road from Kirby Smith Road to Tyson Road. A map depicting this Study Area shall be incorporated into the Future Land Use Element Map Series as Map 19. (Added 10/09, Ord. 2009-28; Amended 11/15, Ord. 2015-20)
- FLU6.3.1.2 To recognize the importance of protecting the visual, residential and environmental character of the Lake Hart/Lake Whippoorwill Rural Settlement and Lake Whippoorwill, which both adjoin the Study Area to the east, Orange County and the City of Orlando have entered into an interlocal agreement, approved by the Board of County Commissioners (BCC) on September 22, 2015, to provide general planning principles for the Narcoossee Roadway Corridor Study Area (depicted on Map 19 of the Future Land Use Map Series) in the event the City annexes or has annexed any portion of this Study Area and considers an application to amend the City's Growth Management Plan or an application for a development order for the area annexed. The interlocal agreement provides standards that ensure a transition from higher densities and intensities along the properties immediately abutting the east side of Narcoossee Road to lower densities and intensities abutting the Rural Settlement and Lake Whippoorwill, which are largely similar to standards outlined in Policies FLU6.3.2 through FLU6.3.4.2. (Added 11/15, Ord. 2015-20)
- FLU6.3.2 On November 18, 2008, the Narcoossee Road-Lake Hart/Lake Whippoorwill Rural Settlement Study was presented to the Board of County Commissioners. The study's intent was to provide sound planning guidelines along the east side of Narcoossee Road in keeping with development occurring in the City of Orlando to the west, and to transition the intensity of land uses from Narcoossee Road east to the Rural Settlement in order to protect the Rural Settlement and Lake Whippoorwill. Policies FLU6.3.2.1 through FLU6.3.4.2 shall apply only to properties with direct frontage on the east side of Narcoossee Road between Kirby Smith Road and Tyson Road in the Lake Hart/Lake Whippoorwill Rural Settlement. Nothing in these policies shall be construed to convey entitlements of development rights.

To address the specific and unique issues affecting the Lake Hart/ Lake Whippoorwill Rural Settlement, applications for development approval for property fronting on Narcoossee Road in the Lake Hart/Lake Whippoorwill Rural Settlement shall be processed as Planned Developments (at both the Comprehensive Plan Amendment and the rezoning stage) to ensure compatibility with the Rural Settlement. (Added 5/01, Ord. 01-11; Amended 10/09, Ord. 2009-28, Policy 2.4.2-r; Amended 11/15, Ord. 2015-20)

FLU6.3.2.1 Upon adoption by the Board of County Commissioners, a property which is granted a future land use change to Planned Development (PD) pursuant to Policy FLU6.3.2 will be included in the Urban Service Area (with the exception of the portion of the PD that retains a Rural Settlement designation pursuant to Policies FLU6.3.2 and FLU6.3.2.2, which will remain in the Rural Settlement). As part of the application submittal, the applicant must demonstrate that the request is consistent with Orange County's goals for the Narcoossee Road corridor and must identify three development zones: a 'frontage zone' which abuts Narcoossee Road; a 'rural settlement zone' adjacent to Lake Whippoorwill; and a 'transition zone' which is the remaining area between the 'frontage zone'; and the 'rural settlement zone'. (Added 10/09, Ord. 2009-28; Amended 11/15, Ord. 2015-20)

FLU6.3.2.2 Compatibility requirements shall address transitional uses, appropriate mass and scale of structures, architectural features, increased buffers, and other performance standards deemed appropriate during review by the Development Review Committee.

Proposed future land use changes that include commercial uses also shall be consistent with the requirements of FLU1.4.3 through FLU1.4.15.

To provide transition between development occurring on Narcoossee Road and the land adjacent to the lake that will remain in the Rural Settlement, development standards shall be incorporated into the land development code to address the following:

- A. Building Height Transition. Building heights and density and intensity of land uses within this Study Area shall transition downward from west to east, with the highest structures and highest density and intensity fronting Narcoossee Road, and development on the eastern boundary of the Study Area remaining compatible with the Rural Settlement, consistent with Policy FLU6.2.14.
- B. Cross Access. To minimize ingress and egress onto Narcoossee Road from the Study Area, and/or to provide access to properties remaining within the Rural Settlement, development within the Study Area shall construct an accessway. The accessway shall generally be oriented north and south and located at the junction of the 'transition zone' and the 'rural settlement zone'. It shall accommodate vehicular and pedestrian traffic and, when functionally feasible, on-street parking. The accessway will also be included within a cross-access easement to adjacent developments, consistent with approved land use plans. Additionally, shared parking may be approved by Orange County on a case-by-case basis.
- C. Access Management. Any access to Tyson Road or Kirby Smith Road shall be designed to discourage trips heading east into the Rural Settlement.
- D. Physical Buffering. Development on the eastern boundary of the Study Area must remain compatible with the Rural Settlement. A buffer averaging 300 feet from the normal high water elevation of Lake Whippoorwill shall be retained and included in the 'rural settlement zone'; and in no case shall such buffer be less than 200 feet. Within this buffer, a minimum of 100 feet shall remain undeveloped. This area may be planted with native species, and invasive species shall be removed as a condition of any future development order.

The western boundary of the 'rural settlement zone' shall generally align with the approved Rural Settlement boundary of the adjacent Planned Developments within the Study Area (if any), consistent with the approved land use plans. This land may be utilized for: single-family detached housing at a maximum density of one (1) dwelling unit per two (2) acres of developable land; passive open space incorporating walks or trails; or conservation through protective covenants running with the land. Along with this transitional use, buffers between Study Area development and

adjacent Rural Settlement properties shall be similar to those required in the Code between residential and non-residential uses.

- E. Management and Protection of Rural Settlement Lands and Resources. Those portions of the Study Area that will be preserved as part of the Lake Hart/Lake Whippoorwill Rural Settlement shall be protected and managed to preserve the natural resources and vegetation that provide wildlife habitat and a visual buffer between urban and rural land uses. All Planned Development-Land Use Plans shall incorporate natural resource inventories and land management practices designed to:
 - 1) Maintain, and supplement, where possible, the height and opacity of existing tree canopy and understory vegetation;
 - 2) Remove or manage invasive vegetation; and
 - 3) Reduce the direct flow and increase the quality of stormwater to Lake Whippoorwill.
- F. Stormwater Management. Stormwater retention and detention facilities designed to serve urban development may be permitted in the 'rural settlement zone', provided that all design standards for stormwater management facilities are met and such facilities are not located closer than 100 feet from the normal high water elevation of Lake Whippoorwill. However, a secondary system, such as a bioswale, may be allowed within that 100 feet in order to prevent overland stormwater flow from discharging into Lake Whippoorwill. In addition, the use of one or more Low Impact Development (LID) techniques approved by the County shall be strongly encouraged for all urban development within the Study Area. The purpose of utilizing Low Impact Development stormwater design techniques is to reduce pollutants entering Lake Whippoorwill by: capturing those pollutants close to the source; utilizing existing natural features and resources as stormwater filtering systems; and ensuring that stormwater retention and detention facilities are integrated into the overall project plan and designed, constructed, and maintained as project amenities.

(Original Policy FLU6.3.2.2 added 10/09, Ord. 2009-28; Policy deleted 11/15, Ord. 2015-20; new Policy FLU6.3.2.2 added 11/15, Ord. 2015-20)

FLU6.3.2.3 (Policy deleted 11/15, Ord. 2015-20; see amended Policy 63.2.2.)

FLU6.3.2.4 Allowable uses as part of the Planned Development shall be as follows:

- A. Office. P-O (Professional Office District) uses for offices including, but not limited to, doctor's offices, attorney's offices, real estate offices, mortgage and finance offices and tax consultant services;
- B. Commercial. Limited C-1 (Retail Commercial District) uses for neighborhood commercial and community-scale commercial and office development, such as small neighborhood-serving retail, eating and drinking places, and personal services.

Professional office (P-O) and retail commercial (C-1) uses may be allowed subject to the following:

- 1) The maximum intensity (Floor Area Ratio) for any site where professional office and/or retail commercial may be allowed shall be limited to 0.35;
- 2) Retail commercial uses shall be restricted to sites within the 'frontage zone' that have direct access (one of the approaches to the intersection is either internal to the subject property or abuts the subject property) to: an existing signalized intersection with Narcoossee Road; or direct access to an intersection that is consistent with minimum spacing standards for signalized intersections;

- 3) Retail commercial uses shall be limited to the amount of square feet of non-residential use consistent with a neighborhood center, as defined through Comprehensive Plan Policy FLU1.4.6 (per intersection).
 - 4) Strip commercial shall be prohibited;
 - 5) Professional office uses shall be permitted to locate anywhere within a Planned Development outside of the 'rural settlement zone' and may be developed in conjunction with retail commercial uses; however, office uses will not count toward the square footage limitation identified in Policy FLU1.4.6; and
 - 6) The size and shape of sites where professional office/retail commercial uses may be allowed shall be compact and oriented to a signalized intersection.
- C. Residential. Residential uses shall be permitted consistent with the following criteria:
1. The maximum density within the 'frontage zone' and 'transition zone' shall be limited to that permitted under the Low-Medium Density Residential (LMDR) future land use designation. The maximum density within the 'frontage zone' may be increased to the Medium Density Residential (MDR) when the 'transition zone' is used as a sending area and the units are transferred out of the 'transition zone' to the 'frontage zone' using the conversion matrix identified in the corresponding overlay district. Once the units are transferred out of the 'transition zone', that area can only be used for stormwater, parking, or open space.
 2. The total number of dwellings that would be permitted under the Medium Density Residential (MDR) and Low-Medium Density Residential (LMDR) future land use designations may be developed as single-family detached, attached or multi-family housing types, subject to the limitations described below.
 - a. Multi-family three stories or higher shall be restricted to the 'frontage zone'.
 - b. Where residential dwellings are planned in the 'transition zone' to abut lands remaining within the 'rural settlement zone', single-family detached or attached dwellings are permitted. The number of attached units within a single building shall be limited, and buildings shall generally be oriented toward the 'rural settlement zone'. In addition, attached dwelling buildings shall be spaced in a manner compatible with the spacing of residential dwellings within the Rural Settlement.

(Added 10/09, Ord. 2009-28; Amended 11/15, Ord. 2015-20)

FLU6.3.3 Development of property in the Lake Hart/Lake Whippoorwill Rural Settlement consistent with Policy FLU6.3.2 and/or existing or planned central utility services on or near Narcoossee Road or in the Lake Hart Planned Development shall not be the sole justification to allow increased land use intensity. Future adjacent uses with greater density or intensity shall be designed to produce minimal impact on local roads within the Lake Hart/Lake Whippoorwill Rural Settlement. (Added 5/01, Ord. 01-11; Amended 10/09, Ord. 2009-28, Policy 2.4.3)

- FLU6.3.4 New development fronting on Lakes Hart or Whippoorwill shall take into consideration existing tree canopy and wetland areas in project design. The County may apply reasonable performance standards to address impacts of building height and lighting on adjacent development and on view corridors from the lake. The County also may require connectivity of recreational facilities, such as equestrian and multi-use trails, between the properties included in the Study Area and development north and south of the study area. Orange County shall impose restrictions on the use of watercraft and access to lakes. Restrictions on lake access are not intended to apply to the development of a single-family home on a lot of record in the Rural Settlement, so long as applicable Land Development Code and State standards are met. (Added 5/01, Ord. 01-11; Amended 10/09, Ord. 2009-28, Policy 2.4.4; Amended 11/15, Ord. 2015-20)
- FLU6.3.4.1 The County will establish a community identification signage program for the Narcoossee Road – Lake Hart/Lake Whippoorwill Rural Settlement Study Area that will recognize the physical boundaries of the area and will be used for identification of landmarks and historically significant features. The signage program shall be adopted by ordinance and shall apply to properties within the Study Area Boundary, as identified in Policy FLU6.3.2 (Added 10/09, Ord. 2009-28; Amended 11/15, Ord. 2015-20)
- FLU6.3.4.2 Planned Development – Land Use Plans (PD-LUPs) within the Narcoossee Road – Lake Hart/Lake Whippoorwill Rural Settlement Study Area Boundary, as identified in Map 19 of the Future Land Use Map Series, approved prior to November 19, 2013 have been determined to be consistent with Policies FLU6.3.1.1 – FLU6.3.4.2, as approved by Ordinance 2009-28, and shall not be subject to revisions of the specified policies after that date with the following two exceptions: (a) a Future Land Use Map amendment is requested on a parcel for which a PD-LUP had been previously approved; or (b) a change to a previously approved PD-LUP is requested that increases the density or intensity of an approved use. Subject to approval by the Board of County Commissioners, the County may determine to limit the scope or applicability of revised plan policies to the subject property based on the type and characteristics of the proposed Future Land Use Map amendment or PD-LUP change.
- (Original Policy FLU6.3.4.2 added 10/09, Ord. 2009-28; Policy deleted 11/15, Ord. 2015-20; new Policy FLU6.3.4.2 added 11/15, Ord. 2015-20)

Lake Avalon Rural Settlement

- FLU6.3.5 Orange County shall establish the **Lake Avalon Rural Settlement**. The permitted densities and intensities of land use within the Rural Settlement shall maintain the rural character of Lake Avalon area as designated on the Future Land Use Map. The predominant designation shall be 1/5 to reflect the existing development pattern. Densities shall range from 1/1, 1/2, 1/5 to 2/1 provided that a density of 2/1 may be permitted only if it is consistent with FLU6.2.8 (with the restriction that "adjacent political jurisdictions" means municipalities located in Orange County).
- All other residential densities of the Lake Avalon Rural Settlement shall be as provided for in FLU6.2.7. In addition, residential densities in the Lake Avalon Rural Settlement shall be consistent with FLU6.2.8. Furthermore, notwithstanding anything to the contrary in FLU6.2.8, a person owning more than fifty (50) contiguous acres of property may apply for a change of 2 DU/1 AC for not more than fifty (50) contiguous acres, provided that such acreage is situated adjacent to an Orange County's municipality's jurisdictional boundaries. (Added 5/04, Ord. 04-06; Amended 5/05, Ord. 05-05, Policy 2.4.5-r)
- FLU6.3.6 Limited neighborhood commercial and office uses shall be allowed in the Lake Avalon Rural Settlement consistent with Future Land Use Element FLU6.2.12. The scale, intensity and types of commercial and office uses must be compatible with the existing rural development pattern of the Lake Avalon area. Commercial and Office uses shall be processed as comprehensive policy amendments. (Added 5/04, Ord. 04-06, Policy 2.4.6)
- FLU6.3.7 In addition to the criteria listed in FLU6.2.4, non-residential development will be subject to the Lake Avalon Rural Settlement Commercial Design Guidelines and will be required to be zoned PD (Planned development) or granted a Special Exception. The guidelines shall include, but not limited to, the following:
- Uses
 - Access management
 - Site requirements
 - Signage
 - Fencing (Added 5/04, Ord. 04-06, Policy 2.4.7)
- FLU6.3.8 Orange County shall support the development of multi-purpose trails, including equestrian, pedestrian and bicycling trails within the Lake Avalon Rural Settlement. (Added 5/04, Ord. 04-06, Policy 2.4.8)
- FLU6.3.9 The County will identify the Lake Avalon Rural Settlement area boundaries and community facilities with a signage program. (Added 5/04, Ord. 04-06, Policy 2.4.9)
- FLU6.3.10 . Any existing potable water facilities serving the Rural Settlement shall not be used as reason to increase allowable densities within the Rural Settlement. (Added 5/04, Ord. 04-06, Policy 2.4.10)
- FLU6.3.11 Development within the Lake Avalon Rural Settlement shall be consistent with existing Orange County FLU6.2.1 – FLU6.2.15. (Added 5/04, Ord. 04-06, Policy 2.4.11-r)

FLU6.3.12 Development that is adjacent to the Lake Avalon Rural Settlement shall consider appropriate buffering and compatibility standards using the guidelines of FLU6.2.5.(Added 5/04, Ord. 04-06, Policy 2.4.12)

Bargrove

FLU6.3.13 Refer to Stipulated Settlement Agreement with **Bargrove** and the Department of Community Affairs in DOAH Case No. 06-003320GM regarding Comprehensive Plan Amendment 2006-1-A-2-1, and explicitly applies only to the 189-acre parcel known as the "Bargrove Property" and referred to herein as the "Property." A copy of this Policy and its Exhibits are on file with the Clerk to the Board of County Commissioners, the Orange County Planning Division and the Orange County Library (downtown Orlando branch). A legal description of the Property is set forth in Exhibit 1 to this Policy. A color map of the Property that shows the Property boundaries as well as the location and the size of the 5 areas of Karst geology and their 50-foot wide buffers, the natural vegetative buffers, and the 25-foot perimeter buffer is attached to this Policy as Exhibit 2. No development shall be allowed in the 5 on-site areas of karst geology, their 50-foot wide buffers, the natural vegetative buffers, and the perimeter buffer, which areas are included as part of the open space indicated on Exhibit 2. The Property shall be developed consistent with a planned development ("PD") zoning designation to be established in accordance with the County's Land Development Regulations. The PD zoning for the Property shall include the following restrictions: Residential density shall not exceed 188 single family dwelling units (which equates to one dwelling unit per gross acre), the residential lot sizes shall not be less than 1/3 acre, and the lots shall be clustered in a manner that retains not less than 63.2 acres (33%) open space within the Property at the specific locations indicated on the map that is attached to this Policy as Exhibit 2. Use of all chemicals, including but not limited to fertilizers, weed control agents, insecticides, pesticides or other similar products, shall be prohibited within the designated open space areas, which specifically include the karst geology and their buffers, the natural vegetative buffer, the perimeter buffer, the elementary school site, and the neighborhood parks. This restriction on the open space areas shall apply in perpetuity. Maintenance activities including but not limited to mowing, edging, hand weeding and trash removal shall be allowed in all designated open space areas. Notwithstanding the prohibition on development stated above, dry retention ponds may be located in the open space areas that are not designated as karst geology or the 50-foot wide buffers contiguous to the karst geology. A reverse (environmental) swale shall be provided at the rear of any residential lot that backs up to one of the designated open space areas. These swales shall not count toward the open space. In addition, the individual lots and homes developed on the Property shall be designed so that stormwater runoff from the roof will be directed to a grassed area before discharging into a storm drain. Potable water and wastewater services to the Property shall be provided by the City of Apopka. (Added, 5/04, Ord. 04-06, Policy 2.4.13)

Wedgfield

FLU6.3.14

Wedgfield is located in east Orange County and has two (2) distinct parts. There is the portion located within the Rural Settlement and there is the portion located outside the Rural Settlement. The portion outside the Rural Settlement is designated Rural within the Rural Service Area with a density of one (1) unit per ten (10) acres. However, this section of Wedgfield is unique and is distinguishable from other areas in the Rural Service Area. Since 1992, Orange County has had a policy regarding development in this area. Prior to the adoption of the Comprehensive Plan (CP), this portion of Wedgfield has been subdivided and split many times. In 1992, Orange County recognized this pre-CP arrangement and set out parameters for the issuance of building permits for single family residences. Over the years numerous residences have been constructed. This created an inequity for some property owners who could not document that their property was divided prior to 1991. In order to provide a fair and equitable policy for all the property owners in the Wedgfield Rural Service Area, the following policies shall apply.

- A. These policies shall apply only to those properties platted as Rocket City or Cape Orlando Estates and located within the Ranger Drainage District within the Rural Service Area of Orange County.
- B. Permitted density shall be one (1) unit per two (2) acres. Density refers to the total number of units divided by developable land, i.e., Natural Lakes and designated Conservation Areas are excluded from the gross land area.
- C. Lots of less than two (2) acres may be permitted for a single family residence, if documentation is provided to Orange County that shows the property was deeded as a separate parcel of record prior to July 1, 1991.

OBJ FLU6.4 Orange County shall continue to implement programs and codes that conserve, protect and enhance the County's natural resources and environmental assets.

POLICIES

- FLU6.4.1 Orange County shall regulate businesses and industries that have the potential to have an adverse impact on air quality and ensure that proper pollution control devices are used and maintained. This policy shall be achieved through coordination with the Florida Department of Environmental Protection and through the activities of the Orange County Environmental Protection Division. (Added 12/00, Ord. 00-25, Policy 4.2.1-r)
- FLU6.4.2 Orange County shall promote, through land development regulations and/or acquisition, the protection of rare upland vegetative communities and high recharge areas. Such regulations may include, but shall not be limited to, cluster developments, transfer of development rights, buffering sensitive areas, the identification and designation of wildlife corridors to discourage fragmentation and the implementation of the Wekiva Protection Act. (Added 12/00, Ord. 00-25, Policy 4.2.9)
- FLU6.4.3 All actions taken by the County with regard to development orders shall be consistent with Conservation Element Policy C1.4.1 and the regulations adopted pursuant thereto with respect to wetland protection. (Added 8/92, Ord. 92-24, Policy 4.2.7-r)
- FLU6.4.4 The Land Development Code shall specify wetland areas shall be incorporated into the design of development proposals in a manner that will, in a post development environment, maintain their productive functioning subject to the provisions of Conservation Policy C1.2.7 (Added 12/00, Ord., 00-25, Policy 4.2.8-r)
- FLU6.4.5 The Land Development Code shall provide regulations for the protection and conservation of wildlife listed as endangered, threatened, or species of special concern, and their occupied habitat, floodplains, and the natural function of wetlands. (Added 12/00, Ord. 00-25, Policy 4.2.6)
- FLU6.4.6 Orange County shall continue to protect wildlife corridors, rare upland vegetative communities wetland vegetative communities through the adoption of land development regulations or by utilizing other mechanisms such as transfer of development rights; development exactions; development incentives; or acquisition (by use of possible bond issues, existing tax dollars, or the Conservation Trust Fund) and the Green Place Program. (Added 12/00, Ord. 00-25, Policy 4.2.10-r).
- FLU6.4.7 Orange County shall provide for compatible public and/or private land uses adjacent to significant natural resources that are managed for public benefit. Methods of protection to be considered may include, but shall not be limited to, coordination with appropriate State agencies, Notice of Proximity, the use of density and intensity limitations on land use and development, and the use of buffers. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07, Policy 4.2.13)
- FLU6.4.8 Orange County shall provide for protection of wildlife habitat found on County owned lands. Such protection may include, but shall not be limited to, the use of density and intensity limitations on land use and development, Notice of Proximity, and the use of buffers. (Added 12/00, Ord. 00/25; Amended 06/10, Ord. 10-07, Policy 4.2.14)
- FLU6.4.9 Land depicted as Parks/Recreation, Open Space or Conservation in new developments shall be so restricted by a recorded covenant on the land or deed restriction as a condition of any preliminary subdivision plan or planned development approvals by the County. (Added 6/94, Ord. 94-13, Policy 4.2.23)

- FLU6.4.10 The Land Development Code shall specify extraction of natural resources (e.g., mineral and soil excavation) shall be permitted only where compatible with existing and proposed land uses. In addition, such operation shall be consistent with County environmental policies. A reclamation plan shall be submitted with extractive use permits and approved by the County. (Added 12/00, Ord. 00-25, Policy 4.2.15)
- FLU6.4.11 Orange County will require that all developments incorporate acceptable engineering practices to ensure their compatibility with on-site soils. (Policies 4.2.16 and 4.2.17-r)
- FLU6.4.12 Orange County shall continue to protect public potable water wells through implementation of policies in the Water Supply Plan and Aquifer Recharge Elements. (Added 12/00, Ord. 00-25, Policy 4.2.18)
- FLU6.4.13 Orange County shall maintain the quality of lakes, including the Butler Chain of Lakes, that are designated as Outstanding Florida Waters. (Added 6/95, Ord. 95-13, Obj. 4.4-r)
- FLU6.4.14 All new residential developments shall provide for a minimum lot size of at least one (1) acre for all lots fronting on any lake within the Butler Chain. This shall not include any existing manmade waterbodies connected to the Butler Chain. This development must be consistent with the future land use designation, FLU1.2.7 or FLU6.1.9, or have vested rights. (Added 6/95, Ord. 95-13; Amended 10/10, Ord. 2010-13, Policy 4.4.1)
- FLU6.4.15 Orange County shall require, to the extent allowable by Law, that all petroleum tanks to meet FDEP storage tank compliance standards and upgrade, as required, to protect the quality of surface waters. (Added 6/95, Ord. 95-13, Policy 4.4.3-r)
- FLU6.4.16 All rezonings within the Urban Service Area with frontage on the Butler Chain of Lakes shall be restricted to residential only with accessory recreational uses. Nonresidential zonings shall be prohibited. (Added 6/95, Ord. 95-13, Policy 4.4.2-r)
- FLU6.4.17 Orange County shall protect groundwater quality from the effects of development in areas of prime water recharge and within wellheads protection areas, consistent with the Aquifer Recharge Element and the Water Supply element. (Added 12/00, Ord. 00-25, Policy 4.2.4)
- FLU6.4.18 The Land Development Code shall require stormwater management systems to retain or detain with filtration, one-half inch of run-off from the developed site, or the run-off generated from the first one inch of rainfall on the developed site to provide for water quality treatment. (Added 12/00, Ord. 00-25, Policy 4.2.5)
- FLU6.4.19 County shall continue to require the flood-proofing of structures and the restriction of development that diminishes flood carrying or flood storage capacities. The County shall also continue to require non-residential and residential development in special flood hazard areas, as defined by the Federal Emergency Management Agency, to have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation; and, if solid perimeter walls are used to elevate structures, openings sufficient to facilitate the unimpeded movement of floodwater, as well as continue to prohibit development within floodways that increase flow levels to protect areas subject to periodic or seasonal flooding. (Added 8/92, Ord. 92-24, Policy 4.2.12)
- FLU6.4.20 The Orange County Individual on-site Sewage Disposal System (OSDS) Ordinance, Article XVII, Chapter 37 of the Orange County Code shall specify that general and heavy commercial and industrial land use must be served by central sewer to avoid potential contamination of groundwater by possible malfunction or improper maintenance of onsite sewage disposal systems. (Added 12/00, Ord. 00-25, Policy 4.2.3)
- FLU6.4.21 Orange County shall require open space be incorporated into the design and site planning process to provide for usable size and public benefits. (Policy 4.1.17-r)

OBJ FLU6.5 Orange County shall ensure the preservation of significant historic and archeological sites and structures through their identification, designation and protection.

POLICIES

- FLU6.5.1 Orange County shall coordinate with the Department of State, Division of Historic Resources on maintenance of the Florida Master Site File.
- FLU6.5.2 The County shall preserve and protect significant historic and archeological resources, sites and structures in unincorporated Orange County, which are listed in the Florida Master Site File (See Appendix).
- FLU6.5.3 Utilizing the periodic housing inventories, the County shall identify, protect and preserve properties of archeological and historic significance.
- FLU6.5.4 The County shall regulate and evaluate proposed developments to minimize adverse impacts of such developments on historic and archeological sites and structures. Such requirement shall be incorporated in the Land Development Code.
- FLU6.5.5 The County shall require that any proposed developments within archeological sensitivity areas undergo additional archeological investigation with the Department of State, Division of Historic Resources, to find out if significant sites are present.
- FLU6.5.6 The County shall pursue state and federal grants to protect historic and archeological sites and structures.

OBJ FLU6.6 WEKIVA., The Land Development Code shall establish specific requirements for development within the Wekiva Study Area that may be necessary to protect ground water and surface water resources and to help attain target water quality standards. The requirements shall address, but not be limited to, allowed uses, stormwater management, open space, habitat protection, and public facilities. (Added Ord. 07-20, Policy 4.1.27)

POLICIES

- FLU6.6.1 The Future Land Use Map shall show the Wekiva River Protection Area and the Wekiva Study Area. (Added Ord. 07-20, Policy 4.2.21)
- FLU6.6.2 By January 1, 2007, the Land Development Code shall include regulations designed to protect the Wekiva River, the Wekiva Study Area, and the underlying aquifers, consistent with the Wekiva River Small Area Study, and the goals, objectives, and policies of Orange County Ordinance Number 89-04, the requirements of the Wekiva Parkway and Protection Act (Ch. 369, Part III, FS.), and the recommendations of the two Gubernatorial Committees, the Wekiva Basin Area Task Force (Final Report: Recommendations for Planning and Locating the Wekiva Parkway while Preserving the Wekiva River Basin Ecosystem, January 2003), and the Wekiva River Basin Coordinating Committee (Final Report: Recommendations for Enhanced Land Use Planning Strategies and Development Standards to Protect Water Resources of the Wekiva River Basin, March 2004.) The County shall evaluate and adopt both regulatory and non-regulatory strategies appropriate to the County that will further protection of the Wekiva System. (Added Ord. 07-20, Policy 4.2.22)
- FLU6.6.3 The County shall adopt policies to reduce nitrate-nitrogen in the ground and surface waters feeding the Wekiva River, its springs, spring run creeks, and tributaries, as well as protect ground and surface waters from other contaminants. The following policies, using a three-tiered strategy based first and foremost on the avoidance of impacts, then on the minimization of impacts, and finally, only as a last recourse, on the mitigation of impacts, support achievement of the goal. (Added Ord. 07-20, Objective 4.5)
- FLU6.6.4 Orange County shall protect the Wekiva Study Area and the underlying aquifers. Because the Wekiva River is designated as an Outstanding Florida Water and a national Wild and Scenic River, it is in the interest of the citizens of Orange County to maintain the quality of the system. The County shall use the Florida Department of Community Affairs/Florida Department of Environmental Protection joint publication, Protecting Florida's Springs: Land Use Planning Strategies and Best Management Practices, November 2002, as a guide to developing regulations within the Wekiva Study Area and shall incorporate the appropriate strategies and practices described therein in the Land Development Code by January 1, 2007. (Added Ord. 07-20, Policy 4.5.1)
- FLU6.6.5 An undeveloped springshed has a natural equilibrium of water, nutrients and other chemical inputs and outputs. As a springshed becomes developed, this equilibrium is progressively altered. To minimize impacts in developed or developing springshed areas, site design and management issues shall be addressed carefully in the manner outlined below. These criteria are summarized from The Center for Watershed Protection's *Better Site Design: A Handbook for Changing Development Rules in Your Community*, August 1998 and Consensus Agreement on Model Development Principles To Protect Our Streams, Lakes, and Wetlands, April 1998. These documents shall be used, as appropriate and pertinent, for designing land development regulations for the Wekiva Study Area. The following existing and new concepts shall be incorporated, as appropriate and feasible, into projects within the WSA. The Land Development Code shall be revised by January 1, 2008 include appropriate standards and regulations to implement the policy.

A. Select the most appropriate site or portion of a site for development.

A landowner or developer wishing to develop an area within the Wekiva Study Area or other identified springshed needs to choose an appropriate site for that development. The owner shall evaluate the landscape and geology of the land and seek locations that avoid karst features that have a direct or indirect connection to the aquifer and other environmentally sensitive features, such as sinkholes, streams, wetlands, or major springshed recharge areas. Development shall be clustered on the portion of the property best able to accommodate the development with minimal impact to water resources within the springshed.

B. Property owners and developers shall design the site appropriately, viewing site planning and design from a pollution prevention-based approach to protect environmentally-sensitive spring and karst features. This prevention approach is much more cost-effective than relying on post-development structural treatments to correct problems. Site design shall use the following principles:

- 1) Residential street and parking area designs shall minimize the development footprint (total amount of impervious surface)
- 2) Natural areas shall be conserved to the greatest extent possible. Development shall preserve or create protective, naturally vegetated buffer systems along all streams and that also encompasses critical environmental features such as the 100-year floodplain, sinkholes, karst depressional features, stream-to-sink waters, slopes, and wetlands. Clearing and grading of forested and native vegetation areas shall be limited to the minimum amount needed to build lots, allow access, and provide fire protection.
- 3) Development shall use the principles of Low Impact Development (LID), an approach to environmentally-sensitive site development that focuses on designing and developing a site to avoid or minimize impacts to the environment, especially regarding water quality and quantity. LID uses a variety of site design, stormwater treatment train provisions (a system consisting of two or more separate structures—for example, a swale followed by a wet pond), and pollution prevention techniques to create an environmentally-sensitive site landscape that preserves natural features and ecological functions with the result that the landscape is functionally equivalent to pre-development hydrologic conditions.

C. Property owners and developers shall use sensitive landscape design and Best Management Practices, including, but not limited to, the following:

- 1) Landscape design that considers natural soils and vegetation in plant selection, such as xeriscaping,
- 2) Irrigation systems that minimize ground water use through efficient watering zones, use of reclaimed water if available, and use of stormwater.
- 3) Landscape designs that minimize fertilization and use of chemicals.
- 4) Landscape design and management incorporating Targeted Pest Management (TPM), the lawn and landscape industry equivalent of Integrated Pest Management (IPM) used on golf courses.

D. Development shall use Best Management Practices for effective erosion and sediment control, including, but not limited to, the following:

- 1) Structural and non-structural BMPs and appropriate on-site techniques during construction to control erosion and sedimentation.

- 2) Buffering of sensitive areas such as lakes, sinkholes, stream-to-sink areas, spring runs, creeks, and any wetlands associated with these features.
 - 3) Establishment of regular street and parking lot sweeping programs to remove accumulated sediments and debris
- E. Depending upon specific site characteristics and consistent with existing regulations, development shall address creatively stormwater management issues and shall use Best Management Practices, including, but not limited to, the following:
- 1) Holding runoff in shallow vegetated infiltration areas;
 - 2) Using clay or geotextile liners for wet detention ponds;
 - 3) Employing offline stormwater retention areas;
 - 4) Constructing many small retention areas rather than only a few large retention areas;
 - 5) Installing sediment sumps at inlets to retention and detention areas;
 - 6) Using shallow grassed swales for the conveyance for stormwater;
 - 7) Constructing swales with cross blocks or raised driveway culverts;
 - 8) Fully vegetating stormwater retention basin side slopes and bottom;
 - 9) Using the treatment train concept and low impact development principals, discussed above;
 - 10) Minimizing the amount of impervious surfaces;
 - 11) Maximizing the amount of open space left in natural vegetation;
 - 12) Maximizing the use of pervious pavement in parking areas;
 - 13) Maintaining existing native vegetation where feasible; and

Buffering sinkholes and other surface-to-ground water conduits, stream channels and springshed recharge areas (unconfined or minimally confined ground water exposure areas).
- F. Development shall address wastewater management issues as discussed in this element and the Wastewater Element.
- G. Property owners and developers shall use appropriate water conservation measures, including, but not limited to:
- 1) Florida Friendly Yards, xeriscaping, a prohibition on the use of invasive exotic plant species, minimized areas of turf and impervious surfaces, preservation of existing native vegetation, rain sensors for automatic sprinkler systems, and homeowner education. Private utilities shall use conservation rate structures to provide financial incentives for users to reduce demands.
- H. Orange County shall increase public awareness about protecting the Wekiva Study Area.
- 1) New development or substantial redevelopment shall participate in the Florida Yards and Neighborhoods Program to help educate residents to reduce pollution and enhance their environment by improving home and landscape management.
 - 2) Developers shall work with home and business site owners to reduce stormwater runoff, conserving water and enhancing wildlife habitats through the creation of carefully designed landscapes.

- 3) Public awareness programs shall address watering efficiently; mulching to help retain moisture and suppress pests; composting and recycling of yard waste; selection of the least toxic pest control measures; putting the right plant in the right spot; fertilizing only when necessary; providing habitat for wildlife; and protecting surface water bodies and minimizing stormwater runoff.
- 4) Individual home and business site owners shall be made aware of the Florida Green Industries, Best Management Practices for Protection of Water Resources in Florida. These BMPs address reducing nonpoint source pollution; efficient water use; reducing off-site transport of sediment, nutrients, and pesticides through surface or ground water; appropriate site design and plant selection; appropriate rates and methods of applying fertilizer and irrigation; and the use of targeted pest management to apply appropriate amounts of chemicals. (Added Ord. 07-20, Policy 4.5.2)

FLU6.6.6 The County shall protect the Wekiva Study Area through the establishment of three protection zones based upon the aquifer vulnerability data provided in the Florida Geological Survey Report of Investigation 104: Wekiva Aquifer Vulnerability Assessment (WAVA). The three Protection Zones as determined by the WAVA report are depicted in Figure WSA-5. The Primary Protection Zone is comprised of those areas expected to most directly affect the water quality surfacing at the springs within the WSA [time of travel and reduced natural attenuation]. The Secondary Protection Zone still contributes water to the springs, but over a longer period of time and allowing for somewhat greater natural treatment and reduction of the nitrogen.

The Tertiary Protection Zone covers all other areas in the WSA, where the flow to the springs is minimal or non-existent. As part of its analysis, the County shall determine whether certain land uses with the potential to contaminate or harm the aquifer shall be limited or prohibited within portions of the WSA. The evaluation will need to address monitoring mechanisms as well as the costs of implementation and enforcement of protection zones and land use limitations. By January 1, 2007, the Land Development Code will be revised to include protection zones and appropriate standards for development within them, including stormwater runoff. (Added Ord. 07/20, Policy 4.5.3)

FLU6.6.7 By January 1, 2007, the County shall adopt into the Land Development Code an objective method by which to identify properties located within the three Wekiva Aquifer Vulnerability Zones (WAVA) protection zones. Initial identification would be through Geographic Information Systems (GIS) analysis of high and moderate recharge areas, karst sensitive areas, and the Wekiva Aquifer Vulnerability Assessment (WAVA) map.

Final determination shall be through on-site soil analysis and hydrological and geotechnical investigations, as needed. (Added Ord. 07-20, Policy 4.5.4)

FLU6.6.8 Land uses within the Rural Service Area portion of the Wekiva Study Area shall be limited to very low and low intensity uses to the greatest extent possible. Existing land uses are recognized but density and intensity shall not be increased through a future land use change unless there is substantial evidence that the change will satisfy a demonstrated need in the community or area.

Any petitioner for a future land use map amendment must submit documentation substantiating that a particular need exists in the community or area in which the change is being proposed. This documentation shall clearly identify the particular need and clearly describe how the proposed change is anticipated to satisfy that need.

Evidence and documentation indicating need and indicating that the proposed development would satisfy that need must be submitted from a third party objective

source. In preparing such documentation, the petitioner shall keep in mind that market demand does not necessarily constitute need.

The following evaluation factors shall be used to determine consistency with this policy. To ensure environmental protection, projects shall identify whether a site is located in an environmentally sensitive area and whether locations in areas of lower vulnerability or areas that already allow the proposed land use are not available within a reasonable distance.

Applicants must demonstrate that the proposed land use is compatible with existing land uses and community character and is the least intensive to meet the demonstrated need. Additionally, the project will be evaluated based upon whether community or economic benefits are derived from the proposed land use at that location, as well as whether the proposed use benefits the environment (such as projects that will be designed and constructed using conservation design and green principles).

Residential projects shall demonstrate the need for additional residential development using analytical tools such as population projections and availability of existing or already approved vacant lots and/or units. Additional considerations will include housing affordability and impacts on public services and facilities.

Non-residential and mixed-use projects shall demonstrate that the proposed land use will not generate hazardous materials and waste. Additionally, factors such as support for forestry, agriculture, fishing and natural resource-based outdoor recreation industries, as well as dependence on site-specific natural resources will be evaluated for the proposed land use. (Added Ord. 07-20; Amended 6/10, Ord. 10-07, Policy 4.5.5)

FLU6.6.9

The County shall implement land use strategies that optimize open space and promote a pattern of development that protects the most effective recharge areas, karst features, and sensitive natural habitats, including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub (Figures WSA-3 and WSA-4). Such strategies shall recognize property rights and the varying circumstances within the Wekiva Study Area, including rural and urban land use patterns. The County shall map, using best available data from the St. Johns River Water Management District, the Florida Fish and Wildlife Conservation Commission, and other sources, recharge areas and sensitive upland habitats for this purpose. The County will maintain flexibility to achieve this objective through various comprehensive plan strategies that shall include, but are not limited to:

Coordinated greenway plans;

Dedication of conservation easements;

Land acquisition, both fee simple and less-than-fee;

Clustering of development;

Density credits and density incentives that result in permanent protection of open space; and

Low to very low density development in the Rural Service Area. (Added Ord. 07-20; Amended 6/10, Ord. 10-07, Policy 4.5.6)

FLU6.6.10

Development and redevelopment within the Wekiva Study Area shall provide as much open space as possible. All new residential subdivisions or developments that may be located entirely or partially within the Wekiva Study Area shall cluster to the maximum extent to preserve open space. Such clustering is density neutral and lot sizes may be reduced to accommodate the preserved open space. Priority for open space protection shall be given to the following resources, as required to be protected by the Wekiva Act: the most effective recharge areas, karst features, and sensitive natural habitats including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub vegetative communities. A minimum of fifty percent (50%) of any sensitive natural habitat occurring shall be preserved on-site.

The purposes of *open space design* development are to minimize site disturbance, reduce land development costs, reduce infrastructure costs, provide more cost effective and efficient site infrastructure, provide better management of facilities, and permanently protect open space providing assured environmental protection, while remaining density and intensity neutral. The Land Development Code shall include standards and incentives for open space/conservation subdivision design including minimum open space requirements, maximum lot size, and design standards. (Added Ord. 07-20, Policy 4.5.7)

Open space shall be primarily larger, contiguous parcels rather than in linear strips to encourage maintenance of rural views, lifestyles, and economies and shall be comprised mainly of existing undisturbed natural areas. To the extent possible, preserved open space shall be used to create corridors and larger parcels more suitable for Nature-based recreation, low-intensity agriculture, silviculture, aquifer recharge protection, or wildlife and habitat management, so that remnant open space areas are not created that are unusable or function as private open space to only a small percentage of the development. If a project is located next to off-site open space whose primary function is conservation of natural resources, connection of open space with compatible functions is required.

“Compatible” means similar or complementary such as uplands adjacent to wetlands or isolated wetlands within flatwoods or scrub areas. (Amended 6/10, Ord. 10-07)

Open space property shall be preserved through publicly recorded, permanent conservation easements or similar legal instruments to preclude future development or further subdivision of the land while ensuring maintenance of and appropriate access to the open space areas in perpetuity. Preserved areas shall be owned in common by a property owners’ association, a public agency, a land trust, or another appropriate entity. This open space shall be used for conservation, aquifer recharge protection, nature-based recreation, low intensity agriculture, or silviculture. Agriculture and silviculture operations shall adhere to the appropriate BMPs as adopted by the Florida Department of Agriculture and Consumer Services.

Limited structures for common use or under common ownership may be allowed within the open space preserve areas, areas other than wetlands, conservation mitigation areas, conservation easements or wetland protective buffers. Homeowners’ personal property and residential accessory structures shall be prohibited. Individual potable water wells shall be allowed in open space areas adjacent to homes if site conditions warrant and allow such. (Added 12/07, Ord. 07-20, Policy 1.3.5; Amended 6/10, Ord. 10-07)

FLU6.6.11

The County will evaluate implementing enhanced landscaping and irrigation standards within environmentally sensitive areas in the Wekiva Study Area. These may include, but are not limited to, requiring native plant species appropriate to on-site soils to reduce the use of fertilizers and irrigation, and the maximum feasible retention of existing on-site natural vegetation. (Added Ord. 07-20, Policy 4.5.8)

- FLU6.6.12 New development and redevelopment within the Wekiva Study Area shall minimize directly connected impervious areas (DCIA), direct runoff to vegetated areas for pollutant uptake, recharge, and storage. The County recognizes that under certain circumstances a developed property's runoff may contain high levels of contaminants whereby it may be more efficient to direct all stormwater to a single water quality treatment area. Enhanced development standards and stormwater best management practices (BMPs) shall be adopted as needed into the Land Development Code to minimize DCIA and provide high levels of stormwater treatment. (Added Ord. 07/20, Policy 4.5.9)
- FLU6.6.13 The County will evaluate adopting development standards for new and substantially redesigned golf courses within the Wekiva Study Area. Such standards may incorporate the strategies and practices outlined in the publication: *Protecting Florida's Springs: Land Use Planning Strategies and Best Management Practices*, Florida Department of Community Affairs and the Florida Department of Environmental Protection, November 2002, Tallahassee, Florida. (Added Ord. 07-20, Policy 4.5.10)
- FLU6.6.15 For that portion of the Wekiva Study Area located within the Joint Planning Area of the City of Apopka, Orange County shall require compliance with minimum open space and density requirements described by the Joint Planning Area Agreement (JPA) with the City of Apopka adopted on October 26, 2004 and as may be amended. If a discrepancy exists between the City of Apopka and Orange County in terms of requirements, the most stringent shall apply. The County shall adopt Land Development Regulations by January 1, 2007 for these areas to provide for a pattern of development that protects most effective recharge areas, karst features, and sensitive natural habitats. (Amended 6/10, Ord. 10-07)
- All areas shown as High Recharge Areas identified in the Data and Analysis of the Future Land Use Element map series, Map 4 (aka Figure WSA-3) shall be recognizable by the presence of Type "A" Hydrologic Soil Group identifying the most effective recharge areas. (Amended 6/10, Ord. 10-07)
- During the site planning process, a soil analysis shall be performed by a qualified professional to determine the location of most effective recharge areas, considered Type "A" Hydrologic soils described by the NRCS Soil Survey maps. (Amended 6/10, Ord. 10-07).

OBJ FLU6.7 Wekiva Interchange Land Use Plan Overlay designation. Orange County establishes the Wekiva Interchange Land Use Plan Overlay (WILUPO), which is intended to be a tool for compatible and consistent future development, transition of densities and preservation of environmentally sensitive areas within the Overlay and the Wekiva Study Area. Creation of this Overlay does not create development entitlements on any parcel of land or amend any previously-approved entitlements. (Added 10/10, Ord. 2010-13)

POLICIES

FLU6.7.1 The location of the Wekiva Interchange Land Use Plan Overlay will be at the intersection of Kelly Park Road and SR 429 and lands extending in a one-mile radius from this point of intersection. This Overlay will take effect once the interchange has been officially designated, and funding for the Wekiva Parkway, including the interchange, has been committed in the Orlando-Orange County Expressway Authority (OOCEA) *Five-Year Work Plan*. (Added 10/10, Ord. 2010-13)

FLU6.7.2 The Overlay is a mechanism for protecting the environmentally sensitive features located in the Overlay's portion of the Wekiva Study Area. Within the WILUPO, sixty percent of the property is located within the County and forty percent is located within the City of Apopka, requiring significant intergovernmental coordination and joint planning. Therefore, measures need to be taken to ensure that development does not degrade the existing rural nature of the unincorporated areas or the natural features of the area. (Added 10/10, Ord. 2010-13)

FLU6.7.3 Orange County shall coordinate with the City of Apopka to develop an interlocal agreement. The Interlocal Agreement should be in place prior to or at the same time as adoption of the Overlay. The Interlocal Agreement shall address the following issues:

- A. Annexation in an orderly fashion that is consistent with Chapter 171, Florida Statutes and the Joint Planning Area Agreement;
- B. Providing the County an opportunity to review any changes in future land use for properties within the Interchange Land Use Plan located in the City of Apopka for consistency with the County's Comprehensive Plan;
- C. Service delivery;
- D. Impact fees;
- E. Timing of development;
- F. Location of development;
- G. Avoiding creation of fragmented parcels and enclaves as defined by Section 171.031, Florida Statutes;
- H. Ensuring Wekiva protection standards are met;
- I. Extra-jurisdictional impacts; and,
- J. Recognizes that County roads may not be widened to support Apopka's development dictated on their Interchange Land Use Plan and that supports jurisdictional transfer of roadways consistent with Section 335.0415, Florida Statutes. (Added 10/10, Ord. 2010-13)

FLU6.7.4 Orange County and the City of Apopka should include policies in their respective Comprehensive Plans requiring that the adoption of annexations, land use changes, and any subsequent development within the Overlay be consistent with the adopted Interlocal Agreement. (Added 10/10, Ord. 2010-13)

- FLU6.7.5 Land use patterns in the Overlay area are currently rural in nature. The area is in the County's Rural Service Area, not contiguous to the Urban Service Area boundary. Given the unincorporated area's rural nature, higher density and intensity development would occur only upon annexation into the City of Apopka. Any such annexation must be consistent with Chapter 171, FS, the adopted Joint Planning Area Agreement, and the Interlocal Agreement that governs the Overlay. (Added 10/10, Ord. 2010-13)
- FLU6.7.6 Orange County shall proceed with the Interchange Land Use Plan Overlay consistent with Transportation Element Policies T3.4.11 and T3.4.12 regarding coordination and construction of the Wekiva Parkway. (Added 10/10, Ord. 2010-13)
- FLU6.7.7 No later than one year after the Orlando-Orange County Expressway Authority (OOCEA) has designated the final alignment, or by December 2011, Orange County's Land Development Code shall be updated to include items such as, but not limited to, joint access, secondary access, drainage standards, right-of-way protection and signage standards specific to the Wekiva Interchange Overlay, consistent with the requirements of Section 369.321(3), FS, and the Joint Planning Area Agreement. (Added 10/10, Ord. 2010-13)
- FLU6.7.8 Consistent with Stormwater Management Element Policy SW1.5.12, stormwater structures shall conform to the setbacks (minimum buffer in feet) required by each type of specific karst features. (Added 10/10, Ord. 2010-13)
- FLU6.7.9 The WILUPO shall be adopted as Map 21 in the Future Land Use Map series, in addition to being part of the required Interlocal Agreement as an exhibit. (Added 10/10, Ord. 2010-13)

OBJ FLU6.9 Lake Pickett Future Land Use Map (FLUM) Amendment and Conceptual Regulating Plan (CRP) and Lake Pickett Planned Development Regulating Plan (PD-RP). Development approval of a community within the Lake Pickett Study Area shall require an LP Future Land Use Map designation, public outreach, an approved Transportation Term Sheet or other transportation mitigation framework presented to and reviewed by the Board of County Commissioners and corresponding Agreement(s) for provision of infrastructure, and an approved Lake Pickett PD-RP, which determines the adopted boundaries and location of the Transect Zones. The proposed Transect Zone locations shall be illustrated on a Conceptual Regulating Plan (CRP) during the FLUM amendment process and finalized on an approved Lake Pickett PD-RP. (Added 07/16, Ord. 2016-17)

POLICIES

FLU6.9.1

Lake Pickett Future Land Use Map Amendment. Requirements for all Lake Pickett Future Land Use Map Amendments include, but are not limited to, submittal of a draft Conceptual Regulating Plan, a proposed development program, a justification statement, an OCPS Consistency Determination Application, a Transportation Study, and the proposed community meeting schedule and shall be met at the time of submittal. Depending on the circumstances of the LP application, additional information may be required for transportation, utilities, drainage or other pertinent data as determined by Planning Division staff. Requirements shall include the following:

- **Conceptual Regulating Plan (CRP):** A CRP, a general and illustrative representation of the proposed development and location of transects, is precursory to a Lake Pickett PD-RP. A CRP shall be provided during the transmittal process and shall be refined throughout the review process. The following items shall either be depicted on a CRP or included as an attachment:
 - A. General location of Transect Zones
 - B. General location and types of the proposed agricultural uses (if applicable), natural areas, and transitional treatments
 - C. General location of neighborhoods based on ¼-mile radius pedestrian sheds
 - D. Location of existing and planned major roadways, trails or other transportation modes
 - E. Location of potential and required connections, including external connections to adjacent roadways and those between the two Lake Pickett communities, and required internal connections between neighborhoods
 - F. General location of public school sites and a copy of the application for a Capacity Enhancement Agreement with Orange County Public Schools
 - G. Net developable land area for the project and for each of the Transect Zones
 - H. Overall proposed community development program
- **OCPS Capacity Enhancement or Mitigation Agreement:** Prior to adoption of the FLUM amendment, a Capacity Enhancement Agreement (CEA) shall be approved and fully executed by Orange County Public Schools that mitigates the impact of the LP designation on the public school system. The CEA shall address the procedure for conveying the school sites to OCPS and address APF requirements. The value of the school site shall not exceed \$58,000 per acre, and the school site must meet all Orange County Public Schools requirements to receive this value.

- **Transportation Analysis:** The traffic study shall be coordinated with the Orange County Transportation Planning Division and submitted in accordance with the deadlines for the associated LP FLUM amendment. The traffic study will be part of the data and analysis for the requisite adoption of a Term Sheet or transportation mitigation framework presented to and reviewed by the Board of County Commissioners and corresponding Transportation Network Agreement(s) required with the Board of County Commissioners Comprehensive Plan adoption public hearing.
- **Justification and Consistency:** The justification statement shall identify relevant Comprehensive Plan policies and explain how the proposed request is consistent with the identified policies. Any privately-initiated text amendment(s) related to the application shall also be included and explained as part of the justification statement. Proposals for privately-initiated text amendments also shall include an evaluation of consistency with the Comprehensive Plan.
- **Infrastructure and Public Services:** Development within the Lake Pickett Study Area shall be subject to the requirements of the Orange County Concurrency Management Ordinance, as amended, unless a separate agreement has been entered into with the County to establish an alternative method for addressing development impacts. Provision of land, connection, and access will be made to accommodate the siting and operation of utility and emergency services facilities, conveyances, and equipment accordingly.
- **Community Meetings/Public Participation:** A minimum of two community meetings/public workshops shall be held. All workshops are subject to the County's notification requirements. The County maintains the discretion to require additional community meetings/workshops as part of the application review process.

(Added 07/16, Ord. 2016-17)

FLU6.9.2

Properties within the Lake Pickett Study Area that obtain the LP FLUM designation must rezone to Lake Pickett Planned Development-Regulating Plan and comply with applicable agreements of Policies FLU6.9.2 and FLU6.9.3. The following items shall be submitted for completion of the Lake Pickett Planned Development-Regulating Plan rezoning:

- A. Regulating Plan:** All PD applications shall meet all PD submittal requirements, and shall have a Lake Pickett Planned Development-Regulating Plan (PD-RP) documenting the final locations of open space and preservation areas, Transect Zones, streets, neighborhoods, schools, trails, and parks. More specifically, each Lake Pickett PD-RP shall demonstrate consistency with the Lake Pickett Guiding Principles listed in FLU6.8.1 and provide detailed performance standards for the following community elements:
- Developable land area (requires an approved Conservation Area Determination)
 - Transition buffer requirements for areas along Lake Pickett Road and South Tanner Road, and any additional compatibility measures
 - Neighborhood locations based on ¼-mile pedestrian shed oriented around the central focal points
 - Final location, boundaries, and land areas of each of the Transect Zones
 - Proposed locations of community centers (if any) and their performance standards
 - Street typology and cross-sections and pedestrian/bicycle facility standards

- Intersection density and connectivity measures within and between Lake Pickett communities and neighborhoods (per Policies FLU6.8.11 and FLU6.8.12)
- Final Green Infrastructure Plan integrating stormwater management facilities, required conservation, open space and community space (including location and type of park facilities and the proposed trail network), and Low Impact Development (LID) practices providing standards for a bonus system described in FLU6.8.4
- Landscape and streetscape requirements and their proposed maintenance responsibility
- General location(s) of public school sites and their proposed pedestrian/bicycle connections
- General location of police substations, fire stations, utility tract(s), and government buildings (if any)
- Summary of measures taken to comply with the Comprehensive Plan Conservation Element, including habitat and conservation area protection. Locations of stand-alone agricultural uses, their typology, and performance standards (Agricultural uses incorporated into a community open space area shall be depicted on the Green Infrastructure Plan.)

B. Development Program: The proposed community development program shall show unit counts and average densities and intensities by Transect Zone and their phasing, if applicable, and it shall be included and adopted as part of a Lake Pickett PD-RP and their totals incorporated into Policy FLU8.1.4. The development program shall be substantially consistent with the program submitted with a CRP and approved with a LP FLUM amendment, with revisions necessary to reflect any changes to the Transect Zones boundaries or as required for consistency with the provisions of the Regulating Plan and required Agreements. Any request to increase the development totals for a Lake Pickett PD-RP, as listed in FLU8.1.4, must be approved through an application to amend the Comprehensive Plan.

C. Infrastructure Agreements: To facilitate coordinated roadways, utilities, and school locations, the following agreements must be executed prior to or concurrent with the adoption of a Lake Pickett PD-RP:

- OCPS Capacity Enhancement or Mitigation Agreement;
- A Transportation Term Sheet or transportation mitigation framework presented to and reviewed by the Board of County Commissioners and corresponding Transportation Network Agreement(s); and
- Adequate Public Facilities Agreement ("APF Agreement") for applicable facilities within the PD-RP, such as sheriff, fire, utilities, public school sites, roads, and parks and recreation, substantially similar in form and substance to APF Agreements as such are described in Chapter 30, Article XIV, Orange County Code (the "APF Ordinance").

Neighborhood parks and community trails that are not within County rights-of-way will be owned and maintained by the home/property owner associations or a similar type of organization. Ownership and maintenance of community parks will be determined on a case-by-case basis.

Prior to approval of each Lake Pickett PD-RP, the developer shall meet with Orange County Utilities to discuss connection points for water, wastewater, and reclaimed water. (Added 07/16, Ord. 2016-17)

Funding of Transportation Improvements. A Transportation Term Sheet or other transportation mitigation framework presented to and reviewed by the Board of County Commissioners, as well as their corresponding Transportation Network Agreements shall require a financially feasible, long-range transportation infrastructure funding framework and capital improvements program as defined by the County and applicable policies in the Comprehensive Plan, including, but not limited to, Objective CIE1.6 and implementing Policies CIE1.6.5 and CIE1.6.6. The planned transportation improvements shall ensure the overall safe and efficient movement of vehicles, pedestrians and cyclists through an interconnected multimodal transportation network. Potential funding sources for projects may include, but are not limited to, the following:

- Developer Contributions and/or other Public-Private Partnerships
- Road Impact Fees
- Available State or Federal Highway or Transit Funds
- Municipal Service Taxing Unit/Municipal Service Benefit Unit
- Tax Increment Financing District
- Community Development District
- County INVEST funding
- Others as approved by the Board of County Commissioners.

Orange County shall evaluate alternative funding mechanisms to ensure the adequate financing or funding of needed public facilities, including transportation infrastructure, necessary to accommodate the proposed development within the LP Future Land Use designation for the Lake Pickett Study Area defined in Objective FLU6.8. The County shall require developer participation in such funding programs, except that OCPS shall not be required to participate in any community development district or other potential funding sources.

A Lake Pickett PD-RP shall be implemented through a Lake Pickett Transportation Network Agreement(s), which shall:

- A. Identify the list of transportation infrastructure improvements necessary to support the LP Future Land Use designation;
- B. Denote specific private or public entities responsible for implementation and completion of each transportation infrastructure improvement;
- C. Relate the completion of critical transportation improvements to development entitlements (i.e. trip allocations) and development phasing to identify when improvements are required; and
- D. Demonstrate satisfaction of the requirements of the Orange County Concurrency Management Ordinance, as amended.

Future Land Use Map (FLUM) amendments for the Lake Pickett designation shall not be approved without a Lake Pickett Transportation Term Sheet or other transportation mitigation framework also presented to and reviewed by the Board of County Commissioners. Prior to County approval of any Comprehensive Plan amendment or any subsequent FLUM amendments, a corresponding Transportation Network Agreement that substantially conforms with a Lake Pickett Transportation Term Sheet or other transportation mitigation framework presented to and reviewed by the Board of County Commissioners must be signed by the owners of a majority of the acreage it addresses.

(Added 07/16, Ord. 2016-17)

- FLU6.9.4 **Availability of Needed Transportation Facilities.** A Lake Pickett Transportation Term Sheet or other transportation mitigation framework presented to and reviewed by the Board of County Commissioners shall reflect a transportation funding framework and describe the roles and responsibilities of the participating parties and timing of required transportation improvements as to ensure a coordinated infrastructure improvement program. (Added 07/16, Ord. 2016-17)
- FLU6.9.5 **East Orange Area-wide Transportation Study.** By Spring 2020, the County shall commence an East Orange Area-wide Transportation Study. The study area shall generally be bounded by the Seminole County line to the north, SR 50 to the south, Alafaya Trail to the west, and Chuluota Road to the east. The purpose of the study is to identify and analyze potential transportation projects to improve network connectivity and provide relief to constrained transportation corridors. The study shall be used by the County to identify potential future transportation improvement projects. In conducting the study, the County shall seek comment from local residents, property owners, and community associations. The County also shall coordinate with the Florida Department of Transportation, the Central Florida Expressway Authority, LYNX, the University of Central Florida, Central Florida Research Park, and Seminole County. (Added 07/16, Ord. 2016-17)
- FLU6.9.6 In an effort to preserve the existing Chuluota Road buffer to the maximum extent possible, in the event the existing buffer is adversely impacted by County roadway expansion the County shall, in accordance with its usual policies and procedures, endeavor to provide a buffer between the expanded roadway and adjoining communities. In the event such buffer does not reasonably shield the roadway from view of adjoining communities, the County shall act to reasonably shield the expanded roadway from view. Such shielding shall, to the extent reasonably possible, be accomplished through the use of trees, enhanced landscaping, and/or other vegetation. For other roadway improvements in the Lake Pickett Overlay, the County will endeavor to maintain existing buffers and will consider similar compatibility measures on a case-by-case basis. (Added 07/16, Ord. 2016-17)

REGIONAL COOPERATION

GOAL FLU7 REGIONALISM. Orange County will continue to work with the municipalities in its jurisdiction as well as adjacent counties to address regional issues including water supply, transportation, and workforce housing. The County also should continue its involvement in regional projects and organizations.

OBJ FLU7.1 As opportunities arise, the County will use mutually beneficial planning practices to coordinate development plans and the location of recreational facilities, as well as infrastructure improvements and capital facilities with local agencies, jurisdictions, and adjacent local governments.

POLICIES

FLU7.1.1 Orange County will initiate meetings with cities, agencies, and other units of local government to jointly discuss write and implement small area studies and land use plans for areas of mutual interest. These areas shall be referred to as Cooperative Planning Areas (CPA).

FLU7.1.2 Orange County shall work cooperatively with the University of Central Florida to seek additional opportunities for joint use facilities in accordance with its Master Plan.

FLU7.1.3 Orange County will use, if applicable, results of visioning facilitated by such organizations as myregion.org.

FLU7.1.4 The County shall negotiate agreements with adjacent jurisdictions providing for notification of proposed developments or regulatory changes by those adjacent jurisdictions which may impact the County or County residents.

FLU7.1.5 Orange County shall coordinate with local jurisdictions to establish a corridor land use plan for the commuter rail stations.

OBJ FLU7.2 Orange County will review and analyze the impacts of proposed development, infrastructure improvements, and comprehensive plan amendments occurring in local governments and adjacent jurisdictions

POLICIES

FLU7.2.1 The County shall negotiate agreements with adjacent jurisdictions providing for notification of proposed developments or regulatory changes by those adjacent jurisdictions which may impact the County or County residents. (Policy 4.1.21)

FLU7.2.2 RESERVED.

FLU7.2.3 The County shall establish a Capital Improvements (CIP) working group to share and discuss planned infrastructure improvements with adjacent jurisdictions. This coordination shall consist of GIS data sharing and notification of planned improvements and development applications.

OBJ FLU7.3 Orange County shall work cooperatively with the University of Central Florida to eliminate or minimize land use compatibility problems and constraints between the University and Orange County.

POLICIES

- FLU7.3.1 Orange County shall review the campus master plan, development proposals, and other development plans of the university to ensure compatibility with off campus surrounding uses and to determine the impacts of the development on Orange County residents.
- FLU7.3.2 The university and the county shall work cooperatively to develop shared design and signage guidelines to ensure compatibility of on-campus development with the surrounding community.
- FLU7.3.3 Where the acquisition of additional lands is necessary for the continued growth and expansion of university facilities, the county shall work cooperatively with UCF on any required amendments to the Comprehensive Plan.
- FLU7.3.4 Orange County shall arrange an annual meeting to discuss and review updates related to campus development plans, infrastructure improvements and support facilities.
- FLU7.3.5 Orange County shall work with UCF to establish additional opportunities for increased coordination as identified in the Campus Master Plan.

OBJ FLU7.4 Orange County shall recognize growth as a regional issue and shall use Growth Centers as an effective planning tool to allow, address and guide urban-scale, single-purpose public or quasi-public uses that serve a regional purpose or market and require a location outside the Urban Service Area. Growth Centers established prior to June 21, 2011, and which would not be consistent with the provisions of this Objective or associated Policies, shall be permitted to continue subject to the Future Land Use Goals, Objectives and Policies under which the Growth Center was originally approved. (Amended 10/11, Ord. 2011-08, Obj. 1.2)

POLICIES

Establishment or Extension of Growth Centers

- FLU7.4.1 Establishment of new or extensions of existing Growth Centers shall only be accomplished through an amendment to the Comprehensive Plan, along with
- (1) a Joint Planning Area agreement that is consistent with the Intergovernmental Coordination Element. If appropriate, the Joint Planning Area agreement shall define the Growth Center boundary and establish Future Land Use Map designations, infrastructure and utility provision, and development regulations., as applicable, or
 - (2) A service agreement between Orange County and a duly established Authority enabled to provide or secure an adequate level of urban public facilities and services to serve the use(s) for which the Authority is responsible, or
 - (3) An agreement with other service providers for the provision of all necessary public facilities and services. (Added 8/92, Ord. 92-24; Amended 2/96, Ord. 96-13; Amended 10/11, Ord. 2011-08, Policy 1.2.1-r)
- FLU7.4.2 After the adoption of a Joint Planning Area or Service agreement, the Future Land Use Map may be amended to reflect the boundaries and future land use of Growth Centers, if other Comprehensive Plan and application requirements are met. (Amended 10/11, Ord. 2011-08, Policy 1.2.2-r)
- FLU7.4.3 RESERVED.
- FLU7.4.4 Urban intensities shall be permitted in designated Growth Centers when urban services are available from other sources as approved by Orange County, consistent with the appropriate policies of the Comprehensive Plan. If services and facilities sufficient to maintain adopted level of service standards are not available concurrent with the impacts of development, the development will be phased such that the services and facilities will be available when the impacts of development occur or the development orders and permits will be denied. (Policy 1.2.3)

- FLU7.4.5 Development in Growth Centers shall only occur when someone other than Orange County incurs the initial capital cost of the required urban facilities and the incremental cost of the required urban services. Consistent with applicable law, paybacks shall be implemented with respect to future users benefiting from the supplied facilities and services; but such paybacks shall not be from Orange County except as a conduit.
- The provision of service by Orange County may be permitted when all of the following criteria are met:
- A. The connection point(s) to Orange County facilities exists within two (2) miles (as measured along existing road right-of-way) of the proposed "affordable housing development;"
 - B. Capacity is available at the time of the requested Growth Center amendment;
 - C. Extension of services and facilities and reservation of capacity is at the expense of someone other than Orange County. (Added 8/92, Ord. 92-24; Amended 10/11, Ord. 2011-08, Policy 1.2.4)

- FLU7.4.6 Within a Growth Center, all new development must apply for Planned Development zoning, in order to specifically identify densities, intensities and mixture of land use.
- Additionally, all new development and substantial redevelopment in portions of Growth Centers located within the Wekiva Study Area shall adhere to the development standards adopted to implement the Wekiva Parkway and Protection Act, Ch. 369, Part III, FS.
- Such standards shall include, but are not limited to one or more of the following:
- (1) Additional stormwater treatment and retention (maintenance of water quality and recharge);
 - (2) Enhanced wastewater treatment;
 - (3) Limitations of certain allowed uses within the most vulnerable portions of the Study Area;
 - (4) Subdivision standards;
 - (5) Open space requirements;
 - (6) "Smart growth" roadway design standards;
 - (7) Parking lot design standards,
 - (8) Upland habitat protection, and
 - (9) Such other measures as required to protect ground and surface water in the Wekiva Study Area.
- (Added 11/95, Ord. 95-35, Ord. 2007-20, Policy 1.2.5)

Established Growth Centers

Northwest Growth Center

FLU7.4.3 To ensure managed growth consistent with the rural characteristics and environmentally sensitive areas around the Northwest Growth Center, development within the Growth Center must provide a transition in land use density and intensity. In providing this internal transition, the Foothills of Mount Dora Planned Development (PD); and described herein, the area defined as "Parcel S-1" and "Parcel S-2" on the Foothills of Mount Dora PD/ Land Use Plan approved by the Board of County Commissioners on December 17, 2002, shall be limited to a net residential density of 1 dwelling unit per acre as required by the PD conditions. In addition, the Northwest Growth Center boundary, as adopted, shall not be expanded unless amendments to the Future Land Use Map and all applicable policies, including FLU7.4.3 are adopted. Furthermore, the Joint Planning Area between Orange County and the City of Mount Dora shall not be expanded. (Added 10/03, Ord. 03/15; Amended 6/10, Ord. 10-07, Policy 1.2.2.1)

West 192 Growth Center/Resort/PD

- FLU7.4.7 Expansion of the West 192 Growth Center/Resort/PD shall occur only by amendment to the Comprehensive Plan pursuant to Chapter 163, Florida Statutes, and shall be considered pursuant to the criteria defined herewith.
- A. A minimum of 200 gross acres to ensure establishment of at least one integrated development.
 - B. Each comprehensive plan amendment request must be immediately adjacent to the existing U.S. 192 Growth Center or immediately adjacent to an established Growth Center/Resort/PD in order to eliminate urban sprawl or leapfrogging of development. Growth Center/Resort/PD development must also be consistent with Ordinance 96-11 related to Growth Centers. Each comprehensive plan amendment must demonstrate clearly defined rationale for separating from the Rural Service Area or Horizon West and establishing a Growth Center/Resort/PD in accordance with Joint Planning Area requirements and other policies defined herewith.
 - C. In general, the overall planning evaluation to establish and/or expand the West 192 Growth Center/Resort/PD shall include but not be limited to:
 1. Adjacent land use compatibility in the transition of urban to rural areas and proposed internal plan compatibility as it relates to transition of land uses from a tourist orientation to a permanent community orientation envisioned by Horizon West.
 2. Availability of central sewer/water transmission facilities within two miles of the subject site, consistent with the Orange County Comprehensive Plan (e.g., Obj. FLU7.4).
 3. Separation of land by collector or arterial roadways, natural resource areas or the ability to plan upland buffer areas to separate resort planned developments from existing or planned permanent residential neighborhoods of Horizon West.
 4. Avoidance of premature conversion of active agricultural land areas.
 5. Each specific comprehensive plan amendment will be independently evaluated by Orange County in context of the remaining Horizon West Village Land Use Classification and the adjacent Growth Center.
 6. When a comprehensive plan amendment is approved by the Board of County Commissioners, the net developable acreage allocated for urban development by the small area analysis shall be counted as Urban Service Area allocation. (Added 5/96, Ord. 96-11; Amended 12/00, Ord. 00-25; Amended 10/11, Ord. 2011-08, Policy 1.2.6.1-r)

Aviation Growth Center (West Orange Aviation District)

FLU7.4.8 A portion of the West Orange Aviation District, the District, is established as an Aviation Growth Center (AGC). The purpose of the AGC is to anticipate and coordinate development related to future establishment of a general aviation facility within the District. The AGC is a unique application of the Growth Center concept established in Policies FLU 7.4.1 through FLU 7.4.7. The policy framework established by FLU7.4.8 through FLU7.4.11 shall apply to future expansions of the AGC, if any. AGC implementation shall be accomplished through a two-part process, referred to herein as Boundary Designation (Part I) and Master Plan (Part II).

- A. Until such time as all of the requirements of FLU7.4.10 have been completed, no further new development entitlements under the Aviation Growth Center (AGC) Future Land Use designation shall be approved by Orange County. Existing or proposed land use entitlements consistent with the Rural FLU designation or permitted by a prior approved development order shall continue or may be considered for approval by Orange County.
- B. Annexation of lands within the District and the AGC to the municipal boundary of the City of Apopka shall not occur unless and until Orange County agrees with Apopka to amend the 2004 Joint Planning Agreement, as amended, for the Joint Planning Area between the County and the City. (Added 10/11, Ord. 2011-08)

FLU7.4.9 The Part I process shall begin upon County approval and execution of a Compliance Agreement with the Florida Department of Economic Development and amendment of the Comprehensive Plan to adopt Policies FLU7.4.8 through FLU7.4.11, and shall conclude with County approval and incorporation by reference into the Comprehensive Plan of the West Orange Aviation Authority Airport Master Plan. The Boundary Designation for the AGC shall incorporate the following:

- A. Authorization of development entitlements encompassing 2.8 million square feet of industrial land uses, 50,000 square feet of commercial uses, 150,000 square feet of office land uses, and 750,000 square feet of airport-related land uses. These development entitlements explicitly apply to the 447-acre parcel known as the "Long and Scott Property" and referred to herein as the Property. The Property's legal description is hereby incorporated as Exhibit 1. A color map of the property (which shows the property boundaries and Remedial Future Land Use designation for comparison) is hereby incorporated as Exhibit 2. Development consistent with the authorized entitlements and consistent with the provisions and requirements contained within Objective FLU7.4 and associated policies may be approved by the County in conjunction with establishment of a Planned Development (PD) zoning district for the Property or any portion thereof. These authorized entitlements shall not be contractually allocated among any current or future owners of the property prior to approval of an entitlement through the PD zoning process. Accordingly, the County shall not recognize any contractual allocations occurring prior to approval of the PD Zoning. For the purposes of Boundary Designation, the property shall be considered as two tracts, referred to as the northern and southern tracts. No residential subdivision/ development shall be permitted on either the northern or southern tract.

- B. The northern tract refers to that portion of the Aviation Growth Center (AGC) north of Jones Road. Development of this tract shall not be permitted unless and until such time as: 1) an agreement between the property owner, Orange County, the West Orange Aviation Authority and any other agency or unit of local government with jurisdiction has been approved by all parties to address the financial and operational responsibilities for improvement and maintenance of Jones Road and any other public facilities or services necessary to maintain acceptable levels of service for the full complement of entitlements referenced in these Policies; and 2) the West Orange Aviation Authority has officially adopted an Airport Master Plan, and the applicable local governments have amended their respective Comprehensive Plans and/ or development regulations to implement the land use and development recommendations of the Airport Master Plan. Prior to accomplishment of the conditions described in this paragraph, the northern tract shall be permitted to develop consistent with provisions of the Rural Future Land Use designation and existing zoning applicable to the tract. In addition, an algae-based biofuels production facility (land and facilities) shall continue to be a permitted use pursuant to a letter from the Orange County Zoning Division Manager to the property owner, attached hereto as Exhibit 3. The Wekiva open space standard on the northern tract shall be 25% for non-residential development.
- C. The southern tract refers to the portion of the Aviation Growth Center (AGC) south of Jones Road. Development of this tract shall not be permitted unless and until: 1) an agreement between the property owner, Orange County, the West Orange Aviation Authority and any other agency or unit of local government with jurisdiction has been approved by all parties to address the financial and operational responsibilities for improvement and maintenance of Jones Road and any other public facilities and services necessary to maintain acceptable levels of service for the full complement of urban land uses referenced in this Policy and, 2) the West Orange Aviation Authority has officially adopted an Airport Master Plan and the applicable local governments have amended their respective Comprehensive Plans and/ or development regulations to implement the land use and development recommendations of the Airport Master Plan.

Prior to accomplishment of the conditions described herein, the southern tract shall be permitted to develop:

- (a) Consistent with provisions of the Rural Future Land Use designation;
- (b) Up to the maximum entitlement of 90,000 square feet of airport-related uses authorized by these policies; or
- (c) Up to a maximum of 750,000 square feet of airport-related uses authorized by these policies contingent upon execution of an interim agreement between the property owner and service provider(s) for provision of public facilities and services necessary to maintain acceptable levels of service for the 750,000 square feet of airport-related uses.

Per FLU8.1.1, (the County's Future Land Use and Zoning Correlation Table) the Planned Development rezoning process may determine the final allocation of improvements for airport and airport-related uses, and ancillary office and commercial uses. Permitted zoning uses may include aircraft hangers/storage, aircraft maintenance, pilot services, fixed based operation, technical aviation training facilities, avionics assembly and testing, aviation schools and museums, as well as ancillary warehouse storage, office and retail to support the above listed airport/aviation uses. Pursuant to FLU8.2.6, Orange County retains authority to implement additional conditions it deems appropriate to ensure enforcement of its future land use designations. Development existing on the southern tract as of the date of approval of these policies shall be permitted to continue and shall be deemed

to be a part of the entitlements authorized for the Property. The Wekiva open space standard for non-residential development on the southern tract shall be 25%. The West Orange Aviation Authority and/ or the owner or owners of the Property shall enter into an agreement for provision of potable water and sanitary sewer services with a local government or service provider other than Orange County.

- D. Should the conditions of FLU7.4.9 be accomplished prior to issuance of a Development Order for an Application for Development Approval of a Development of Regional Impact (ADA/DRI) for the West Orange Growth Center/ Aviation Authority, the owner of the property shall request the applicable local government and DRI administrative agency to determine if the land use program referenced herein for the property is subject to the requirements of Chapter 380, Florida Statutes, for submission and review of an ADA/ DRI. If the authorized or approved entitlements are determined to qualify as a DRI, no development of the property shall occur until such time as a Development Order has been issued encompassing the authorized or approved entitlements. (Added 10/11, Ord. 2011-08)

FLU7.4.10

Part II of the West Orange Aviation District/ Growth Center Master Plan process comprises a number of sequential steps and products including all of the following. The Master Plan shall not be deemed to be final until all of the steps and products have been completed. Any entitlement referenced under FLU7.4.9 and subject to an Airport Master Plan shall not be approved unless and until the Airport Master Plan is adopted by the West Orange Aviation Authority (WOAA).

- A. Approval of a Preliminary Feasibility Study by the Florida Department of Transportation and the Federal Aviation Administration that authorizes the WOAA to proceed with preparation of a Final Site Selection Study.
- B. Approval of a Site Selection Study by the Florida Department of Transportation, Federal Aviation Administration and any local government with jurisdiction, which delineates the approved location and alignment of facilities associated with the general aviation facility.
- C. Inclusion of the West Orange General Aviation Facility in the Florida Aviation System Plan, and in the National Plan for Integrated Airport Systems (NPIAS). Approval and coordination by WOAA, the St. Johns River Water Management District, Orange County and any other entity with jurisdiction, of an Airport Master Plan that encompasses all lands and waters within the jurisdictional boundary of the District and the boundary of the Aviation Growth Center Future Land Use designation.
- D. Execution of an agreement between WOAA and a potable water and sanitary sewer service provider other than Orange County, for delivery of such services for the use and benefit of all uses within the AGC. The agreement shall include or reference, at a minimum, a capital improvements program for delivery of necessary potable water and sanitary sewer services. The capital improvements program made part of the agreement may be phased. In addition, the agreement must demonstrate that the Orange County Fire Rescue Department, or other applicable agency charged with fire protection responsibilities for the AGC or any portion thereof, has determined that the development can be serviced by adequate fire flow in the event of an emergency.
- E. If statutorily required, issuance of a development order by the applicable local government with jurisdiction pursuant to an ADA/DRI pursuant to the requirements of Chapter 380, Florida Statutes.
- F. Execution of an agreement between WOAA, the County, and any other entity with jurisdiction, for improvement and maintenance of existing roads within the District for which the County has jurisdictional responsibility. Improvement and maintenance of existing roads is related to the development impacts associated with the

development of the District for airport-related uses.

- G. The Airport Master Plan shall include and address requirements and responsibility for, and methods of financing for all public facilities and services required to support and maintain the general aviation airport and all planned ancillary uses and development included within the AGC. (Added 10/11, Ord. 2011-08)

FLU7.4.11

Both the northern and southern tracts of the Property, and ultimately the remaining portions of the Aviation Growth Center, are subject to all applicable site and construction plan requirements and all other applicable Orange County ordinances and regulations. This includes the ability to require additional use and access restrictions, buffers, transitional techniques, fencing and signage limitations as necessary to manage the development of AGC properties in a manner that recognizes the surrounding rural character and environmental values of the region. This also includes the ability to impose master development controls and additional environmental safeguards, should such requirements be deemed necessary based on the circumstances. (Added 10/11, Ord. 2011-08)

IMPLEMENTATION

GOAL FLU8 **IMPLEMENTATION.** Orange County shall use its codes and ordinances to implement the goals, objectives and policies of the Comprehensive Plan consistent with the health, safety and welfare of the general public.

OBJ FLU8.1 **Orange County's Land Development Code, Zoning and Planned Development process will continue to be implementing tools for ensuring compatible, and integrated land development that promotes the public health, safety, and welfare in Orange County.**

POLICIES

FLU8.1.1 The following future land use and zoning correlation table shall be used to determine zoning consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities; market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate.

Density is restricted to the maximum allowed by the Future Land Use Map designation regardless of zoning.

Density and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(C).

Orange County's **Future Land Use and Zoning Correlation Table** is referenced herein as follows:

| Future Land Use and Zoning Correlation | | |
|---|---|---|
| <i>FLUM Designation</i> | <i>Density/Intensity</i> | <i>Zoning Districts</i> |
| Urban Residential | | |
| Low Density Residential (LDR) | (0 to 4 du/ac) | A-1*, A-2*, R-CE* R-1, R-2**, R-1A, R-1AA, R-1AAA, R-1AAAA, R-T-1, R-T-2, R-L-D, PD, U-V * R-CE is not available as a rezoning request in the USA. |
| Low-Medium Density Residential (LMDR) | (0 to 10 du/ac) + workforce housing bonus | R-1, R-1A, R-2, R-T, R-T-1, PD, U-V |
| Medium Density Residential (MDR) | (0 to 20 du/ac) + workforce housing bonus | R-2, R-3, UR-3, PD, U-V |
| Medium-High Density Residential (MHDR) | (0 to 35 du/ac) + workforce housing bonus | R-2, R-3, UR-3, PD, U-V |
| High Density Residential (HDR) | (0 to 50 du/ac) + workforce housing bonus | R-2, R-3, UR-3, PD, U-V |
| Urban and/or Non-Residential | | |
| Office (O) | 1.25 FAR Unless otherwise restricted by County policy or code | P-O, PD |
| Commercial (C) | 1.50 FAR unless otherwise restricted or increased by County policy or code | C-1, C-2, C-3, P-O, PD |
| Industrial (IND) | .75 FAR | I-1A, I-1/I-5, I-2/I-3, I-4, PD |
| Institutional (INST) | 2.0 FAR | Any |
| Educational (EDU) | 2.0 FAR | PD |
| Urban Mixed Use | | |
| Planned Development (PD) | See FLU8.1.2 and FLU8.1.4 | PD |
| I-Drive Activity Center Mixed Use (ACMU) I-Drive Activity Center Residential (ACR) | See I-Drive Element | PD |
| Mixed-Use Corridor (MUC) (Staff-initiated) | 3.0 FAR unless otherwise restricted by County policy or code (11 to 20 DU/AC) | PD, (Mixed Use District – to be developed); Staff-initiated; Urban Service Area only |
| Area Specific | | |
| Neighborhood Center (NC) Neighborhood Activity Corridor (NAC) Neighborhood Residential (NR) | 40 DU/AC (2.0) 25 DU/AC (1.0) 20 DU/AC (.40) Study required per FLU8.3.1 | NC NAC NR |
| Village Classification (V) (Horizon West) | See Policy FLU4.1.9 | PD within adopted Village Boundary or conventional zoning districts within a Rural Residential Enclave. (See below) |
| Traditional Neighborhood Development (TND) | | PD |
| Growth Center (GC) | See FLU Goal 7 | PD |
| Innovation Way Overlay | See FLU Goal 5 | Innovation Way – Planned Development – Regulating Plan (IW-PD-RP) |
| I-Drive District Overlay | See Conceptual Regulating Plan, Map 23 of Future Land Use Map Series | PD, C-1, C-2, I-2/I-3 |

| Future Land Use and Zoning Correlation | | |
|---|---|---|
| <i>FLUM Designation</i> | <i>Density/Intensity</i> | <i>Zoning Districts</i> |
| Rural Residential Enclave (FLUM designation varies) | See Objective OBJ2.5, related subpolicies, and Maps 25(a) through 25 (c) of the Future Land Use Map Series. | PD, R-CE, A-1, A-2, A-R, R-1A, R-1AA (See: Maps 25(a) through 25(c) of the Future Land Use Map Series for minimum area requirements and location of identified Rural Residential Corridors. |
| Rural | | |
| Rural Settlement Low Density 2/1 (RSLD 2/1) | 2 DU/AC | R-CE, R-CE Cluster, R-CE-2, R-CE-5, PD*** |
| Rural Settlement 1/1 (RS 1/1) | 1 DU/AC | R-CE, R-CE Cluster, R-CE-2, R-CE-5, PD*** A-R, A-1, A-2 |
| Rural Settlement 1/2 (RS 1/2) | 1 DU/2 AC | R-CE-2, R-CE-5, A-R, A-1, A-2, PD*** |
| Rural Settlement 1/5 (RS 1/5) | 1 DU/5 AC | R-CE-5, A-1, A-2 (all previously listed districts are restricted to a minimum 5-acre lot size), PD*** |
| Rural/Agricultural 1/10 aka (R) on FLUM See FLU6.1.1 | 1 DU/10 AC | A-1, A-2, A-R, R-CE |
| Lake Pickett (LP) | Transect-based; Densities/intensities established on a Conceptual Regulating Plan | Lake Pickett Planned Development-Regulating Plan (PD-RP) |
| Rural Settlement Office (O) | 0.15 FAR for Rural Settlements Unless otherwise restricted by County policy or code | P-O or PD |
| Rural Settlement Commercial (C) | 0.15 FAR or Rural Settlements Unless otherwise restricted by County policy or code | C-1 or PD |
| <p>* (1) R-CE districts are consistent with the LDR designation only when located in a Rural Settlement or Rural Residential Enclave. (2) A-1 and A-2 districts are also consistent with the LDR designation only when located in a Rural Residential Enclave. (3) Within the Urban Service Area (USA), rezoning requests to R-CE, A-1, and A-2 shall only be allowed for properties located in a Rural Residential Enclave.</p> <p>** Limited to 4 dwelling units per acre.</p> <p>*** Consistent with FLU6.2.3.</p> <p>General Notes:</p> <p>a) As of adoption of the 2030 update, the CVC FLUM designation no longer will be available as a FLUM request. Existing CVC-designated properties shall not be considered inconsistent as a result of this change. See FLU8.5.8.</p> <p>b) Refer to FLU8.2.5, FLU8.2.5.1, and FLU8.2.5.2 to determine whether a rezoning is required prior to a special exception, or to determine whether a rezoning is required in specific cases of inconsistent zoning and future land use.</p> <p>c) Consistency of A-1, A-2 and A-R zoning districts with a Rural Settlement FLUM designation is limited to: residential uses permitted by right or by special exception approval; and, non-residential uses requiring approval by special exception and which are common to all zoning districts consistent with a Rural Settlement FLUM designation. A use that is not common to all listed districts is not consistent with a Rural Settlement designation.</p> <p>Uses that may be permitted in a Planned Development zoning district are limited to those uses permitted by right or by special exception approval for districts consistent with the specific FLUM designation.</p> | | |

(b) In making the transition from the Future Land Use Map designation to the most

appropriate zoning district classification, it shall be permissible to require use of a PD District that provides for fewer uses than permitted with a standard zoning district classification. Furthermore, in making the transition for residential development, the Future Land Use Map shall establish only the maximum permitted density and intensity of development. It is permissible to impose a more restrictive zoning district classification as an interim use until such time as the property is found through an administrative decision-making process to be suitable and ready for ultimate development. (Added 8/92, Ord. 92-24; Amended 8/93, Ord. 93-19, 5/96, Ord. 96-11, 12/00, Ord. 00-25, 12/04, Ord. 04-21; Amended 10/10, Ord. 2010-13; Amended 6/12, Ord. 2012-14, Policy 1.1.14-r; Amended 6/14, Ord. 2014-12; Amended 6/16, Ord. 2016-15; Amended 11/17, Ord. 2017-19; Amended 07/16, Ord. 2016-17, Amended 8/18, Ord, 2018-17)

- FLU8.1.1.1 In determining consistency with the Comprehensive Plan, the Zoning and Future Land Use Policy Correlation in FLU8.1.1 shall be coordinated and considered in conjunction with FLU8.2.5, FLU 8.2.5.1, FLU8.2.5.2 and other applicable policies of the Comprehensive Plan. The zoning categories indicated in the Zoning and Future Land Use correlation are those in effect as of the date of the consistency determination. This policy was FLU8.1.1(C)
- FLU8.1.2 Planned Developments (PDs) intended to incorporate a broad mixture of uses under specific design standards shall be allowed, provided that the Planned Development land uses are consistent with the cumulative densities or intensities identified on the Future Land Use Map. (Policy 3.1.19)
- FLU8.1.3 As part of Orange County's Future Land Use correlation, specific land use designations (e.g., hotel and/or restaurants) may be approved on a site-specific basis. Such designation shall be conditioned on the development proposal being reviewed under the Planned Development Zoning District. Planned Development review shall ensure adjacent land use compatibility and efficient physical integration with existing infrastructure. Such specific land use designation shall be established by a comprehensive plan amendment that identifies the specific land use type and density/intensity. The Future Land Use designation shown on the Future Land Use Map shall indicate the approved use and the Planned Development designation. A use other than that approved shall require a comprehensive plan amendment. This policy shall apply only to parcels located in the Urban Service Area (USA), Rural Settlements and Growth Centers, excluding the International Drive Activity Center. (Added 08/93, Ord. 93-19; Amended 12/00, Ord. 00-25, 12/04, Ord. 2004-21; Policy 1.1.12.1-r)

FLU8.1.4

The following table details the maximum densities and intensities for the Planned Development (PD) and Lake Pickett (LP) Future Land Use designations adopted subsequent to January 1, 2007.

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|---|---|--|------------------|
| 2006-1-D-4-1 Innovation Place | Planned Development (PD)- Low Medium Density Residential (LDR)/ Medium Density Residential (MDR)/ Innovation Way Activity Center (IWAC)/Urban Service Area Expansion | Single family residential – 665 dwelling units on 154.85 acres Multi-family residential – 377 dwelling units on 17.03 acres Innovation Way Activity Center – consists of 476.28 acres containing up to 729 single family dwelling units and up to 3,729 multi-family dwelling units at a maximum density of 100 dwelling units per acre Retail – 1,235,000 square feet Office – 2,267,000 square feet Hotel – 200 rooms Institutional – 32.45 acres Parks/open space/undeveloped uplands – 114.36 acres Roads – 66.5 acres Easements – 7 acres Future Interchange ROW – 13 acres Preserved wetland areas – 382.4 acres Surface waters – 40.4 acres Total = 1,284 acres for the entire DRI | 2007-11 |
| 2007-2-A-1-1 Northeast Resort Parcel | Planned Development (PD)- Low Density Residential/ Commercial(Timeshare) | Residential – 241 acres at 4 dwelling units per acre and a maximum development program of 573 units Commercial (Timeshare) – 8 acres at a Floor Area Ratio of 3.0 and a maximum development program of 60 units | 2007-18 |
| 2007-2-A-2-5 Clarcona Ocoee Road | PD-Low Medium Density Residential (LMDR) | Residential – 8.84 acres at 10 dwelling unit per acre and a maximum development program of 57 units | 2007-18 |
| 2007-2-A-4-1 Sadler Road | PD-Low Density Residential | Residential – 100 acres at 4 dwelling units per acre and a maximum development program of 400 units | 2007-18 |
| 2007-2-A-6-1 Swiss and LeGrange | PD-Medium Density Residential (MDR) | 10.23 acres at 20 dwelling units per acre and a maximum development program of 205 multifamily units. | 2007-18 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|-----------------------------------|---|--|------------------|
| 2007-1-A-1-1 Black Lake Road | Growth Center-Commercial (Urban Service Area) USA Expansion - (Tourist Commercial) | Commercial – Minimum 0 square feet to maximum of 150,000 square feet Hotel/Timeshare/Age Restricted Multi-Family – Minimum 363 units to maximum of 1,354 units *Maximum trip generation for the project is 12,081 ADT (Average Daily Trips) and may be achieved by a single use or a combination of uses within the above minimum/ maximum range | 2008-05 |
| 2007-1-A-4-1 Boggy Creek Road | Planned Development (PD) – Commercial (USA Expansion) | Commercial – 170,000 square feet | 2008-05 |
| 2007-1-A-5-3 Addison Place | PD-High Density Residential (HDR)/Student Housing | 418 student housing units | 2008-05 |
| 2008-1-A-1-1 Bay Ct/Reams Road | Village Specific Area Plan – Townhome/Apartment; Greenbelt/APF Park; and Conservation | Residential development at a maximum density of 12 dwelling units per acre on 12.5 net developable acres for a maximum development program of 72 units | 2008-09 |
| 2008-1-A-4-1 Starwood | PD-Low Medium Density Residential (LMDR); Medium Density Residential (MDR); Innovation Way Activity Center (IWAC); and Urban Service Area Expansion (USA) | Residential – 4,700 single family townhomes and multi-family residential dwelling units on 800 acres IWAC – 897 acres containing up to 4,300 townhome and multi-family dwelling units at a maximum density of 100 dwelling units per acre Non-residential – Retail – 1,475,000 square feet Office – 2,200,000 square feet High-Tech Flex – 2,200,000 square feet Light Industrial – 1,350,000 square feet Hotel – 500 rooms Additional acreage will be used for Institutional uses; park/open space; undevelopable uplands; roads; preserved wetlands and buffers | 2008-09 |
| 2008-1-A-4-2 Fieldstream | PD-Office/ Commercial/ Institutional/Conservation | 150,000 square feet of non-residential development specifically consisting of 72,500 square feet of commercial/retail and 77,500 square feet of office and 140,000 square feet of non-residential development specifically consisting of 112,000 square feet of flex space/light industrial/warehousing and office support uses which are limited to 20% of the total equaling 28,000 square feet | 2008-09 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|---|--|---|------------------|
| 2008-1-A-4-3 Boggy Creek Road | PD-Institutional/Conservation | 1,000,000 square feet of hospital and internalized or physically connected support uses; 450 dwelling units of multi-family residential; 250 rooms of hotel; 100,000 square feet of retail; 299,000 square feet of office; heliport; cell tower and related facilities. A maximum of 1,399,000 square feet of hospital, hospital support, office and retail uses; 450 dwelling units of multi-family uses and 250 hotel rooms or their equivalent shall be allowed without a further amendment to the CP. Land uses may be converted from one use to another based on equivalent trips, provided that the revised development program continues to comply with adopted County standards and does not exceed any development of regional impact threshold. | 2008-09 |
| 2008-1-A-4-5 Gondola (TOD) | PD-C/O/MDR | 239 single family/multi-family dwelling units 19,000 square feet office 19,000 square feet commercial | 2008-09 |
| 2008-1-A-4-4 Morgran | Planned Development— Commercial/Low Medium Density Residential/Parks and Recreation/Open Space (PD- C/LMDR/PR/OS | 237,000 square feet commercial 250 M/F units 6,000 square feet clubhouse 26 acre park | 2008-21 |
| 2010-1-A-1-2 East Crown Point | Planned Development- Industrial (PD-IND) | 546,214 square feet Light Industrial - 96,389 square feet office | 2010-07 |
| 2010-1-A-2-1 Aviation Growth Center (AGC) | Creation of new Growth Center (GC) – AGC Planned Development- Aviation/Industrial/Commercial/Office (PD- Aviation/IND/C/O) See also FLU7.4.8 through FLU7.4.11 | 750,000 s.f. aviation 2,800,000 s.f. industrial 50,000 s.f. commercial 150,000 s.f. office All impacts to the Lake County transportation network shall be mitigated. Transportation impacts on Lake County's transportation network shall be addressed prior to PD/LUP approval. | 2011-08 |
| 2010-1-A-4-1 Lake Barton | Planned Development- Commercial/Low Density Residential (PD-C/LDR) | 49,530 square feet Commercial 10 Single Family Dwelling Units | 2010-07 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|---|--|---|------------------|
| 2010-1-A-4-5 Tyson's Corner | Planned Development- Commercial/Office/ Religious Institution/ Assisted Living Facility/Rural Settlement 1/2 (PD-C/O/REL/ALF/RS 1/2) | 163,000 square feet* Commercial 110,000 square* Office And one of or a combination of the following: Assisted Living – up to 150 units** or Church – 50,000 square feet plus 10,000 square feet of ancillary uses** * Maximum ADT for the 20.19 acre C/O portion of the project is 10,765 ADT. ** Maximum trip generation of the 8.70 acre REL/ALF portion of the project is 1,600 ADT, which may be achieved by a single use or a combination of uses listed above. | 2010-07 |
| 2010-2-A-1-1 US 192 Growth Center Addition (Lake Gifford) | Growth Center/Resort/PD (GC/R/PD) | 97 Resort Housing/Time Share Units 8,820 sq. ft. Commercial | 2010-13 |
| 2010-1-A-2-2 The Parks at Mount Dora | Planned Development – Office/ Low Medium Density Residential (PD-O/LMDR) and Expansion of the Northwest Growth Center (GC) | 75,000 s.f. office 280 multi-family senior housing units | 2010-13 |
| 2010-2-A-2-1 Maitland FDOT | Planned Development- Commercial (PD-C) | Commercial – 1,281,000 sq. ft. | 2010-13 |
| 2010-2-A-2-2 Maitland Blvd. Apts. | Planned Development-High Density Residential (PD-HDR) | Multi-family dwelling units – 560 | 2010-13 |
| 2010-2-A-4-1 Boggy Creek Land Holdings | Planned Development-Low Density Residential (PD-LDR) | N/A (stormwater pond) | 2010-13 |
| 2010-2-A-4-2 Avalon Park Blvd. | Planned Development- Commercial/Low Density Residential (PD-C/LDR) | Commercial - 50,000 sq. ft. Townhomes - 19 | 2010-13 |
| 2010-2-A-4-3 Pioneers Development | Planned Development- Commercial/Office/Medium Density Residential/Rural Settlement RS 1/2 (PD- C/O/MDR/RS 1/2) | Office – 30,000 sq. ft. Commercial –125,000 sq . ft. Multi-family dwelling units – 275 Religious Institutional – 120,000 sq. ft. | 2010-13 |
| 2010-2-A-5-2 Ravaudage | Planned Development- Commercial/Office/Medium Density Residential/ Institutional/Parks and Recreation/Open Space (PD- C/ O/MDR/INST/PR /OS) | Multi-family – 390 dwelling units Hotel – 320 rooms Commercial – 265,169 sq. ft. Office – 772,737 sq. ft. Fire station | 2010-13 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|---|--|---|------------------|
| 2011-2-A-1-1 | Planned Development-Assisted Living Facility (PD-ALF) | 120 beds | 2011-16 |
| 2011-2-A-1-2 Chancellor Investments | Planned Development-Commercial/Office (PD-C/O) Rural Settlement (RS) | Commercial/Office – 40,000 sq. ft. Office 9,999 sq. ft. | 2011-16 |
| 2012-1-A-3-1 Econ Landing | Planned Development-Commercial/Low Medium Density Residential/Conservation (PD-C/LMDR/CONS) | Multi-Family – 300 dwelling units Commercial – 96,000 sq. ft. of self-storage or 20,000 sq. ft. of commercial uses | 2012-14 |
| 2012-1-A-4-1 Lake Whippoorwill Landing | Planned Development Commercial/Office/ Medium Density Residential/ Townhomes/Rural Settlement 1/2 (PD-C/O/MDR/TH/RS 1/2) | Commercial/Office – 50,000 sq. ft. Multi-Family – 275 dwelling units Single Family – 1 dwelling unit | 2012-14 |
| 2012-1-A-5-1 Arbour Apartments | Planned Development-High Density Residential (PD-HDR) (Student Housing) | *Development Program 1: Multi-Family – 400 dwelling units Student Housing Beds – 1,600 -or- *Development Program 2: Student Housing Beds – 2,400 Maximum trip generation for the project is 458 PM Peak Hour * The maximum trip generation may be achieved by a mix of multi-family units and student housing beds or as a student housing project. The number of multi-family units shall not exceed 400 units under any development scenario. | 2012-14 |
| 2012-2-A-5-1 The Retreat at Orlando | Planned Development-Medium Density Residential (PD-MDR) (Student Housing) | 906 student housing beds | 2012-20 |
| 2013-1-A-4-1 Waterford Oaks | Planned Development – Commercial (PD-C) | Commercial – 141,000 square feet | 2013-11 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|---|---|--|------------------|
| 2013-2-A-4-1 Tyson Property | Planned Development-Industrial/Commercial/Office/Medium Density Residential (PD-IND/C/O/MDR) | 820,000 square feet of airport and medical support uses, including medical offices, manufacturing of medical equipment, research and development of medical and pharmaceutical products, manufacturing and assembly of scientific instruments, and all other uses consistent with uses identified to support airport and medical industrial uses; 250 hotel rooms; 450 multi-family residential dwelling units; 300 single-family residential dwelling units; 100,000 square feet of commercial retail; and 275,000 square feet of office. Phase One of the development program shall be limited to a maximum trip generation of 944 outbound PM Peak Hour trips. Phase Two is linked to the completion of a small area study for the Boggy Creek enclave area. | 2013-22 |
| 2013-2-S-1-1 Keene's Pointe | Planned Development - Office/Parks and Recreation/Open Space (PD-O/PR/OS) Rural Settlement (RS) | Office - 1,800 sq. ft. Homeowner's Association office building restricted to use by the Keene's Pointe Community Association for offices, services, and activities Parks and Recreation/Open Space - 2,278 sq. ft. recreation pavilion, outdoor recreation court, and boardwalk trailhead | 2013-23 |
| 2013-2-S-4-1 South Orange Blossom Plaza PD | Planned Development – Industrial/Commercial (PD-IND/C) | Industrial - 18,600 sq. ft. Commercial - 7,680 sq. ft. | 2013-23 |
| 2014-1-A-4-1 Eastmar Commons | Planned Development-Commercial/Medium Density Residential (PD-C/MDR) | Multi-Family - 380 dwelling units on nineteen (19) acres Commercial - 45,000 sq. ft. The combined development program is limited by a maximum of 4,689 new daily trips/424 new p.m. peak hour trips, as established in the approved traffic study. | 2014-12 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|--|---|---|------------------|
| 2014-1-S-FLUM-1 Rivas Chickasaw Trail PD | Planned Development-Self-Storage/Office/ Medium Density Residential (PD-Self-Storage/O/MDR) | Self-Storage – 80,000 sq. ft. with up to 40 parking spaces for storage of recreational vehicles, boats, or similar items Office – 30,000 sq. ft. Multi-Family – 15 dwelling units | 2014-14 |
| 2014-2-A-1-2 Sutton Lakes | Growth Center-Planned Development-Commercial/Medium Density Residential/Low Density Residential (GC-PD-C/MDR/LDR) | Commercial – 20,000 sq. ft. Single-Family – 700 dwelling units | 2014-30 |
| 2014-2-A-4-1 Spring Isle | Planned Development (PD)-Low Density Residential (LDR)/ Medium Density Residential (MDR)/Commercial (C)/ Office (O)/Parks and Recreation/Open Space (PR/OS)/Conservation (CONS) | Townhomes – 130 units Commercial – 100,000 sq. ft. Office – 50,000 sq. ft. Park – 10.71 gross ac. *Maximum trip generation for the project is 733 P.M. Peak Hour Trips and may be achieved by any combination of uses listed above, not to exceed the maximum units or square footage for each use indicated above. | 2014-30 |
| 2014-2-S-5-1 University Storage and Office PD | Planned Development-Commercial (PD-C) | 80,000 sq. ft. of self-storage and 5,000 sq. ft. of office development | 2015-02 |
| 2015-1-S-3-2 Family Dollar Dean & Flowers | Planned Development-Commercial (PD-C) | 8,353 square feet of commercial development | 2015-08 |
| 2015-1-A-4-2 Twin Acres at Lake Underhill | Planned Development-Commercial/Low-Medium Density Residential (PD-C/LMDR) | Up to 15,000 square feet of commercial and professional office uses and up to 150 single-family residential dwelling units | 2015-20 |
| 2015-2-A-3-1 Asbury Theological Seminary | Planned Development-Commercial/Office (PD-C/O) | Up to 750,000 sq. ft. (split evenly between office and commercial) | 2015-20 |
| 2015-2-S-2-3 Storage Units, LLC | Planned Development – Commercial (PD-C) (Rural Settlement) (RS) | 20,386 square feet of self-storage space and continued operation of the boat and RV storage business | 2015-22 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|---|---|---|-------------------------|
| 2015-2-S-4-2 Moreno Commercial Plaza | Planned Development – Industrial/Commercial (PD-IND/C) | Commercial – 20,000 square feet Industrial – 20,000 square feet | 2015-22 |
| 2016-1-A-1-5 Ruby Lake | Planned Development-Low-Medium Density Residential (PD-LMDR) | Up to 400 single-family residential dwelling units | 2016-15 |
| 2015-2-A-5-1 The Grow | Lake Pickett (LP) | Up to 172,000 sq. ft. of non-residential uses and 2,078 residential dwelling units | 2016-17 |
| 2016-2-S-3-1 Valencia College Lane Storage | Planned Development-Commercial (PD-C) | Up to 410,335 sq. ft. of commercial uses based on a maximum allowed FAR of 3.0 | 2016-27 |
| 2016-2-S-4-1 Orlando Medical Office PD | Planned Development-Office (PD-O) | Up to 24,000 sq. ft. of medical office | 2016-27 |
| 2016-2-S-4-4 Nona Center PD | Planned Development-Commercial (PD-C) | Up to 27,300 sq. ft. of commercial development | 2016-27 |
| 2016-2-A-5-1 Lake Pickett Center | Planned Development-Commercial/High Density Residential (PD-C/HDR) | Up to 296 multi-family residential dwelling units | 2016-28 |
| 2016-2-P-FLUE-2 Eastmar Commons | Planned Development Commercial/Medium Density Residential (PD-C/MDR) | The combined development program is limited by a maximum of 4,689 new daily trips/424 new p.m. peak hour trips, as established in the approved traffic study. Land uses shall be as established on the PD Land Use Plan as it may be amended from time to time consistent with the FLUM designations. | 2016-28 |
| 2017-1-A-4-1 Moss Park North | Planned Development - Medium Density Residential/Office/Conservation (PD- MDR/O/CONS) | Up to 650 residential dwelling units and 50,000 square feet of office/daycare/private school uses | 2017-11 |
| 2017-1-S-3-2 Sandlake Palazzo PD | Planned Development-High Density Residential (PD-HDR) | Up to 180 multi-family dwelling units | 2017-13 |
| 2017-1-S-4-2 Aldi Food Market | Planned Development-Commercial (PD-C) | Up to 19,787 sq. ft. of Grocery Store development | 2017-13 |
| 2017-1-S-1-4 Epoch Vista Oaks | Planned Development-High Density Residential (PD-HDR) | Up to 80 multi-family dwelling units | 2017-15 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|--|--|--|------------------|
| 2017-2-A-5-1 15169 E. Colonial Dr. | Planned Development-Commercial/Conservation (PD-C/CONS) | Up to 60,000 square feet of C-1 uses | 2017-19 |
| 2017-2-S-5-3 Dr. Chau ALF | Planned Development-Office/Commercial (PD-O/C) (Assisted Living Facility) | Approximately 29,000 sq. ft. assisted living facility with fifty-six (56) beds and up to 35,435 sq. ft. office uses | 2017-20 |
| 2017-2-A-1-2 (fka 2016-1-A-1-6) Flamingo Crossings | East Portion: Growth Center-Planned Development-Commercial/High Density Residential (Temporary Employee Housing) (GC-PD-C/HDR [Temporary Employee Housing]) West Portion: Growth Center-Planned Development-Commercial/High Density Residential (Temporary Employee Housing)/Conservation (GC-PD-C/HDR [Temporary Employee Housing])/CONS | 2,600 multi-family employee housing units and 150,000 square feet of C-1 (Retail Commercial District) uses | 2018-06 |
| 2018-1-A-4-1 Bishop Landing Ph. 3 | Planned Development-Low Density Residential (PD-LDR) and Urban Service Area (USA) expansion | 53 single-family dwelling units | 2018-30 |
| 2018-2-A-1-4 Kerina Parkside | Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/ Senior Living/ Conservation (PD-C/O/MDR/LDR/Senior Living/CONS) | Single-family residential: 301 dwelling units Multi-family residential: 400 dwelling units Senior living: 200 units (may include independent living, assisted living, memory care, and/or related supporting uses) Commercial/Office: 150,000 square feet of neighborhood retail and/or office development, limited to C-1 (Retail Commercial District) uses Park: 5.0 acres Conservation land/open space: 93.0 acres | 2019-07 |
| 2018-2-A-1-7 Turkey Lake Condos | Planned Development Time Share/Medium High Density Residential/Hotel/ Office (PD-TS/MHDR/HOTEL/O) | One of the following uses: Up to 505 timeshare units, or up to 424 multi-family units, or up to 1,009 hotel rooms, or up to 366,340 square feet of office | 2018-31 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|--|---|---|------------------|
| 2018-1-S-1-3 (flk 2017-2-S-1-4) CERTUS Senior Living | Planned Development-Assisted Living Facility (PD-ALF) | 46,000 sq. ft. assisted living facility with 64 beds | 2018-13 |
| 2018-2-S-3-1 Sanchez Properties | Planned Development-Low-Medium Density Residential/Industrial (PD-LMDR/IND) | 3 residential dwelling units (2 single-family detached homes and 1 manufactured home), 1 detached garage with 2 garage apartment units, freestanding family game room building, freestanding home office, 2 pole barns, and overnight truck parking for commercial vehicles | 2018-29 |
| 2019-1-A-1-2 The Registry on Grass Lake | Growth Center-Planned Development-Medium High Density Residential (GC-PD-MHDR) | Up to 360 multi-family dwelling units | 2019-04 |
| 2019-1-A-1-3 Ruby Lake | Planned Development Commercial/Low-Medium Density Residential (PD-C/LMDR) | Up to 20 townhome units and up to 200,000 square feet of non-residential uses, to include an off-site (freestanding) emergency department and commercial and offices uses permitted in the C-1 (Retail Commercial zoning district) | 2019-04 |
| 2019-1-A-1-4 Bering I | Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR) | Up to 400 multi-family dwelling units and 15,000 square feet of C-1 (Retail Commercial District) uses | 2019-04 |
| 2019-1-A-4-1 Innovation Pointe | Planned Development-Medium Density Residential/Industrial/Parks and Recreation/ Open Space (PD-MDR/IND/PR/OS) | 350 multi-family dwelling units, 284,000 sq. ft. of industrial, and parks and recreation/open space | 2019-04 |
| 2019-1-A-4-3 Boggy Creek Crossings | Planned Development-Commercial/Medium Density Residential (PD-C/MDR) | Up to 45,750 square feet of retail commercial uses and up to 336 multi-family dwelling units The combined development program is limited by a maximum of 5,362 ADT (Average Daily Trips), as established in the approved traffic study | 2019-04 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|---|---|--|-------------------------|
| 2019-1-A-5-1 12151 E Colonial Drive | Planned Development- Commercial/Medium Density Residential (Student Housing) (PD/C/MDR) (Student Housing) | Up to 162 student housing units (up to 650 bedrooms) or up to 802,375 square feet of commercial uses | 2019-04 |
| 2019-1-A-5-3 Silver City Properties Student Housing | Planned Development- Commercial/High Density Residential (Student Housing) (PD-C/HDR) (Student Housing) | Up to 2,400 student housing bedrooms (600 student housing units) and up to 30,000 square feet of commercial uses | 2019-04 |
| 2019-1-S-4-1 Eagle Lake | Planned Development- Commercial/Office (PD-C/O) and Urban Service Area (USA) expansion | Frontage zone: Up to 22,717 square feet commercial and/or office uses Transition zone: Up to 25,156 square feet of office uses | 2019-05 |
| 2019-1-S-4-2 Bonnemaison | Planned Development- Commercial/Office/ Medium Density Residential (PD-C/O/MDR) | Up to 50,000 square feet commercial Up to 100,000 square feet office Up to 170 multi-family dwelling units The combined development program is limited by a maximum of 3,323 daily trips as established in the approved traffic study. | 2019-05 |
| 2019-1-S-5-3 Express Carwash | Planned Development Commercial (PD-C) | Up to 6,000 –square-foot carwash and 5,000 square feet of additional commercial uses | 2019-05 |
| 2109-1-S-5-4 Semoran Vista | Planned Development Commercial (PD-C) | Up to 45,000 square feet of retail commercial and office uses | 2019-05 |
| 2019-2-A-1-1 Avalon Groves | Growth Center-Planned Development-Commercial/ Medium Density Residential (GC-PD-C/MDR) | Up to 300 short-term rental units and 300 multi-family dwelling units | 2019-18 |
| 2019-2-A-4-2 12400 E. Colonial Drive | Planned Development- Medium-High Density Residential (PD-MHDR) | Up to 256 multi-family dwelling units | 2019-18 |
| 2019-2-S-1-1 The Registry on Grass Lake | Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR) | Up to 360 multi-family dwelling units | 2019-19 |

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|---------------------------------------|--|--|------------------|
| 2019-2-S-1-2 Townhomes at Westwood | Planned Development-Medium Density Residential (PD-MDR) | Up to 43 single-family attached dwelling units | 2020-26 |
| 2019-2-S-4-1 Narcoossee Retail | Planned Development-Commercial (PD-C) and Urban Service Area (USA) expansion | Up to 15,703 square feet of C-1 (Retail Commercial District) uses | 2019-19 |
| 2020-1-C-1-1 Hannah Smith Property | Planned Development-Commercial/Office/Medium-High Density Residential/Activity Center Mixed Use (PD-C/O/MHDR/ACMU) | Multi-Family: Up to 1,300 dwelling units Commercial: UP to 349,000 square feet Office: Up to 314,000 square feet Hotel: Up to 165 rooms Timeshare: 1 unit Development of Tract 4 shall be limited to 165 hotel rooms, 314,000 square feet of office uses, and 50,000 square feet of commercial uses | 2020-13 |
| 2020-1-S-3-2 | Planned Development-Medium-High Density Residential (PD-MHDR) | Up to 252 mutli-family dwelling units | 2020-21 |

Allowance for a one-time cumulative density or intensity differential of 5% based on Average Daily Trips within said development program at a staff level review to be approved by the Planning Manager. (Added 12/07 Ord. 07/18, Policy 1.1.12.1.A-4; Amended as shown in table)FLU8.1.5 The location of Planned Developments (PDs) within the Urban Service Area that have been approved as of the date of adoption of the 1991 CPP shall be considered consistent with the Comprehensive Plan and included as part of the adopted Orange County Future Land Use Map (FLUM). (Policy 3.1.20-r)

FLU8.1.5.1 The location of Planned Developments (PDs) within the Rural Service Area that have been determined to be inconsistent with the Goals, Objectives and Policies of the Comprehensive Plan shall not be included as part of the adopted Orange County Future Land Use Map (FLUM). (Policy 3.1.20-r)

FLU8.1.6 A proposed change to an approved PD that would

- A. Increase the land use intensity within the PD Planned Development without a corresponding decrease in some other portion of the PD Planned Development, and
- B. Result in greater off-site impacts

shall be reviewed to determine consistency with the Comprehensive Plan and whether a plan amendment is necessary. Nothing in this policy shall be construed to supersede or negate other limitations on PDs in the Orange County Land Development Code. (Policy 3.1.20-r)

FLU8.1.7 A commercial land use designation, including a nonresidential Planned Development, approved in response to a Future Land Use Map amendment request by an applicant shall be considered for reversion to its former designation if development on the site has not commenced within a five-year period following the date of adoption of the Future Land Use amendment, unless such timeframe is modified by the Board of County

Commissioners. Reversion shall not be automatic, but through an amendment to the Comprehensive Plan. This policy is not intended to be retroactive. (Policy 1.1.17-r)

- FLU8.1.8 A proposed amendment to an approved Planned Development shall be determined to be inconsistent with the Future Land Use Map if any of the following conditions exist:
- A. The proposed amendment is inconsistent with Comprehensive Plan policies, including policies aimed at ensuring land use compatibility and adequate public facilities; or,
 - B. The proposed amendment would result in either of the following: inclusion of a land use not previously approved or permitted by the Planned Development Land Use Plan or the Future Land Use Map (unless permitted by FLU8.1.10) or,
 - C. An increase in the intensity of an existing approved land use without a corresponding decrease in another approved land use, and additional off-site impacts result from the increase.
 - D. (Added 8/93, Ord. 93-19; Amended 12/00, Ord. 00-25, Policy 3.8.5-r)
- FLU8.1.9 The Zoning Regulations shall require a revised PD Land Use Plan with any proposed non-substantial or substantial change involving a change or relocation of land use or a change in densities/intensities of land use. The revised PD Plan shall indicate the approved land use for the entire Planned Development, with the proposed change highlighted. Subsequent to approval, the revised PD Plan shall be noted as the most current plan and be kept on file for public review. Orangewood, Highpoint, and the Expressway Center Planned Developments are exempt from this requirement. (Policy 3.8.2)
- FLU8.1.10 Ancillary residential development may be considered in a non-residential Planned Development without a comprehensive plan amendment, provided all the standards listed below are met.
- A. The residential component shall be limited to a maximum of thirty percent (30%) of the total Planned Development acreage; and,
 - B. The overall residential development shall be a minimum of 10 units per acre and a maximum of 50 units per acre (unless located within an activity center, where the activity center maximum density shall apply); and,
 - C. The residential component shall be integrated into and compatible with the nonresidential land use by location and/or design; and,
 - D. The Planned Development Plan change shall be processed as required in the Zoning Regulations. (Added 8/93, Ord. 93-19; Amended 12/00, Ord. 00-25, Policy 3.8.7)
- FLU8.1.11 Subsequent to adoption of the Comprehensive Plan , building permits shall not be issued for development on property whose zoning, subject to exemptions provided for in the CP and/or vested development rights, is inconsistent with the Future Land Use Map. (Policy 3.7.6)

OBJ FLU8.2 COMPATIBILITY. Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following polices shall guide regulatory decisions that involve differing land uses.

POLICIES

- FLU8.2.1 Future Land use changes shall be required to be compatible with the existing development and development trends 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. (Policy 3.2.25)
- FLU8.2.2 Continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted. (Policy 3.1.1)
- FLU8.2.3 RESERVED.
- FLU8.2.4 The Land Development Code shall require tourist-related commercial development to be submitted and reviewed under the Planned Development Zoning District to ensure quality development to Orange County visitors. (Policy 4.1.7-r)
- FLU8.2.5 Subject to the compatibility measures outlined in policies FLU8.1.1 and FLU8.2.1, uses permitted by the existing zoning district or uses allowed through the special exception permitting process as described in the Orange County Code may be considered when a property's zoning district is inconsistent with the Future Land Use Map, subject to policies FLU8.2.5.1 and FLU8.2.5.2. On a case-by-case basis, such uses may be considered only when the County has determined the use is consistent with the intent of the CP. (Added 12/00, Ord. 00-25; Amended 12/04, Ord. 04-21; Amendment 6/12, Ord. 2012-14, Policy 1.1.14.1-r)
- FLU8.2.5.1 A rezoning may not be required for properties with inconsistent zoning and Future Land Use Map (FLUM) designations under the following circumstances:
- 1) For non-residential uses when the proposed use is permitted in the existing zoning district, and the same use is permitted in each of the zoning districts that are consistent with the adopted FLUM designation; or
 - 2) For non-residential and residential uses when the proposed use is permitted in the existing zoning district, but the use would require a special exception if the property is rezoned to be consistent with the adopted FLUM designation. In this case, however, the same use must be permitted or allowed by special exception in each of the zoning districts that are consistent with the adopted FLUM designation.
 - 3) For residential uses when the proposed use is single-family detached residential and the Zoning and Future Land Use are both residential. The lot upon which the single-family detached residential is proposed must be a Lot of Record, or a lot created prior to July 1, 1991 through a plat or lot split as recognized by Orange County.
- Any development of such properties shall meet the minimum site and building requirements of the existing zoning district, except for substandard Lots of Record. Subsequent requests for expansions and changes in the permitted uses on the property must conform to this policy. Requests not conforming to this policy shall be subject to a rezoning, special exception, or FLUM amendment. (Added 6/12, Ord. 2012-14; Amended 6/14, Ord. 2014-12; Amended 11/20, Ord. 2020-25)

- FLU8.2.5.2 If a proposed use is subject to a special exception and has inconsistent zoning and future land use map (FLUM) designations, a rezoning may not be required before applying for a special exception, provided each of the following criteria is met:
- 1) The proposed use is permitted only through the special exception process; and
 - 2) The zoning district required to correct the inconsistency between the FLUM and zoning designations also requires a special exception for the same use.
- Any development of such properties shall meet the minimum site and building requirements of the existing zoning district. Subsequent requests for expansions and changes in the permitted uses on the property must conform to this policy. Requests not conforming to this policy shall be subject to a rezoning, special exception, or FLUM amendment. (Added 6/12, Ord. 2012-14)
- FLU8.2.6 Zoning development approvals shall have conditions attached, when appropriate, to ensure the enforcement of the Future Land Use designations. (Policy 1.1.15)
- FLU8.2.7 Time-share units shall be considered as a hotel/motel use and permitted only in areas designated for commercial use. This policy shall not apply to Planned Developments that were approved for resort residential uses prior to January 1, 1987. This policy shall be referenced in the Land Development Code. (Policy 4.1.23)
- FLU8.2.8 Conversion of approved multi-family development to time-share units or other hotel/motel type units shall require a rezoning and/or amendment to the Planned Development Land Use Plan. Likewise, the conversion of time-share units or other hotel/motel type units to multifamily housing also shall require appropriate development approvals. (Policy 4.1.24-r)
- FLU8.2.9 RESERVED.
- FLU8.2.10 To ensure land use compatibility with nearby residential zoned areas and protection of the residential character of those areas, office and commercial uses within residential neighborhoods shall be subject to strict performance standards, including but not limited to the following:
- A. Building height restrictions;
 - B. Requirements for architectural design compatible with the residential units nearby;
 - C. Floor area ratio (FAR) limitations;
 - D. Lighting type and location requirements;
 - E. Tree protection and landscaping requirements including those for infill development; and
 - F. Parking design. (Policy 3.1.33-r)
- FLU8.2.11 Compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.
- FLU8.2.12 Public or private sector sponsored Small Area Studies (completed in coordination with the County's recommendations) may be conducted to identify strategies for physically and functionally integrating a mixture of land uses in developed areas within the USA. Upon Board of County Commissioner's approval, the Future Land Use Map shall be amended. (Policy 3.1.2-r)

OBJ FLU8.3 OVERLAYS. The use of overlays shall be implemented and managed consistent with the furtherance of the goals of the Comprehensive Plan, including the use of design, redevelopment and aesthetic techniques to promote compatibility objectives.

POLICIES

- FLU8.3.1 To promote redevelopment of blighted communities, the County shall establish the Neighborhood Center, Neighborhood Activity Corridor, and Neighborhood Residential future land use designations. These land uses shall be designated on the Future Land Use Map through an amendment to the Comprehensive Plan to implement strategies to physically and functionally integrate a mixture of land uses in a specified location. Proposals to amend the Comprehensive Plan to establish these designations on the future land use map shall require a special area study. Such studies can be public or private sector sponsored but must be adopted by the Board of County Commissioners. (Added 11/99, Ord. 99-19, Policy 3.4.4-r)
- FLU8.3.2 Orange County shall follow the specific development regulations to implement the Neighborhood Center, Neighborhood Activity Corridor and Neighborhood Residential land use designations consistent with the intent of promoting neighborhood-serving goals. Such regulations may include, but are not limited to, Floor Area Ratios (FAR), parking, setbacks, landscaping, building coverage, height, pedestrian access, streetscape, permitted and prohibited uses, and access. (Added 11/99, Ord. 99-19, Policy 3.4.5-r)
- FLU8.3.3 Changes to the Neighborhood Residential, Neighborhood Center, and Neighborhood Activity Corridor boundaries shall not be permitted without a prior small area study. (Added 05/00, Ord. 00-10, Policy 3.4.8)
- FLU8.3.4 Orange County will reinforce the residential character of the Holden Heights neighborhood by encouraging the planning and design of new development to complement the architectural design and features of the existing neighborhood character. New development or redevelopment will be conditioned upon Crime Prevention Through Environmental Design (CPTED) and limited expansion of demonstrated nuisance-generated uses. (Added 05/00, Ord. 00-10, Policy 3.4.9-r)
- FLU8.3.5 The County supports and will continue to seek flexible incentives for redevelopment to promote quality infill within the Holden Heights community. (Policy 3.4.9-r)

OBJ FLU8.4 PUBLIC PARTICIPATION AND NOTIFICATION. Orange County shall provide for and encourage public participation in the comprehensive planning process, including consideration of proposed amendments to the Comprehensive Plan.. (Added 6/98, Ord. 98-13, Goal 7-r; Amended 06/17, Ord. 2017-12)

POLICIES

- FLU8.4.1 Orange County will ensure that residents will receive adequate and timely notification of public hearings to facilitate participation in comprehensive planning in Orange County. This includes using technology and the internet to facilitate public information and information exchange. Timely notice shall generally be interpreted to be two weeks. Staff reports should be available seven days prior to a public hearing. (Objective 7.1-r)
- FLU8.4.2 Community meetings may be required for comprehensive planning processes that involve land use changes, including comprehensive plan amendments proposed by the private sector, to ensure public awareness of these processes and proposals. This policy shall not apply to staff-initiated amendments for countywide updates to the Future Land Use Map, such as for Institutional uses or amendments that address scrivener's errors or annexations on the Future Land Use Map.
- FLU8.4.3 Orange County will use community meetings, forums, visioning techniques, small area studies, neighborhood plans, and other community planning processes to involve residents in comprehensive planning.
- FLU8.4.4 Orange County will conduct outreach to the County's diverse communities about public hearings and other planning concerns. Examples of this outreach can include using Spanish-language website content, Spanish-language statements on public notices and public hearing signage, advertisements in multicultural media, and Orange TV notices and programming.
- FLU8.4.5 The Planning Division shall prepare a response to the State Land Planning Agency, Recommendations and Comments Report before the Local Planning Agency adoption hearing. Such response, which shall be deemed preliminary in nature, shall be available for public inspection and review at least seven (7) days prior to the Local Planning Agency adoption hearing. This requirement, however, does not preclude the Planning Division from revising such response, provided that such revised response shall be available for public inspection and review at least seven (7) days prior to the Board of County Commissioners adoption hearing. Furthermore, this requirement does not preclude the Planning Division from finalizing the response after the BCC adoption hearing in a manner not inconsistent with the Board of County Commissioners' action. (Added 6/98, Ord. 98-13, Policy 7.1.2)
- FLU8.4.6 In addition to any statutory requirements for changes to the Future Land Use Map, the published notice for the Local Planning Agency (LPA) transmittal and adoptions hearing(s) shall be of sufficient size to identify the location of land subject to consideration for any Future Land Use Designation change by no less than street address of developed property, a designated map location on a map in readable form to reasonably identify the subject location, and the current and proposed Future Land Use Designation. Additionally, notice for Local Planning Agency and the Board of County Commissioners hearings on proposed land use changes to the Future Land Use Map, excluding annexations and those institutional uses that have already been constructed, shall be provided to all adjacent property owners and to all property owners located within approximately 300 feet of the property subject to the change. Such notice shall contain no less than the street address of the subject property (if available), current and proposed Future Land Use Designations, hearing date, time and place. Substantial compliance with the provision of the article pertaining to the various methods of providing notice shall be sufficient to constitute notice to all parties affected. (Added

6/94, Ord. 94-13, Policy 3.2.23.2)

- FLU8.4.7 Newspaper advertisement for proposed Comprehensive Plan amendments shall be consistent with the requirements of Policy FLU8.8.3 and Section 163.3184, Florida Statutes. Moreover, Orange County shall request that such advertisements be placed only in the regular daily sections of the newspaper (e.g., Sports, Local and State, Living) or the main section of the Orange Extra. This request will state that such advertisement not be placed in special supplements to the newspaper (e.g., Transportation, Food, Rave, Real Estate, Travel, etc.). If for any reason the newspaper fails to comply with this request, but such notice otherwise complies with statutory requirements and Policy FLU8.8.3, the notice shall be deemed valid. (Added 6/95, Ord. 95-13, Policy 3.2.23.4)
- FLU8.4.8 When a party proposing an amendment conducts or prepares special studies, text amendments or evaluations to support a requested change to the Comprehensive Plan, including collecting site-specific data or analysis of site-specific conditions, such studies, text amendments or evaluations, even if preliminary, shall be available for public inspection and review at least seven (7) days prior to the Local Planning Agency adoption hearing. This requirement, however, does not preclude the party from revising such studies or evaluations or gathering supplemental information, provided that such revised studies or evaluations or supplementary information shall be available for public inspection and review at least seven (7) days prior to the Board of County Commissioners' adoption hearing. (Added 6/98, Ord. 98-13, Policy 7.1.1-r)

OBJ FLU8.8 PROCEDURE. Orange County shall follow consistent procedures in its administrative and notification practices.

POLICIES

FLU8.8.1 Amendments to the Comprehensive Plan Goals, Objectives, and Policies and large scale Future Land Use Map (FLUM) amendments shall be considered no more than two times a year, unless the amendment is a staff-initiated Future Land Use Map or text amendment, or a privately-initiated Future Land Use amendment continued to a date certain at the request of the Board of County Commissioners. Nothing in this policy shall preclude the more frequent consideration of amendments to the Future Land Use Map in association with Developments of Regional Impact, Florida Quality Developments, or small-scale development activities. The County may require DRIs to be submitted concurrently with Future Land Use Map Amendment requests. (Added 10/94, Ord. 94-20; Amended 6/12, Ord. 2012-14, Policy 3.2.23-r, 3.2.23.1-r; Amended 6/14, Ord. 2014-12)

- A. Privately-initiated text amendments may be submitted for Horizon West and the Innovation Way Overlay in conjunction with a Future Land Use Map amendment or as a stand-alone text amendment during a large-scale Comprehensive Plan amendment cycle. Privately-initiated text amendments in these areas may not be processed out-of-cycle, unless the amendments are associated with a DRI or Florida Quality Development. The Horizon West and Innovation Way Overlay planning processes involved comprehensive and extensive public participation and visioning efforts, and as such, were designed for applicant submittals consistent with their master plans. (Added 6/14, Ord. 2014-12, Policy FLU1.3.2(i)-r)
- B. Privately-initiated text amendments, not within Horizon West or the Innovation Way Overlay, may be accepted for processing twice-per-year as part of a large-scale Comprehensive Plan amendment cycle when any of the following conditions have been satisfied:
 - a) The proposed amendment supports a Workforce Housing project consistent with the *Workforce Housing Task Force Report (2007)*;
 - b) The proposed amendment supports an infill development project consistent with the *Infill Master Plan (2008)*;
 - c) The proposed amendment supports a transit-related development project consistent with the Transportation Element and Transit Oriented Development Overlay;
 - d) The proposed amendment supports a development project meeting nationally recognized Green Building and Energy Conservation standards; or
 - e) The Planning Manager determines the amendment may be submitted for processing. In making a determination, the Planning Manager will consider whether the proposed amendment maintains the internal consistency of the Comprehensive Plan, furthers the overall goal of the Comprehensive Plan, directly relates to a Future Land Use Map Amendment, and has a limited geographic effect. The Planning Manager will also evaluate whether the proposal contravenes the Comprehensive Plan, Land Development Code, or state law. The Planning Manager's denial to process a proposed text amendment may be appealed to the Board of County Commissioners. No privately-initiated text amendments will be processed out-of-cycle unless associated with a DRI or Florida Quality Development. (Added 6/14, Ord. 2014-12)

- C. Text amendments may be submitted for small scale map amendments when the text amendments are directly related to and simultaneously adopted with the corresponding small scale map amendment. (Added 6/14, Ord. 2014-12)

FLU8.8.2

Requests for Future Land Use Map amendments and text amendments to the Comprehensive Plan shall be considered only upon the submittal of an application meeting the County's requirements. Proposed map and text amendments must be reviewed prior to submittal as part of a pre-application meeting with staff. Staff shall have the authority to request additional information and documentation related to amendment applications. (Added 6/94, Ord. 94-13, Policy 3.2.23-r, 3.2.23.1-r; Amended 6/14, Ord. 2014-12)

- A. The County shall be entitled to charge a reasonable fee for Future Land Use Map and text amendments to the Comprehensive Plan. An application fee waiver policy shall be adopted by the County, with such waivers approved by the Board of County Commissioners (BCC) on a case-by-case basis. (Added 6/14, Ord. 2014-12, Policy FLU8.8.2-r)
- B. Orange County staff may deem a submitted application that has not been transmitted to the State Land Planning Agency withdrawn if it remains inactive for two consecutive cycles. Consistent with 163.3184 (3)(c)1, F.S., if the County has transmitted the amendment to the Department of Economic Opportunity and the amendment is not adopted within 180 days after the County receives State Land Planning Agency and other review agency comments, the application will be considered withdrawn unless extended by agreement with notice to the state land planning agency and any affected person that provided comments on the amendment. The 180-day limitation does not apply to amendments processed pursuant to 380.06, F.S. (Added 6/14, Ord. 2014-12, Policy FLU8.8.2-r)

FLU8.3.3

RESERVED

FLU8.8.4

For consideration of each, any and all changes and amendments to the Orange County Comprehensive Plan, the requisite public hearings shall be the Local Planning Agency and the Board of County Commissioners transmittal and adoption hearings, except for compliance with the Objections, Recommendations and Comments (ORC) Report amendments, and any other exemptions as provided by Law. (Added 6/94, Ord. 94-13, Policy 3.2.23.3)

FLU8.8.5

RESERVED

FLU8.8.6

Subsequent to a decision of the Board of County Commissioners (BCC) to not transmit or not adopt an amendment to the Orange County Comprehensive Plan, the Planning Division shall not accept any application for an amendment on what constitutes substantially the same property for a period of two (2) years from the date of the last action. The Planning Manager's decision not to accept an application can be appealed to the Board of County Commissioners. (Added 10/94, Ord. 94-20, Policy 3.2.26-r)

OBJ FLU8.5 VESTING. Orange County shall follow fair, consistent and objective criteria and documentation in determining the applicability of the Comprehensive Plan and the Land Development Code. Development rights that are vested, either statutorily or under the common law, and certain land uses that are exempt, pursuant to the provisions of the following policies, shall be protected by Orange County. (Objective 3.7-r)

POLICIES

FLU8.5.1 Subject to any vested development rights, developed land that is inconsistent with the adopted comprehensive plan shall be "grandfathered." The existing structures of the grandfathered uses may be enlarged, renovated, demolished or removed, and rebuilt or replaced without amendment to this plan if:

- A. Such actions are confined to the boundaries of the site as it existed on the date (i.e. July 1, 1991) of adoption of Comprehensive Plan;
- B. The density/intensity of the proposed change to the grandfathered use does not exceed any of the following Level of Service (LOS) impacts;

| <i>Facility Type</i> | <i>LOS Impact</i> |
|----------------------|--------------------------|
| Roads | Twenty average trip ends |
| Potable Water | 700 gallons per day |
| Wastewater | 600 gallons per day |

- C. Such actions do not violate other land development regulations and the grandfathered development has not been terminated, abandoned or demolished for a period of twenty-four (24) consecutive months. (Added 8/92, Ord. 92-24; Amended 6/94, Ord. 94-13, Policy 3.7.2)

FLU8.5.2 Development approvals shall contain an expiration date consistent with a realistic period necessary to complete the contemplated development. (Policy 3.7.4)

FLU8.5.3 Developments of Regional Impact that have been authorized pursuant to Chapter 380, FS, or development that has been issued a final local development order and on which development has commenced and is continuing in good faith, or development that is determined to have vested rights pursuant to applicable case law shall be presumed to have vested development rights. (Policy 3.7.5-r)

FLU8.5.4 The Rural Future Land Use Map designation is not intended to prohibit the development of tracts of land by their current owners for use by immediate family members for their primary residences. Therefore, notwithstanding FLU6.1.3, the Land Development Code may allow the owner (as of the date of adoption, i.e. July 1, 1991, of the Comprehensive Plan) of a parcel of property that has been legally created and recorded in the Public Records of Orange County prior to May 21, 1991, to subdivide and develop the parcel for residential structures, but only if:

- A. the density of the residential structures is no more than one dwelling unit per two acres;
- B. the use is restricted to the primary residence for the owner, the owner's spouse, or the children, parents, or siblings of either of them; and
- C. the Land Development Code contains provisions to ensure that this exception is not abused and cannot be used as an artifice to evade the restrictions of FLU6.1.3.

The Board of County Commissioners may grant an exception to properties that do not meet the absolute criteria of this policy, on a case-by-case basis, in order to avoid an unreasonable hardship, based upon a finding that the intent of this policy is met. (Added 12/00, Ord. 00-25; Amended 10/10, Ord. 2010-13, Policy 3.7.8-r)

- FLU8.5.5 Pursuant to FLU8.5.4, an authorized determination that a particular development order request is "consistent" with the Comprehensive Plan as mandated by Section 163.3194, Florida Statutes, at the time such development order is issued, shall preclude a second determination that the development order is inconsistent with the Comprehensive Plan. It shall be incumbent upon the applicant to ensure that potential consistency issues are reasonably and timely raised. If requested by the applicant, the County Administrator or his designee shall make specific determinations of consistency concerning any matters raised by the applicant. In the event that this policy conflicts with any particular situation with Section 163.3215 of Florida Statutes, as may be amended or replaced, the statute shall govern. (Added 8/92, Ord. 92-24, Policy 3.7.10)
- FLU8.5.6 Consistent with Future Land Use Policies 8.5.4 and 8.5.5, Orange County shall delegate to the County Administrator or his designee the authority to provide binding letters to affected lenders and to applicants for development orders concerning whether such development orders are consistent with the adopted comprehensive plan within the meaning of Section 163.3194, Florida Statutes. (Policy 3.7.11)
- FLU8.5.7 Orange County, on a case-by-case basis, may approve variances inconsistent with the Future Land Use Map for residential uses that otherwise would result in unnecessary hardship. Such approvals must not be contrary to the public interests, must involve only mobile homes, and must be related to documented dire financial or medical problems consistent with the requirements of Chapter 30, Orange County Code. These variances shall include specific expiration dates not to exceed five (5) years and are not intended to provide for financial gain. Any relief granted beyond five (5) years will require a specific comprehensive plan amendment to the Future Land Use Map. Approval of such variances shall not constitute approval to subdivide the parcel for purposes of land conveyance. Any proposed division of parcels that have obtained such a variance must be consistent with the Future Land Use Map and all other provisions of the Land Development Code. (Added 6/94, Ord. 94-13, Policy 3.7.12)
- FLU8.5.8 Effective the adoption date the 2030 Comprehensive Plan update, the Community Village Center (CVC) shall no longer be available as a Future Land Use Map request. Existing CVC designated sites shall not be made inconsistent by this change.
- FLU8.5.9 It is the intent of this update to maintain the terms of the Belmere Planned Development agreement. (Added 05/96, Ord. 96-11; Amended 12/00, Ord. 25; Policy 1.1.5.2-r)

OBJ FLU8.6 CONCURRENCY. The location and intensity of development shall coincide with the availability of public services and facilities. (Objective 3.5-r)

POLICIES

FLU8.6.1 Proposed land use amendments and development in Orange County shall be subject to the provisions of the Concurrency Management System (CMS), as set forth in the Orange County Code.

The Concurrency Management System shall ensure that the necessary facilities and services are in place at the time a development permit is issued; that a development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or that the necessary facilities are guaranteed through an enforceable agreement.

As part of the Destination 2030 Comprehensive Plan update, the concurrency requirement for potable water supplies and facilities shall also require consultation with all applicable water suppliers, including internal coordination within Orange County, prior to approval of a building permit, to determine if adequate water supplies and facilities will be available to serve the development by the anticipated issuance date of the certificate of occupancy or functional equivalent. In addition, the County will maintain data regarding the permitted capacity, available (pumping) capacity, water level depth, and condition of all wells, wellfields, or other sources of potable water, including the design capacity of potable water treatment and distribution facilities, consistent with the Concurrency Management System and the Water Supply Facilities Work Plan. (Policy 3.5.3-r, Policy 3.5.11-r, WSWFP)

FLU8.6.2 Within the Urban Service Area, sewage disposal from residential development must be accommodated by a central wastewater system. The use of septic tanks for development shall be allowed only in areas of suitable soils and when central wastewater services are not available. Where there are moderate soils, as determined by the County, the County may allow the use of septic tanks based on detailed soil and site analysis that demonstrates that ground or surface waters will not be polluted. Specific septic tank criteria shall be governed by the applicable criteria of the Orange County Land Development Code and rules of the State of Florida. (Policy 3.5.4-r)

FLU8.6.3 All development shall be required to participate in the County solid waste disposal program. (Policy 3.5.5)

FLU8.6.4 Development within the Urban Service Area shall be connected to central water. (Policy 3.5.6)

FLU8.6.5 Within the Urban Service Area, in addition to the normal County construction of public facilities, the County shall provide programs to make possible the provision of infrastructure by joint effort and investment between the public and private sectors. (Policy 3.5.7)

FLU8.6.6 As required by Subsection 163.3202(2) (g), Florida Statutes, on and after December 1, 1991, or the effective date of an ordinance adopting a Concurrency Management System, the County shall not issue any development order or permit that results in a reduction in the levels of service for the affected public facilities below the minimum levels of service required by the Comprehensive Plan. (Policy 3.5.8-r)

FLU8.6.7 The ordinance adopting a Concurrency Management System shall set forth the circumstances under which a person is to be deemed to have a vested right .

- FLU8.6.8 The County's Land Development Code will specifically list the application requirements for development permits that reflect the informational needs for the determination of concurrency, and application forms shall be developed accordingly. (Policy 3.5.10)
- FLU8.6.9 Prior to the issuance of a development order for a proposed new development, the following shall be identified:
- A. The impacts created by the proposed development;
 - B. Whether the public facilities covered under the Concurrency Management System will be available as defined by Chapter 163, Florida Statutes;
 - C. The facility improvements or additions that are required to ensure the finding of concurrency; and,
 - D. The entity responsible for the design and installation of all required facility improvements or additions. (Policy 3.5.13-r)
- FLU8.6.10 All development approvals shall have a time period specified in the development order or permit in which development must commence. The time period may involve two or more phases, but the timing of each phase shall be specified in the development order or permit. If necessary, the development order or permit may prescribe a time schedule for the initiation of the various components of the development process such as, but not limited to, land clearing, filling, and foundation pouring. (Policy 3.5.14)
- FLU8.6.11 The County shall ensure that the Level of Service for active and passive parkland shall be met on a countywide basis prior to any change in the Future Land Use Map for land designated as Parks/Recreation on the Future Land Use Map. (Added 6/94, Ord. 94-13, Policy 3.5.15)
- FLU8.6.12 All development within the North Four Corners area, excluding the Four Corners Community Village Center (CVC), which is generally bounded by the Florida Turnpike to the north and east, Conroy-Windermere Road to the south, and Apopka-Vineland Road to the west including westerly properties along Apopka-Vineland Road and when included in the Urban Service Area shall be required to connect to the Orange County central water and sewer system. (Added 6/95, Ord. 95-13, Policy 3.5.16)
- FLU8.6.13 RESERVED.
- FLU8.6.14 When necessary and appropriate, new developments shall be assessed a pro rata share of the costs necessary to finance public facility improvements necessitated by development in order to maintain adopted level of service standards. (CIE1.6.6)
- FLU8.6.15 If a proposed development is consistent with the Land Development Code and the Comprehensive Plan, but one or more concurrency-related facilities is deficient, the applicant may, at his/her expense, improve the level of service of the facility if and when such improvement is consistent with County plans and the County agrees to the improvement. (CIE1.6.4)

OBJ FLU8.7 PUBLIC SCHOOL SITING. Orange County shall promote safe and adequate public school site locations. (For purposes of this Comprehensive Plan, the terms "public schools," "schools," "public school facilities," "educational facilities," and the like, shall mean (1) traditional, publicly supported and controlled schools under the jurisdiction of the Orange County School Board, consisting of kindergarten, elementary and/or secondary school grades, and (2) schools organized as a nonprofit organization that have applied for and received authorization from the School Board to operate a charter school for kindergarten, elementary and/or secondary school grades in accordance with Florida Statutes pertaining to charter schools, which became law in 1996, as that statute may be amended or replaced, but only where the permanent student capacity is 550 or greater.) (Amended 11/17, Ord. 2017-19)

POLICIES

- FLU8.7.1 Orange County shall support and encourage the location of new elementary, K-8, and middle schools, internal to residential neighborhoods, unless otherwise prohibited. (Added 12/00, Ord. 00-25, Policy 3.2.18; Amended 11/17, Ord. 2017-19)
- FLU8.7.2 Orange County shall coordinate with the Orange County School Board to identify the locations for new high schools on the periphery of residential neighborhoods, where access to major roads is available. (Added 12/00, Ord. 00-25, Policy 3.2.19)
- FLU8.7.3 Orange County shall coordinate with the Orange County School Board to provide school sites and facilities within planned neighborhoods, unless precluded by existing development patterns. (Added 12/00, Ord. 00-25, Policy 3.2.19.1)
- FLU8.7.4 To the extent feasible, public schools shall be accessible from sidewalks and bikeways. (Policy 3.2.20; Amended 11/17, Ord. 2017-19)
- FLU8.7.5 Within the Urban Service Area, elementary, K-8, middle, high schools, and ninth-grade centers developed in conjunction with high schools shall be allowed as permitted uses or may be allowed as special exceptions as stated in the Public School Siting Regulations of Article XVIII, Chapter 38, Orange County Code in each of the following future land use designations: Low Density Residential, Low-Medium Density Residential, Medium Density Residential, High Density Residential, Institutional, Activity Center Residential, and Educational. High schools and ninth-grade centers developed in conjunction with high schools shall also be allowed as permitted uses or may be allowed as special exceptions as stated in the Public School Siting Regulations in each of the following future land use designations: Office, Commercial, and Industrial. (Added 9/96, Ord. 96-28; Amended 10/02, Ord. 02-16, Policy 3.2.21; Amended 11/17, Ord. 2017-19)
- FLU8.7.6 Within a Rural Settlement, elementary, K-8, middle schools, and freestanding ninth-grade centers may be allowed within Planned Development Land Use Plans or as special exceptions in any Rural Settlement Future Land Use designation described in Policy FLU1.1.4H. Any such school in a Rural Settlement is exempt from Policy FLU6.2.12. High schools shall not be permitted in a Rural Settlement. (Added 9/96, Ord. 96-28; Amended 10/02, Ord. 02-16, Policy 3.2.21.1, Amended 11/17, Ord. 2017-19)
- FLU8.7.7 In the event the School Board determines a public school facility is required in an area designated Rural/Agricultural on the Future Land Use Map, an amendment to the Future Land Use Map as EDU shall be required. The School Board may request an amendment to the Future Land Use Map at no cost. (Added 9/96, Ord. 96-28, Policy 3.2.21.2; Amended 11/17, Ord. 2017-19)

- FLU8.7.8 All new public school locations shall be subject to the terms and limitations established in the School Siting Regulations developed jointly by Orange County and the School Board, as it may be amended from time to time. The expansion of water and wastewater facilities in a Rural Settlement to serve public school sites shall not be the justification or impetus for future development in a Rural Settlement. (Added 9/96, Ord. 96-28, Policy 3.2.21.3; Amended 11/17, Ord. 2017-19)
- FLU8.7.9 Public educational facilities shall be allowed in future land use designations specified in Policies FLU8.7.5 through FLU8.7.7. Subsequent to the construction of those facilities, the Future Land Use Map may be amended to reflect an Educational (EDU) designation. Any plan amendments required under FLU8.7.6 in the Rural Service Area or under FLU8.7.7 in a Rural Settlement shall be designated EDU. (Added 10/02, Ord. 02-16, Policy 3.2.21.5-r; Amended 11/17, Ord. 2017-19)
- FLU8.7.10 Reserved. (Added 12/00, Ord. 00-25, Policy 3.2.22; Amended 11/17, Ord. 2017-19)
- FLU8.7.11 For those projects that submitted a legally sufficient application for a Capacity Enhancement Agreement (CEA) prior to July 1, 2019, if the Orange County School Board determines that a CEA is required, the applicant must deliver to the Planning Division, a copy of a fully-executed CEA at least two weeks prior to the BCC adoption public hearing for the respective large scale or small scale Future Land Use Map amendment. If a CEA is required, but the applicant is receiving an assignment or transfer of school capacity credits in lieu of executing a CEA, a copy of the executed transfer or assignment document must be delivered to the Planning Division at least two weeks prior to the BCC adoption public hearing. If the applicant has negotiated a postponement agreement with the Orange County School Board, delaying the CEA to the rezoning stage, a copy of the executed postponement agreement must be delivered to the Planning Division at least two weeks prior to the adoption public hearing.
- If the applicant does not deliver a copy of a fully-executed CEA, transfer document, assignment document, or postponement agreement at least two weeks prior to the BCC adoption public hearing, the Future Land Use Map amendment application may be continued to the next Future Land Use Map amendment cycle. If the application is continued to the next cycle, the applicant is still required to submit the necessary documents to the Planning Division at least two weeks prior to the scheduled BCC adoption public hearing for that Future Land Use Map amendment cycle.
- Any Future Land Use Map amendment application continued under this policy is subject to the refund policy in effect at that time. (Amended 6/14, Ord. 2014-12)

OBJ FLU8.9 IMPLEMENTING CODES. Orange County shall promote sustainable practices, green building objectives, and minimize adverse impacts on the built and natural environment from development through use of the Land Development Code. This objective shall be measurable by implementing the following policies.

POLICIES

FLU8.9.1 Orange County shall consider modifying its Comprehensive Plan, codes, and ordinances, as necessary, to promote the following sustainability strategies:

- Mixed-use zoning, mixed-use buildings and mixed-use corridor district(s);
- Alternative parking standards, including use of shared and reduced parking standards;
- Transit-Oriented Development;
- Activity center zoning code overlay and review standards;
- Alternative drainage, landscaping, open space standards and setbacks to promote urban infill;
- Provision of more Live/Work and Accessory Dwelling Unit options;
- Low Impact Development (LID) and water conservation techniques;
- Revisions to lot split parent parcel restriction to encourage the creation of more lots for eligible lots within the Urban Service Area.
- Incentives for small lot development and redevelopment of greyfield areas;
- Green building code innovations, including recognized energy and water conservation and reuse requirements. Specifically it is the County's policy to:
- Develop building code that supports greater energy and conservation related efficiencies. Support state efforts and consider adopting local ordinance as needed.
- Create incentives to support green building and green development for private sector, such as reduced fees and expedited permit review.
- Continue to use green materials, especially in renovations, such as low volatile organic compound containing paints and coatings, carpets and carpet adhesives and composite wood, energy efficient light fixtures and mechanical systems.
- Encourage all county sponsored or financially supported projects to build green and be LEED-certified.
- Develop incentives for water conservation such as crediting reuse, or creating water conservation credits when a new permit demonstrates less water will be used.

FLU8.9.2 Orange County will develop Low Impact Development (LID) strategies in conjunction with the State Water Management Districts to reduce impacts to water quality and manage water quantity concerns. LID uses a variety of site design, stormwater treatment provisions (such as two or more separate structures, a swale followed by a pond) and pollution prevention techniques to create an environmentally sensitive site landscape that preserves natural features and function similar to pre-development hydrologic conditions.

FLU8.9.3 Orange County shall promote protective and sustainable practices and green building objectives through design requirements in the Land Development Code and/or incentives.

URBAN DESIGN ELEMENT

2019-2-C-CP-3

Background Information

The Urban Design Element was adopted into the Orange County Comprehensive Plan in 1998. It is derived from the *Introduction to a Community Design Plan for Orange County* prepared by the Orange County Urban Design Task Force. This voluntary task force was created to make recommendations “to improve the aesthetic quality of the physical environment in Orange County.” The task force constructed the underpinnings for urban design policy.

The overarching goal of the Urban Design Element is to improve the aesthetic quality of the physical environment in Orange County and to create a stronger sense of place and community identity.

The element contains seven (7) objectives. These objectives draw from the community building systems established in the *Introduction to a Community Design Plan for Orange County*.

- Provide a more pleasing sense of open space
- To create attractive neighborhoods that serve residents with a variety of housing types
- To create public buildings and spaces that inspire community pride
- To create streets that are more pedestrian friendly and serve as visual assets
- To allow development of distinct urban design plans

- To encourage the development of mixed-use, pedestrian friendly activity centers
- To develop the strategies for implementing a comprehensive urban design plan for the County.

Past Evaluation and Appraisals

The 2000 Evaluation and Appraisal Report did not mention the newly adopted Urban Design Element.

The 2006 Evaluation and Appraisal Report (July 11, 2006) assessed the successes and shortcoming of the Element. Included in the report were the following recommendations:

1. To revise and update the element to reflect the current planning period and recent changes in County standards and procedures.

| The following meetings and hearings have been held for this proposal: | | |
|---|---------------------------------------|--|
| Report/Public Hearing | Outcome | |
| ✓ Staff Report | Recommend Adoption | |
| ✓ LPA Transmittal November 21, 2019 | Recommend Transmittal (9-0) | |
| ✓ BCC Transmittal December 17, 2019 | Continue to January 14, 2020 (7-0) | |
| ✓ BCC Transmittal January 14, 2020 | Recommend Transmittal (6-0) | |
| ✓ DEO Comments February 2020 | No Comments | |
| ✓ LPA Adoption December 17, 2020 | Continue to January 23, 2021 | |
| ✓ LPA Adoption January 21, 2021 | Recommend Adoption (6-0) | |
| BCC Adoption | February 23, 2021 | |

2. To include design criteria for public and private open space that address location, size, purpose, design, and context. The element should discuss the economic activity and positive social interaction generated by appropriately designed and sited public and private open spaces, as well as the more general community benefits of improved aesthetics and a sense of a high quality of life.
3. To include requirements for site design and address a development's context with surrounding properties.
4. The County should develop a comprehensive design plan for the County that looks at design issues at varying scales, from structures to site layout to the location of development with respect to the overall urban context.

Changes were made to the element as part of the 2010 regular amendment cycle, approved October 19, 2010, by the Board of County Commissioners. The element was updated to reflect the outcomes of stakeholder, peer, and public review, such as the 2006 Evaluation and Appraisal Report, Emergency Access Standards for Development (May 2007), Infill Master Plan (April 2008), and Economic Return on New Urbanism Study (March 2008).

Summary of Proposed Changes

Staff from the Planning Division collaborated on the review and proposed amendments to the Urban Design Element policies.

The Urban Design Element contains seven goals, twenty objectives, and one hundred ten policies. Proposed changes to the element include punctuation, spelling out abbreviations, and correcting two misspelt words.

The staff report includes a redline copy of the proposed changes. As part of the redline changes there are notes in the column explaining the reason for the proposed change. Following the redline version is a “**clean**” version of the proposed changes, reflecting how the element would read if the changes are adopted.

**Urban Design Element -
Goals, Objectives and Policies
PLACEMAKING**

(Added 10/10, Ord. 2010-13)

GOAL UD1 **Community Character. Enjoy a community characterized by charming, pleasant, and vibrant exterior gathering spaces and streetscape corridor settings that create inviting outdoor, human- scaled spaces, and encourage walking and social interaction.**

OBJ UD1.1 **Ensure that new land developments assume a built form and character that reflects the most flattering qualities of the Central Florida area and its citizens.**

POLICIES

UD1.1.1 Explore options that guide and encourage the building forms, scale, massing, high-quality finish materials and surfaces, patterns, and details, to create outdoor spaces and sidewalk corridors that possess appreciable and lasting character and pride.

UD1.1.2 Explore options to guide and encourage sidewalk pedestrian traffic and shopping opportunities to maximize pedestrian-level interest.

UD1.1.3 Explore options to guide and encourage the inclusion of trees, shrubs and ground cover plant materials that mitigate severe weather, and emphasize the Florida vernacular.

UD1.1.4 Encourage project design that incorporates aesthetically-integrated storm water capture and management solutions.

UD1.1.5 Guide and encourage project exterior lighting that maximizes project safety, while avoiding nuisance glare, embracing dark sky ~~principals~~ principles, and minimizing energy demand.

Staff recommends revising the policy to change principals to principles.

UD1.1.6 Signage should be designed and architecturally incorporated into the structures and businesses they are meant to advertise. Signage should contribute to the aesthetics and character of the area while also functioning to identify the use of the site.

UD1.1.7 Encourage the use of unique lighting fixtures to create a 'sense of place' and themes that can identify corridors, districts, and communities.

BJ UD1.2 Wayfinding signage should complement the local character and architecture of the surrounding neighborhood, while providing safe pedestrian circulation.

POLICIES

UD1.2.1 Wayfinding signage may use a "theme park" approach that adopts a theme for neighborhoods allowing users to quickly and easily navigate places with comfort and ease.

UD1.2.2 Encourage wayfinding signage that is succinct and place-oriented, yet considers different cultures and abilities.

UD1.2.3 The County should update and expand its system of gateway signs for established neighborhoods and activity centers.

UD1.2.4 Seek to optimize the use of pedestrian signage for crossings by making them highly visible to drivers at all times of the day, thus providing a sense of safety for users.

UD1.2.5 The use of signage, contrasting materials, and elevated crosswalks should be encouraged where appropriate to ensure pedestrian safety.

UD1.2.6 Encourage entrances at primary pedestrian access points, where public walkways are comfortable and are perceived safe for pedestrians.

OBJ UD1.3 Encourage the efficient use of land by integrating uses and creating interconnected and diverse spaces that feature a horizontal and vertical mix of higher residential densities, and smaller scale residential and non-residential uses.

POLICIES

UD1.3.1 Development should incorporate the highest densities practical at the "Village Center" along with a vertical and horizontal mix of small-scale uses typically featuring residential or office uses functioning immediately over sidewalk retail uses.

UD1.3.2 The shops and business along neighborhood nodes and gathering spaces should be dominated by inviting transparent surfaces featuring shops and businesses with small scale forms and reduced building footprints.

OBJ UD1.4 Within the "pedestrian shed" distance of existing or planned transit stations, projects shall be encouraged to incorporate Transit Oriented Development (TOD) design solutions including vertically mixed uses, and higher residential densities and commercial intensities.

Staff suggests spelling out Transit Oriented Development.

POLICIES

UD1.4.1 Building frontages should have direct access to public walkways and, inviting transit stop waiting areas.

UD1.4.2 In an effort to prioritize pedestrian movement, where feasible, narrow streets and wide sidewalks shall be constructed.

UD1.4.3 Traffic-calming measures such as speed bumps, roundabouts, raised crosswalks, reduced pavement widths and continuous walking and bicycling routes shall be encouraged around Transit Oriented Developments (TODs).

Staff suggests spelling out Transit Oriented Development.

UD1.4.4 Seek to reduce parking requirements for development within established distances of Transit Oriented Developments (TODs).

OBJ UD1.5 Seek innovative means for addressing surface parking facilities' design to minimize their horizontal footprint and visual impact on adjacent public rights-of-way. Also, encourage their location to be distant from neighborhood streets.

POLICIES

UD1.5.1 Research incentives and disincentives for reducing parking demand and supply to determine best practices for Orange County.

UD1.5.2 Encourage alternative transportation facilities while supporting owners and tenants to incorporate parking stall pricing disincentives.

UD1.5.3 Encourage owners, tenants and employers to foster alternative transportation choices by developing and implementing incentives such as on-site shower and locker facilities, and covered parking stalls dedicated to compact cars, car pooling and hybrids.

UD1.5.4 Research incentives and methods to encourage new projects to provide overhead shade structures or shade trees and landscaping that effectively shield parking surfaces, provide drivers with shelter, and avoid solar heat-island ~~affects~~ effects.

Staff recommends replacing the work affects with effects.

UD1.5.5 Explore incentives and methods for encouraging new projects to incorporate and maintain Low Impact Development (LID) techniques, including porous asphalt, pervious concrete, grass pavers, or other permeable paving materials. Such LID solutions shall be designed to maximize the capture, management, and treatment of parking lot stormwater runoff, and to best maintain and enhance the pre-development hydrologic regime of urban and developing watersheds.

UD1.5.6 Encourage new projects to provide bicycle parking that is visible from the street, at convenient and sheltered locations near building entrances (or within buildings). Such bike parking facilities shall be located to minimize conflict with pedestrian or vehicular movement.

UD1.5.7 Pedestrian-oriented environments shall be created and protected by properly locating parking entrances to minimize visual impacts and pedestrian discomfort. This may include placing parking facilities to the rear of structures.

UD1.5.8 New projects will be encouraged to incorporate an internal landscaped alley system to separate vehicular and pedestrian facilities, where feasible.

UD1.5.9 The use of on-street parking shall be encouraged to help create a pedestrian friendly sidewalk corridor and provide a barrier between pedestrians and vehicular travel and ultimately reduce driving speeds.

UD1.5.10 The County should encourage and facilitate new stormwater management systems that are designed, constructed, and maintained with a focus on safety and aesthetics. Such systems should feature greater efficiency, and give importance to the aesthetic characteristics of all system components that might be visible to the public including structures, fencing, slopes, landscape design, and plant materials, location within the project, and the potential for passive park uses.

Staff recommends adding an Oxford comma.

OBJ UD1.6 **Projects within shopping, Transit Oriented Development (TOD) or activity centers, should be, to the greatest extent possible, physically integrated into the surrounding neighborhood and adjacent street and sidewalk corridors.**

Staff suggests spelling out Transit Oriented Development.

POLICIES

UD1.6.1 The project’s periphery buildings, ancillary structures, and circulation systems shall acknowledge and engage the adjacent neighborhood, and blur the project’s edges.

UD1.6.2 Early site planning shall encourage walking between the project’s interior components, and facilitate pedestrian and bicycle trips from surrounding off-site locations.

UD1.6.3 Sheltered and shaded outdoor pedestrian grid corridors, with convenient access between individual buildings, outdoor spaces, and parking facilities, shall be considered a goal of early project site planning.

Staff recommends adding an Oxford comma.

UD1.6.4 To encourage residents to move around by means other than automobiles, developments will be encouraged to include a modified grid design with sidewalks that is mixed with linear parks and parkways, when feasible. The County may adopt requirements setting minimum levels of interconnectivity and may adopt requirements for road stub-outs for connections to future development.

UD1.6.5 Encourage developments to establish multiple access points to surrounding neighborhoods to reduce overloading adjacent collector and arterial streets. This would instead help to spread trips out to a greater number of local streets.

UD1.6.6 Orange County shall explore the most feasible block lengths needed to encourage pedestrian traffic within and surrounding designated village shopping centers, Transit Oriented Developments (TODs), and activity center nodes.

UD1.6.7 Bike paths shall be separated from vehicular roadways, whenever possible.

Staff recommends adding an Oxford comma.

UD1.6.8 Standard transit collection areas shall be located to provide convenient access to employment centers.

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GOAL UD2 Individual project components should be configured, organized and manipulated with the objective of achieving human scale and proportional relationship(s) within building façades, between buildings, within adjacent exterior corridors, and within the resulting “outdoor rooms.”

OBJ UD2.1 Orange County should identify specific mixed use activity center locations where a hierarchy of increased building heights and increased floor area ratios are appropriate in order to create vibrant active communities.

POLICIES

UD2.1.1 Building heights shall be compatible with surrounding existing buildings and on-going successive efforts to define street edges.

UD2.1.2 Buildings along the edges of neighborhoods should use building height transition techniques.

OBJ UD2.2 When appropriate, the vertical and horizontal mass and bulk of individual buildings shall be reduced by visually subdividing the buildings into a series of smaller components, including the expression of building “base,” “middle,” and “top.”

POLICIES

UD2.2.1 The horizontal bulk of buildings shall be mitigated through adoption of land development regulations that encourage the use of liner buildings for smaller scale businesses; external expression of interior spaces and uses; multiple off-set planes and roof surfaces; peaked, jogged, or otherwise dynamic rooflines; prominent, and projected and recessed entrances; substantial overhangs and awning systems; and alternating material surfaces.

UD2.2.2 Building form should be compatible with surrounding buildings in size, shape, and scale and may be regulated by form-based land development codes.

OBJ UD2.3 Ensure that the materials and finishes on new and renovated buildings deliver a compatible visual character that communicates a sense of permanence.

POLICIES

- | | | |
|---------|--|--|
| UD2.3.1 | Building entrances should be visually prominent, oriented toward the street, and feature overhead sun and weather protection for the approaching visitor. | Staff recommends adding an Oxford comma. |
| UD2.3.2 | When appropriate, a variety of exterior building finish materials, including spandrel glass, graphics, canopies, awnings, lighting, and/or landscaping, should be used to introduce visual interest on inappropriately elongated and featureless building façades. | Staff recommends adding an Oxford comma. |
| UD2.3.3 | The County should develop minimum window glazing and transparency requirements along retail and activity center sidewalks. | |
| UD2.3.4 | The County should explore the use of standards that address appropriate spacing and rhythm for windows, doors, and other elements along activity center sidewalks. | Staff recommends adding an Oxford comma. |

SMART GROWTH

GOAL UD3 Orange County will encourage infill and redevelopment strategies for adaptive reuse and rehabilitation of existing structures to maximize infrastructure investments.

OBJ UD3.1 Infill and redevelopment projects should take into consideration the pre-existing residential “fabric” of the immediate and surrounding neighborhoods and ensure that such projects are compatible with their surrounding uses.

POLICIES

UD3.1.1 Develop infill guidelines within the land development code to address compatibility of forms, character, and circulation.

UD3.1.2 When appropriate, a mixture of uses shall be encouraged within abandoned stores and properties that allow for neighborhood convenience and the encouragement of multi-purpose trips.

UD3.1.3 Encourage the integration of vertically mixed uses, and varying housing styles, sizes, and types.

Staff recommends adding an Oxford comma.

UD3.1.4 Encourage adaptive reuse of vacant stores and homogenous sites by considering a concurrent mixture of land uses involving retail, office, and residential.

UD3.1.5 Early in project programming and County permitting, considerations should be given to reusing project sites and structures and eventual reconfiguration of large interior spaces into multiple smaller leasable spaces.

UD3.1.6 The County should encourage shared parking by providing incentives such as reduced parking requirements.

UD3.1.7 Early in design and permitting of large retail sites and buildings, exterior design consideration should be given to the future conversion of large single user façades into multiple and diverse smaller shop fronts, including multiple entrances, along with landscaping schemes that contemplate multiple entrance designs.

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GOAL UD4 **The County shall encourage and facilitate desirable neighborhood and individual project forms. New and redeveloped neighborhood projects should emphasize compact mixed uses, and give strong consideration to long-term character and sustainability. They should also emphasize choices in transportation modes, housing types and sizes, while preserving natural features.**

OBJ UD4.1 **The County shall explore the feasibility of amending the land development regulations to include and emphasize strategies that support compact, mixed uses.**

POLICIES

UD4.1.1 The County should develop a land development code that encourages and facilitates compact development.

UD4.1.2 The County should consider changing its requirements for buffer, wall and separation distances, thus encouraging connectivity, pedestrian activity, an increase in visual surveillance, and alternative vehicular access.

OBJ UD4.2 The County will develop and maintain design standards for mixed use developments within established pedestrian activity centers.

POLICIES

UD4.2.1 Orange County shall encourage a vertical mix of land uses to provide opportunities for live/work structures and a commercial base for supporting public transportation.

UD4.2.2 Development shall coordinate land use and transportation systems as a strategy for implementing the County's development framework.

UD4.2.3 Continue to encourage design and construction of stormwater plans that avoid multiple smaller ponds, and instead use fewer larger ponds that are integrated throughout the project.

UD4.2.4 Development shall be encouraged to invest in complete street pattern of design and should incorporate design patterns and innovative strategies and guidelines to allow the vertical mixing of uses and the ease of movement for all modes of transportation, including bike, transit, and pedestrian.

Staff recommends adding an Oxford comma.

UD4.2.5 To encourage increased pedestrian activity at street-level, streets shall be designed with a hierarchy in mind, with the built form adjacent to the street.

UD4.2.6 Public open spaces shall be placed at strategic locations in order to slow traffic and provide community gathering locations.

OBJ UD4.3 The County shall encourage a variety of housing products that incorporate detailed façades and provide a variety of amenities that support an active community.

POLICIES

- UD4.3.1 Provide an inventory of residential lands consistent with statewide planning goals to accommodate anticipated housing needs to offer a variety of housing choices that will meet the needs of existing and future residents.
- UD4.3.2 A variety of residential development will be provided by permitting the development of housing types within the Orange County Urban Service Area that include accessory dwellings on single-family lots, elderly housing, residential care homes and facilities, as well as traditional single-family detached homes and multi-family developments.
- UD4.3.3 Encourage flexible site design to accommodate a variety of housing options.
- UD4.3.4 The County should, when appropriate, encourage and facilitate integration of residential development within mixed land use office and retail settings.
- UD4.3.5 Apply clear and objective design and development standards for housing, while allowing flexibility through review processes.
- UD4.3.6 The County shall encourage the preservation and incorporation of natural features, including but not limited to open space and trees, in new residential developments.
- UD4.3.7 The County shall encourage a compatible mix of housing types and services in residential areas.
- UD4.3.8 The County shall consider a range of tools to meet the housing needs of present and future residents, including multiple residential zones, mixed-use zones, sufficient land to meet identified housing needs, appropriate minimum lot sizes, and accessory dwelling units.

UD4.3.9 The County shall implement strategies to meet planned residential densities, while maintaining the community's unique character by encouraging design that fits with existing neighborhoods.

GOAL UD5 Provide safe, accessible, convenient, and efficient multimodal transportation systems that enhance the County's desired compact urban form.

OBJ UD5.1 Connectivity of road, trail, and transit systems should be encouraged by providing facilities for users to support multiple modes.

POLICIES

UD5.1.1 Public thoroughfares should provide multi-modal opportunities for pedestrians by including sidewalks, bike lanes, and transit stops.

UD5.1.2 Dedicated bike lanes for bicycle commuters and recreational bicyclists should be programmed and included in the design of roads with higher speed limits.

UD5.1.3 Roads without marked bike lanes should use signage to inform drivers about bike sharing to improve road safety.

UD5.1.4 Transit stops throughout pedestrian thoroughfares should be highly visible and provide a safe and comfortable space for pedestrians during day and evening hours.

UD5.1.5 Transit stops shall include comfortable seating, lighting, and shelter to service current riders and attract new users to the transit system.

UD5.1.6 Themes or branding of transit stops should be encouraged and used as a tool for placemaking throughout the community by using unique materials for seating, lighting, and shelter structures that can be identified by both current and prospective users.

OBJ UD5.2 The County should ensure that parks, open space, and recreation facilities are efficiently and adequately provided, the design for which shall be integrated into the overall community fabric and effectively maintained for access by all the residents of Orange County.

Staff recommends adding an Oxford comma.

POLICIES

- UD5.2.1 Children’s play environments should be separated from streets by fences, barrier plantings, or other recreation facilities but should allow clear views into and out of the area.
- UD5.2.2 In existing residential communities, opportunities to provide passive and/or active recreational amenities should be encouraged.
- UD5.2.3 As residential / mixed-use communities are developed, substantial open spaces should be preserved through the use of planned developments and/or the subdivision regulations.
- UD5.2.4 The County should encourage the inclusion of easements for public access, habitat, and recreational use as part of any redevelopment effort.
- UD5.2.5 Lake edges and conservation areas should be treated as recreational features and shared amenities and should be accessible, visually and or physically.

GOAL UD6 **It is Orange County’s goal to protect public safety, and enhance the perception of safety, and to encourage development that considers Crime Prevention Through Environmental Design (CPTED) principles, which must be balanced against other County design objectives.**

Staff recommends writing out Crime Prevention Through Environmental Design.

OBJ UD6.1 **Orange County will encourage developments that foster distinct, attractive and safe places to live.**

POLICIES

UD6.1.1 Promote safety through design by employing principles of Crime Prevention through Environmental Design (CPTED) in the site plan and appearance review process.

Staff recommends writing out Crime Prevention Through Environmental Design.

UD6.1.2 The scale, placement, and design of lighting systems should facilitate safety while minimizing light impacts on the surrounding neighborhood and night sky.

UD6.1.3 Designs of the built environment shall be developed to reduce the perception of risk by creating clearly delineated public and private routes of travel.

UD6.1.4 Encourage the development of housing that includes public, public/private and private spaces that would emphasize Crime Prevention through Environmental Design (CPTED) transitions.

Staff recommends writing out Crime Prevention Through Environmental Design.

UD6.1.5 Locate development to overlook open space and/or adjacent development.

UD6.1.6 Create building frontages that include a sense of activity.

UD6.1.7 Maximize the visibility of high-risk areas by providing lighting, windows, building placement, and other means.

Staff recommends adding an Oxford comma.

UD6.1.8 Design site layout so that pedestrian corridors and destination points are easily identified and have generous sightlines.

UD6.1.9 Avoid strict separation of compatible land uses that may result in the isolation of some buildings or spaces.

UD6.1.10 Locate activity generators or seating around active edges or fringes of a space to create casual surveillance of a space within.

UD6.1.11 Encourage pedestrian activity in areas, at grade level, to promote casual surveillance.

UD6.1.12 By reducing opportunities for entrapment, concealment, and vandalism, the following exterior design and building treatment principles should be considered in design development:

Staff recommends adding an Oxford comma.

- a. Ensure that entrances to buildings are oriented to face open or "active" spaces.
- b. Minimize blank walls overlooking parks, parking lots, and other common space areas and public rights-of-ways.
- c. Design entrances and other features to limit opportunities for concealment.
- d. Clearly distinguish areas near entrances that lead from public walkways.
- e. Maximize the variety of building design and landscaping to create interesting built environments.
- f. Provide clear sight lines from within the building at the entry point so that occupants can see out into a space before exiting.
- g. Provide opportunities for users of the building to see inside the foyer/reception before they enter.
- h. Ensure that landscaping design will not provide concealment or entrapment areas.

UD6.1.13 Non-motorized transportation corridors that are adjacent to walled communities should have increased visual access from surrounding development.

SUSTAINABILITY

GOAL UD7 **Orange County should encourage the use of sustainable development and construction practices that conserve natural resources and the management of greenhouse gas emissions and stormwater placement.**

OBJ UD7.1 **The County should seek opportunities to encourage new, infill, and redevelopment projects that are designed, constructed, and maintained to minimize water consumption, energy use, greenhouse gas emissions, and impacts on natural water, wildlife habitat, and vegetative resources.**

POLICIES

UD7.1.1 The County shall seek opportunities to encourage Low Impact Development (LID) techniques to maintain and enhance the pre-development hydrologic regime of urbanized and developing watersheds.

UD7.1.2 The County shall continue to implement conservation policies and programs that encourage environmental resource protection and renewable energy initiatives.

UD7.1.3 The County should, when appropriate, guide new development toward existing and planned urban infill and redevelopment areas.

UD7.1.4 The County should explore the feasibility of establishing incentive programs that encourage owners, developers, and design professionals to design and develop energy-efficient infill and redevelopment projects.

UD7.1.5 The County should continue to develop landscape water conservation education, outreach, pricing, and regulatory programs aimed at reducing potable water consumption.

- UD7.1.6 The County should strive to maintain the natural character of neighborhoods by identifying and preserving historic trees and plant communities.
- UD7.1.7 The County should explore means to minimize energy demands related to heating and cooling of buildings, by encouraging the optimal solar orientation of buildings and lots.
- UD7.1.8 The County should encourage and support revisions of the building/energy code to require more energy-efficient developments.
- UD7.1.9 The County should continue its efforts to incentivize private sector green building and green development.

OBJ UD7.2 Promote and facilitate energy-efficient land use patterns, which minimize greenhouse gas emissions and related demands on existing and future electric power generation and transmission systems.

POLICIES

- UD7.2.1 The County should research the feasibility of using urban design and form standards that incorporate green infrastructure facilities, which organically suppress greenhouse gas emissions and reduce heat island effects.
- UD7.2.2 The County should educate homeowner, condominium, and other community and neighborhood associations about car and bike sharing programs.

OBJ UD7.3 Promote and facilitate innovative, visually appealing, and sustainable stormwater management design solutions.

Staff recommends adding an Oxford comma.

POLICIES

UD7.3.1 The County should consider alternative regulations to encourage and facilitate the integration of stormwater management systems into the fabric and open space amenities of new development.

UD7.3.2 The County should encourage the use of stormwater for irrigation, where feasible.

OBJ UD7.4 Exterior lighting systems should be designed, installed, timed, field-adjusted and maintained in order to provide safe, convenient, and efficient settings for customers, pedestrians and vehicles.

POLICIES

UD7.4.1 Maintain, and update as needed, a lighting ordinance that adheres to dark sky principles.

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The following pages reflect the Urban Design Element if the proposed changes are adopted.

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**Urban Design Element -
Goals, Objectives and Policies
PLACEMAKING**

(Added 10/10, Ord. 2010-13)

GOAL UD1 **Community Character. Enjoy a community characterized by charming, pleasant, and vibrant exterior gathering spaces and streetscape corridor settings that create inviting outdoor, human- scaled spaces, and encourage walking and social interaction.**

OBJ UD1.1 **Ensure that new land developments assume a built form and character that reflects the most flattering qualities of the Central Florida area and its citizens.**

POLICIES

- UD1.1.1 Explore options that guide and encourage the building forms, scale, massing, high-quality finish materials and surfaces, patterns, and details, to create outdoor spaces and sidewalk corridors that possess appreciable and lasting character and pride.
- UD1.1.2 Explore options to guide and encourage sidewalk pedestrian traffic and shopping opportunities to maximize pedestrian-level interest.
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Urban Design Element – Text if Adopted

OBJ UD1.2 Wayfinding signage should complement the local character and architecture of the surrounding neighborhood, while providing safe pedestrian circulation.

POLICIES

- UD1.2.1 Wayfinding signage may use a “theme park” approach that adopts a theme for neighborhoods allowing users to quickly and easily navigate places with comfort and ease.
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POLICIES

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SMART GROWTH

GOAL UD3 **Orange County will encourage infill and redevelopment strategies for adaptive reuse and rehabilitation of existing structures to maximize infrastructure investments.**

OBJ UD3.1 **Infill and redevelopment projects should take into consideration the pre-existing residential “fabric” of the immediate and surrounding neighborhoods and ensure that such projects are compatible with their surrounding uses.**

POLICIES

UD3.1.1 Develop infill guidelines within the land development code to address compatibility of forms, character, and circulation.

UD3.1.2 When appropriate, a mixture of uses shall be encouraged within abandoned stores and properties that allow for neighborhood convenience and the encouragement of multi-purpose trips.

UD3.1.3 Encourage the integration of vertically mixed uses, and varying housing styles, sizes, and types.

UD3.1.4 Encourage adaptive reuse of vacant stores and homogenous sites by considering a concurrent mixture of land uses involving retail, office, and residential.

UD3.1.5 Early in project programming and County permitting, considerations should be given to reusing project sites and structures and eventual reconfiguration of large interior spaces into multiple smaller leasable spaces.

UD3.1.6 The County should encourage shared parking by providing incentives such as reduced parking requirements.

UD3.1.7 Early in design and permitting of large retail sites and buildings, exterior design consideration should be given to the future conversion of large single user façades into multiple and diverse smaller shop fronts, including multiple entrances, along with landscaping schemes that contemplate multiple entrance designs.

GOAL UD4 **The County shall encourage and facilitate desirable neighborhood and individual project forms. New and redeveloped neighborhood projects should emphasize compact mixed uses, and give strong consideration to long-term character and sustainability. They should also emphasize choices in transportation modes, housing types and sizes, while preserving natural features.**

OBJ UD4.1 **The County shall explore the feasibility of amending the land development regulations to include and emphasize strategies that support compact, mixed uses.**

POLICIES

UD4.1.1 The County should develop a land development code that encourages and facilitates compact development.

UD4.1.2 The County should consider changing its requirements for buffer, wall and separation distances, thus encouraging connectivity, pedestrian activity, an increase in visual surveillance, and alternative vehicular access.

OBJ UD4.2 **The County will develop and maintain design standards for mixed use developments within established pedestrian activity centers.**

POLICIES

UD4.2.1 Orange County shall encourage a vertical mix of land uses to provide opportunities for live/work structures and a commercial base for supporting public transportation.

UD4.2.2 Development shall coordinate land use and transportation systems as a strategy for implementing the County's development framework.

UD4.2.3 Continue to encourage design and construction of stormwater plans that avoid multiple smaller ponds, and instead use fewer larger ponds that are integrated throughout the project.

UD4.2.4 Development shall be encouraged to invest in complete street pattern of design and should incorporate design patterns and innovative strategies and guidelines to allow the vertical mixing of uses and the ease of movement for all modes of transportation, including bike, transit, and pedestrian.

UD4.2.5 To encourage increased pedestrian activity at street-level, streets shall be designed with a hierarchy in mind, with the built form adjacent to the street.

UD4.2.6 Public open spaces shall be placed at strategic locations in order to slow traffic and provide community gathering locations.

OBJ UD4.3 The County shall encourage a variety of housing products that incorporate detailed façades and provide a variety of amenities that support an active community.

POLICIES

- UD4.3.1 Provide an inventory of residential lands consistent with statewide planning goals to accommodate anticipated housing needs to offer a variety of housing choices that will meet the needs of existing and future residents.
- UD4.3.2 A variety of residential development will be provided by permitting the development of housing types within the Orange County Urban Service Area that include accessory dwellings on single-family lots, elderly housing, residential care homes and facilities, as well as traditional single-family detached homes and multi-family developments.
- UD4.3.3 Encourage flexible site design to accommodate a variety of housing options.
- UD4.3.4 The County should, when appropriate, encourage and facilitate integration of residential development within mixed land use office and retail settings.
- UD4.3.5 Apply clear and objective design and development standards for housing, while allowing flexibility through review processes.
- UD4.3.6 The County shall encourage the preservation and incorporation of natural features, including but not limited to open space and trees, in new residential developments.
- UD4.3.7 The County shall encourage a compatible mix of housing types and services in residential areas.
- UD4.3.8 The County shall consider a range of tools to meet the housing needs of present and future residents, including multiple residential zones, mixed-use zones, sufficient land to meet identified housing needs, appropriate minimum lot sizes, and accessory dwelling units.
- UD4.3.9 The County shall implement strategies to meet planned residential densities, while maintaining the community's unique character by encouraging design that fits with existing neighborhoods.

GOAL UD5 Provide safe, accessible, convenient, and efficient multimodal transportation systems that enhance the County’s desired compact urban form.

OBJ UD5.1 Connectivity of road, trail, and transit systems should be encouraged by providing facilities for users to support multiple modes.

POLICIES

UD5.1.1 Public thoroughfares should provide multi-modal opportunities for pedestrians by including sidewalks, bike lanes, and transit stops.

UD5.1.2 Dedicated bike lanes for bicycle commuters and recreational bicyclists should be programmed and included in the design of roads with higher speed limits.

UD5.1.3 Roads without marked bike lanes should use signage to inform drivers about bike sharing to improve road safety.

UD5.1.4 Transit stops throughout pedestrian thoroughfares should be highly visible and provide a safe and comfortable space for pedestrians during day and evening hours.

UD5.1.5 Transit stops shall include comfortable seating, lighting, and shelter to service current riders and attract new users to the transit system.

UD5.1.6 Themes or branding of transit stops should be encouraged and used as a tool for placemaking throughout the community by using unique materials for seating, lighting, and shelter structures that can be identified by both current and prospective users.

OBJ UD5.2 The County should ensure that parks, open space, and recreation facilities are efficiently and adequately provided, the design for which shall be integrated into the overall community fabric and effectively maintained for access by all the residents of Orange County.

POLICIES

UD5.2.1 Children’s play environments should be separated from streets by fences, barrier plantings, or other recreation facilities but should allow clear views into and out of the area.

UD5.2.2 In existing residential communities, opportunities to provide passive and/or active recreational amenities should be encouraged.

UD5.2.3 As residential / mixed-use communities are developed, substantial open spaces should be preserved through the use of planned developments and/or the subdivision regulations.

UD5.2.4 The County should encourage the inclusion of easements for public access, habitat, and recreational use as part of any redevelopment effort.

UD5.2.5 Lake edges and conservation areas should be treated as recreational features and shared amenities and should be accessible, visually and or physically.

GOAL UD6 It is Orange County’s goal to protect public safety, and enhance the perception of safety, and to encourage development that considers Crime Prevention Through Environmental Design (CPTED) principles, which must be balanced against other County design objectives.

OBJ UD6.1 Orange County will encourage developments that foster distinct, attractive and safe places to live.

POLICIES

- UD6.1.1 Promote safety through design by employing principles of Crime Prevention through Environmental Design (CPTED) in the site plan and appearance review process.
- UD6.1.2 The scale, placement, and design of lighting systems should facilitate safety while minimizing light impacts on the surrounding neighborhood and night sky.
- UD6.1.3 Designs of the built environment shall be developed to reduce the perception of risk by creating clearly delineated public and private routes of travel.
- UD6.1.4 Encourage the development of housing that includes public, public/private and private spaces that would emphasize Crime Prevention through Environmental Design (CPTED) transitions.
- UD6.1.5 Locate development to overlook open space and/or adjacent development.
- UD6.1.6 Create building frontages that include a sense of activity.
- UD6.1.7 Maximize the visibility of high-risk areas by providing lighting, windows, building placement, and other means.
- UD6.1.8 Design site layout so that pedestrian corridors and destination points are easily identified and have generous sightlines.
- UD6.1.9 Avoid strict separation of compatible land uses that may result in the isolation of some buildings or spaces.
- UD6.1.10 Locate activity generators or seating around active edges or fringes of a space to create casual surveillance of a space within.
- UD6.1.11 Encourage pedestrian activity in areas, at grade level, to promote casual surveillance.
- UD6.1.12 By reducing opportunities for entrapment, concealment, and vandalism, the following exterior design and building treatment principles should be considered in design development:
 - a. Ensure that entrances to buildings are oriented to face open or “active” spaces.
 - b. Minimize blank walls overlooking parks, parking lots, and other common space areas and public rights-of-ways.
 - c. Design entrances and other features to limit opportunities for concealment.
 - d. Clearly distinguish areas near entrances that lead from public walkways.
 - e. Maximize the variety of building design and landscaping to create interesting built environments.
 - f. Provide clear sight lines from within the building at the entry point so that occupants can see out into a space before exiting.

- g. Provide opportunities for users of the building to see inside the foyer/reception before they enter.
- h. Ensure that landscaping design will not provide concealment or entrapment areas.

UD6.1.13 Non-motorized transportation corridors that are adjacent to walled communities should have increased visual access from surrounding development.

SUSTAINABILITY

GOAL UD7 Orange County should encourage the use of sustainable development and construction practices that conserve natural resources and the management of greenhouse gas emissions and stormwater placement.

OBJ UD7.1 The County should seek opportunities to encourage new, infill, and redevelopment projects that are designed, constructed, and maintained to minimize water consumption, energy use, greenhouse gas emissions, and impacts on natural water, wildlife habitat, and vegetative resources.

POLICIES

- UD7.1.1 The County shall seek opportunities to encourage Low Impact Development (LID) techniques to maintain and enhance the pre-development hydrologic regime of urbanized and developing watersheds.
- UD7.1.2 The County shall continue to implement conservation policies and programs that encourage environmental resource protection and renewable energy initiatives.
- UD7.1.3 The County should, when appropriate, guide new development toward existing and planned urban infill and redevelopment areas.
- UD7.1.4 The County should explore the feasibility of establishing incentive programs that encourage owners, developers, and design professionals to design and develop energy-efficient infill and redevelopment projects.
- UD7.1.5 The County should continue to develop landscape water conservation education, outreach, pricing, and regulatory programs aimed at reducing potable water consumption.
- UD7.1.6 The County should strive to maintain the natural character of neighborhoods by identifying and preserving historic trees and plant communities.
- UD7.1.7 The County should explore means to minimize energy demands related to heating and cooling of buildings, by encouraging the optimal solar orientation of buildings and lots.
- UD7.1.8 The County should encourage and support revisions of the building/energy code to require more energy-efficient developments.
- UD7.1.9 The County should continue its efforts to incentivize private sector green building and green development.

OBJ UD7.2 Promote and facilitate energy-efficient land use patterns, which minimize greenhouse gas emissions and related demands on existing and future electric power generation and transmission systems.

POLICIES

- UD7.2.1 The County should research the feasibility of using urban design and form standards that incorporate green infrastructure facilities, which organically suppress greenhouse gas emissions and reduce heat island effects.
- UD7.2.2 The County should educate homeowner, condominium, and other community and neighborhood associations about car and bike sharing programs.

OBJ UD7.3 Promote and facilitate innovative, visually appealing, and sustainable stormwater management design solutions.

POLICIES

UD7.3.1 The County should consider alternative regulations to encourage and facilitate the integration of stormwater management systems into the fabric and open space amenities of new development.

UD7.3.2 The County should encourage the use of stormwater for irrigation, where feasible.

OBJ UD7.4 Exterior lighting systems should be designed, installed, timed, field-adjusted and maintained in order to provide safe, convenient, and efficient settings for customers, pedestrians and vehicles.

POLICIES

UD7.4.1 Maintain, and update as needed, a lighting ordinance that adheres to dark sky principles.

INTERNATIONAL DRIVE ELEMENT

2019-2-C-CP-2

Background Information

The International Drive Element was adopted into the Comprehensive Plan in 1991. The beginnings of this were with the Activity Center concept in the 1985 Growth Management Policy. Activity Centers were defined as major emerging development centers in unincorporated Orange County, because of the size and type of the existing or anticipated land uses and their relative functions, a special analysis and development regulatory framework was judged to be necessary in order to provide for upscaled infrastructure needs as well as to properly guide future growth. The intent was to promote the community-wide benefits accrued from the major tourist attractions and the ancillary developments which would gravitate to those focal points of the greater Orlando community.

International Drive Activity Center Study, July 9, 1990.

In March 1989, Orange County instituted an eighteen-month building moratorium in the I-Drive Area and commissioned the International Drive Activity Center Study. This study included 9,400 acres that were to have a significant impact on the area infrastructure. The recommendation was to develop a specific land-use plan for the area, allowing for a range of uses and densities within the study area. When a property owner was ready to develop property, an application would be made to the County requesting a change in land use. When the application was received by the

County, it would be processed by the County in the same way that the County would handle any other re-zoning request. The County would compare the request to the Activity Center Study requirements in order to determine consistency with the plan, other written policies, effect on transportation network, and consistency with other county policies.

The result of the Study was the International Drive Activity Center Strategic Development Plan.

International Drive Activity Center Strategic Development Plan, July 1, 1991.

The Board of County Commissioners transmitted the International Drive Development Plan to the State November 9, 1990.

The 3.5-mile segment of International Drive between Kirkman Road the Beachline Expressway was the main strip of tourist commercial development in the

The following meetings and hearings have been held for this proposal:

| Report/Public Hearing | Outcome |
|---|---------------------------------|
| ✓ Staff Report | Recommend Transmittal |
| ✓ LPA Transmittal September 19, 2019 | Recommend Transmittal (8-0) |
| ✓ BCC Transmittal October 22, 2019 | Recommend Transmittal (7-0) |
| ✓ DEO Comments December 2019 | No Comments |
| ✓ LPA Adoption December 17, 2020 | Continue to January 21, 2021 |
| ✓ LPA Adoption January 21, 2021 | Recommend Adoption (6-0) |
| BCC Adoption | February 23, 2021 |

unincorporated area. Future growth was expected to occur along the new extension of International Drive, south from Westwood Boulevard to State Road 536. Realizing the potential development pattern, Orange County proposed an “Activity Center” designation for the area around the extension in order to take a comprehensive approach to planning the anticipated development.

The goals, objectives, and policies expressed in this International Drive Activity Center Strategic Development Plan were adopted into the Comprehensive Plan.

Past Evaluation and Appraisals

Changes were not made to the International Drive Element during past Evaluation and Appraisal Reports.

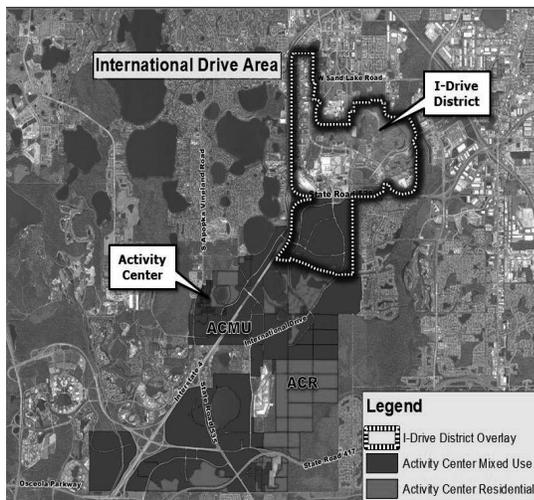
In 2016 the element was amended by County Staff to create the I-Drive District Overlay as Objective 1.4. This district is generally located north of Central Florida Parkway, south of Carrier Drive, east of Interstate 4 and west of Shingle Creek. The intent is to promote mixed-use development, pedestrian activity, and the transect concept. A Conceptual Regulating Plan was adopted as part of the amendment. The International Drive Zoning District was adopted as a zoning district that property owners can apply to be a part.

Summary of Proposed Changes

The International Drive Element contains five goals, ten objectives, and eighty-two policies.

The reasons supporting proposed policy deletion include: the policies are no longer implemented, are applied county-wide, the issues they were intended to address are no longer present, to provide for clarification, or to update program names.

The following includes a redline copy of the proposed changes. As part of the redline changes there are notes in the column explaining the reason for the proposed change. Following the redline version is a “clean” version of the proposed changes, reflecting how the element would read if the changes are adopted.



International Drive Element Goals, Objectives and Policies

GOAL 1 **It is Orange County's goal to promote tourism by the development of an economically viable, well planned tourist oriented International Drive (I-Drive) Area made up of the International Drive Activity Center and the I-Drive District Overlay.**
(Amended 6/16, Ord. 2016-15)

The goal is original to the element. Staff added International Drive preceding Activity Center for clarity.

OBJ 1.1 **Orange County shall establish the boundaries of the tourist-oriented Activity Center and assign future land uses which permit a mixture of tourism related uses.**
(Amended 6/16, Ord. 2016-15)

POLICIES

ID1.1.1 The ~~Land Use Plan~~ Future Land Use Map and Development within for the International Drive Activity Center shall reflect the identified goals and objectives contained herein.

The policy is original to the element. Staff recommends clarifying the policy to include a reference to the Future Land Use Map and remove references to the Land Use Plan.

ID1.1.2 To encourage increased transit and pedestrian ~~transportation activity within the International Drive Activity Center, the Land Use Plan uses~~ shall be balanced between projected ~~density and intensity~~ density/intensity, and ~~the a~~ mixture of land uses and planned infrastructure. (Added 12/00, Ord. 00-25)

Staff recommends revising to include International Drive as the specific activity center. Changed pedestrian transportation to pedestrian activity.

ID1.1.3 Land use designations, which encourage a mixture of tourist related development, shall be included in the International Drive Activity Center Plan. Permitted uses within the Activity Center Mixed Use (ACMU) ~~mixed use~~ area shall reflect ~~the a~~ tourist orientation and are as follows: (Added 10/94, Ord. 94-20)

The zoning district for ACMU was never adopted and this policy is the only place that the permitted uses are listed.

| | |
|---|---|
| Hotel/motel/time-share | Child care |
| Residential (minimum 12, maximum 30 dwelling units/acre) | Business and Personal services |
| Retail Uses | Medical offices |
| Amusement centers, including theaters, including theme attractions | Veterinary |
| Night clubs | Automobile Service Stations |
| Conference Centers | Car wash |
| Health spas | Banks |
| Public community facilities & services | Laundry and dry cleaning |
| Car rental agency | Travel Agent |
| Eating and Drinking Establishments | Warehouses, ancillary to other uses permitted |
| Other similar and compatible tourist commercial uses as determined by the Planning and Zoning Directors Managers | Public Services and Facilities |

ID1.1.4 (Policy deleted 12/14, Ord. 2014-30; see Policy FLU1.1.4(D).)

ID1.1.5 ~~In order to ensure the implementation of Objective 3.1, development of nonresidential~~ Nonresidential development shall be conditioned upon the development and/or availability of residential units within the areas designated as Activity Center Residential (ACR) on the Future Land Use Map, to the extent permitted by law. ~~The criteria for such linkage shall be defined in the International Drive Activity Center Development Guidelines. The Any linkage program may allow a payment in lieu of development provision.~~

This policy was deleted by ordinance 2014-30, amendment 2014-2-B-CP-1.

Staff recommends deleting the reference to Objective 3.1 of the International Drive Element and replacing it with nonresidential as this is what the objective references. Also, Development Guidelines were not adopted.

- ID1.1.6 Any land use which, as determined by the County, is out of harmony with the intended character of the International Drive Activity Center shall be prohibited within the Activity Center. Such prohibited uses shall include, but not be limited, to the following:
- A. Uses which emit odorous, noxious, caustic or corrosive matter, whether toxic or non-toxic;
 - B. Any drilling, excavation and/or removal of earth materials except for water wells or as part of normal grading operations in connection with construction of approved improvements;
 - C. Any dumping, disposal, incineration, or reduction of garbage or refuse of any nature whatsoever, other than handling or reducing any such waste matter if actually produced on the premises from authorized uses and if handled in a reasonable clean and sanitary manner;
 - D. Adult entertainment establishments; and,
 - E. Outdoor display or storage of goods or products.

ID1.1.7 In order to separate residential neighborhoods from, and to reserve the most appropriate areas for tourist related businesses, no more than 30 percent of a site designated for Activity Center Mixed Use (ACMU) shall be used for residential purposes.

ID1.1.8 ~~RESERVED. Increased heights shall be allowed within the Activity Center as stipulated in the development guidelines.~~

ID1.1.9 ~~RESERVED. The International Drive Activity Center shall be considered a Regional Activity Center for the purposes of increased threshold as set forth in Chapter 380, Florida Statutes and Rule 28-24.014(10), Florida Administrative Code. (Added 11/95, Ord. 95-35)~~

Staff recommends reviewing this policy as it limits the amount of residential development in the ACMU designation and often is the reason for Future Land Use Map amendments.

Development guidelines were not adopted for the International Drive Activity Center.

Recommend deleting as heights can be increased as part of the PD rezoning. Recommend deleting because the chapter reference is outdated and the International Drive Activity Center never became a regional activity center under Ch. 380.

ID1.1.10

~~RESERVED. Any proposed resort or convention hotel development of greater than 200 rooms which is within the International Drive Activity Center which is designated Regional Activity Center on Exhibit 1 and is specifically designated by the Board of County Commissioners at rezoning, as a resort or hotel development that will serve the convention center shall be eligible for the increased Development of Regional Impact threshold specified in Chapter 380, Florida Statutes, (F.S.); and Rule 28-24.014(10), Florida Administrative Code, (F.A.C.). A minimum of number of rooms shall be set aside or "blocked" to serve the Convention Center, as follows. Five years in advance, 50% of the rooms shall be blocked; four years in advance, the requirement shall be 40% of the rooms; and three years in advance, 30% of the rooms shall be blocked. For a period of less than three years in advance, no set aside shall be required. In addition, the development site shall be served by a transit circulator or other transportation service that provides access to the Convention Center. Variations to the above referenced formula for room blocking may be approved by Orange County on a case by case basis subject to a developer's agreement with the Convention Center. (Added 5/96, Ord. 96-11; Amend. 11/99, Ord. 99-19)~~

Staff recommends deleting because this area of International Drive is now within the International Drive zoning overlay. The policy is no longer applicable. The Ch. 380 and Rule 28 references have been rescinded.

OBJ 1.2 Orange County shall create development guidelines to ensure an aesthetic and well organized character of the International Drive Activity Center.

POLICIES

- | | | |
|---------|--|--|
| ID1.2.1 | RESERVED. The Development Guidelines referenced in the policies herein shall be applied to all development permits within the Activity Center, including but not limited to building permits, issued subsequent to adoption of such regulations. | Development guidelines were not adopted for the International Drive Activity Center. Recommend deleting because the guidelines in the policies are understood to be applied to all development within the International Drive Activity Center. |
| ID1.2.2 | A tourist commercial/Activity Center zoning district shall be established as part of the Land Development Code. Until the existence of such district, all development within the <u>International Drive Activity Center</u> shall be approved as a Planned Development (P-D) district. <u>This policy does not apply to property located within the I-Drive District Overlay. Refer to International Drive OBJ1.4.</u> | The zoning district was not established. Revising to clarify this policy does not apply to property within the I-Drive Overlay. |
| ID1.2.3 | The <u>International Drive Activity Center</u> shall be developed in a comprehensive and unified fashion. Gateways shall be designed and implemented to ensure the <u>International Drive Activity Center</u> is an identifiable destination. | |
| ID1.2.4 | RESERVED. The County shall encourage the creation of a property owner's association to promote joint marketing of the area to support economic vitality. Their efforts shall include the creation of a tourist information center or network. The conditions of development approval will require participation in the property owner's association. (Added 12/00, Ord. 00-25) | Recommend deleting because a property owner association was not created. |
| ID1.2.5 | RESERVED. All development approvals shall include an expiration date. | Recommend deleting because development plans and preliminary subdivisions have expiration dates while a Planned Development Land Use Plan does not. |
| ID1.2.6 | Underground electrical distribution lines shall be required within the International Drive Activity Center. | |

ID1.2.7

~~The County shall apply lighting standards for within the International Drive Activity Center shall be adopted by December 1, 1991 to ensure safe nighttime outdoor activities. Such regulations standards shall;~~

- A. Ensure, where appropriate, consistency in lighting style; and,
- B. ~~Include~~ Address different lighting standards needs for public and private property, including standards for lighting sidewalks which reflect the need for such as extensive nighttime lighting of sidewalks due to the considerable amount of nighttime tourist activity, ~~and. These standards shall include lumens standards for different purposes, e.g., sidewalks, parking areas, road lighting.~~

Recommend revising to remove the December 1, 1991 deadline as the time has passed and lighting standards have not been adopted.

ID1.2.8

A funding mechanism, such as but not limited to an Municipal Service Taxing Unit (MSTU(s)) and/or Municipal Service Benefit Unit (MSBU(s)), for financing underground utilities, maintenance of landscaping on public property, and lighting along major roads, including International Drive, shall be established.

Recommend revising to include maintenance of landscaping on public property from policy ID1.2.12. Three MSTUs were established for I-Drive: (1) administration, planning, and public safety; (2) Bus Service Area Fund; and (3) improving and beautifying a particular segment of International Drive.

ID1.2.9

~~The County shall apply stormwater management facility criteria, designed to enhance the aesthetic quality of the area, shall be included within the International Drive Activity Center development guidelines. Such criteria shall;~~

- A. Allow for ~~the~~ combined or shared stormwater management techniques, where economically and technically reasonable and legally feasible, to maximize available developable land and add to the aesthetic quality of the area; ~~and shall;~~
- B. Require stormwater management facilities to be designed as an aesthetic feature, except where determined by the County Engineer to be technically unfeasible.

Recommend revising the policy to remove reference to development guidelines, they were not adopted.

ID1.2.10

Sign regulations for the International Drive Activity Center, designed to clearly convey necessary information to an international market, and promote a consistent and aesthetic appearance by requiring uniform material and construction methods. ~~shall be adopted by December 1, 1991.~~

~~These regulations shall,~~

- ~~A. Limit sign size and number to avoid excessive clutter among sign displays and competition in their demand for public attention;~~
- ~~B. Promote a consistent and aesthetic appearance by requiring uniform material and construction methods;~~
- ~~C. Promote the use of multi-tenant signs for single developments in order to minimize the size and number of signage;~~
- ~~D. Include provisions to control sign lighting;~~
- ~~E. Specify criteria for use of small directional signs, including the requirement that all directional signs shall utilize the internationally recognized components;~~
- ~~F. Limit the use of temporary signs;~~
- ~~G. Prohibit new billboards within the Activity Center and require the elimination of existing billboards upon development/platting of the subject property; and shall,~~
- ~~H. Prohibit flashing, turning, or pulsating signs within the Activity Center boundaries.~~

Recommend revising to remove the December 1, 1991 deadline. The County adopted Tourist Commercial Signage in Article 31.5 of the Orange County Code that addresses the criteria of the policy.

ID1.2.11

~~The County shall apply Landscape criteria regulations for within the International Drive Activity Center, that are designed to promote and reflect the landscape character of Orange County and Central Florida, shall be adopted by December 1, 1991. These landscape regulations-criteria shall;~~

- A. Specify appropriate types and intensity of plants and trees on public and private property to ensure area enhancement and to establish an identity for the International Drive Activity Center;
- B. ~~Include provisions which e~~Emphasize the use of native plants for public and private property;
- C. ~~Be used as a tool to a~~Achieve a landscape design which complements and enhances the architecture of buildings, screens views of parking from rights-of-way, and provides visual and climatic relief from large expanses of parking and creates interest within pedestrian areas;
- D. Specify performance standards for maintenance of landscape on public and private property;
- E. Require the inclusion of plants and trees, e.g., Live Oaks, which create shade into Activity Center developments;
- F. Specify the type of trees to be planted in landscaped areas to ensure the creation of a canopy of trees along roadways and within parking areas (e.g., Lake Buena Vista); and shall,
- G. ~~Require~~Encourage landscaping of public and private property which ~~that creates~~promotes a unified development pattern within the International Drive Activity Center.

Recommend revising to remove the December 1, 1991 deadline for adoption of landscape regulations.

ID1.2.12

~~RESERVED. A funding mechanism, such as but not limited to an MSTU, shall be created for maintenance of landscaping on public property within the Activity Center.~~

Recommend that this policy be combined with ID1.2.8, both reference establishing funding mechanisms.

ID1.2.13

Existing trees on public and private property within the International Drive Activity Center shall be saved whenever possible. Sidewalks shall be designed to save trees. At a minimum, Orange County Ordinance 90-06 relating to cutting or destroying shade trees within public rights-of-way and Ordinance 85-33 relating to removal of trees on private property shall be enforced.

Recommend removal of references to existing codes relating to cutting or destroying shade trees within the public right-of-way. All adopted ordinances should be enforced without the need to state that.

ID1.2.14

~~Treated effluent~~Reuse water for landscape irrigation of public and private property shall be used whenever feasible.

Recommend revise the policy to encourage the reuse of water.

| | | |
|----------|---|--|
| ID1.2.15 | <p><u>To the extent permitted by law, The</u> reservation of a landscape/pedestrian/utility easement, 20 feet in width, shall be required along each side of all collector and arterial road rights-of-way as a condition of development approval. <u>This easement is exclusive of the transit easement noted in Policy ID2.2.2.</u></p> | <p>Recommend clarifying the policy so that the reader understands both easements are required.</p> |
| ID1.2.16 | <p>On-site open space regulations shall be adopted by December 1, 1991 to promote the tourist oriented theme and encourage pedestrian activity. Such regulations shall:</p> <ul style="list-style-type: none"> A. Include provisions which support the objective to create street activity, including minimizing open space between buildings; B. Require open space within the International Drive Activity Center to be aggregated, whenever possible, in order to encourage the creation of usable open space; and shall, C. Require open space regulations to be linked to stormwater retention systems or part of a unified parkway or walkway system, where feasible. | <p>Recommend revising to remove the December 1, 1991 deadline as open space regulations have not been adopted.</p> |
| ID1.2.17 | <p>The County will develop and implement a parking standard to address the special parking requirements associated with mixed-use developments that incorporate one or more entertainment land uses. The process to develop a standard will evaluate shared parking opportunities for a mix of uses during peak use periods, the length of stay of patrons of the mixed-use establishment, the number and location of parking spaces required, the impact of transit and pedestrian service facilities on the need for parking, and the relationship between the mix, type and scale of uses and parking requirements. (Added 12/14; Ord. 2014-30)</p> | |

OBJ 1.3 The County shall continue to pursue transportation linkages between points of tourist arrival to the area and the International Drive Activity Center activity center. (~~Added-Amended 12/00, Ord. 00-25~~)

POLICIES

ID1.3.1 A direct transit connection from the International Airport and International Drive Activity Center shall be pursued by Orange County.

ID1.3.2 Orange County shall coordinate with Florida Department of Transportation (FDOT), LYNX, the Central Florida Expressway Authority, and other transportation agencies, as appropriate, to ensure an ~~adequate~~ level of service is maintained on roadways that serve the International Drive Activity Center, the Southern Connector and Beeline Expressway.

Recommend revising with updated agency names and clarification of the area referenced in the policy.

ID1.3.3 ~~RESERVED. The County shall petition FDOT and the Expressway Authority to erect a directional sign on Interstate 4, Turnpike, Beeline, and Southern Connector for the Activity Center, e.g., "International Drive Activity Center this exit." The logo food, gas and hotel signs shall also be requested.~~

Recommend deleting because International Drive has become recognized as a destination with directional signs on I-4.

OBJ1.4

The International Drive (I-Drive) District is generally located north of Central Florida Parkway, south of Carrier Drive, east of Interstate 4 and west of Shingle Creek, which is depicted as the I-Drive District Overlay on the Future Land Use Map. This District is the primary tourist destination of Orange County with venues and amenities for visitors, conventioners, local residents, and businesses. Orange County shall promote mixed-use development within the I-Drive District Overlay that is characterized by complete streets, urban amenities, and a safe and walkable pedestrian environment that reinforces the District’s stature as a world destination. (Added 6/16, Ord. 2016-15)

Staff recommends revising the Objective to distinguish between the Activity Center Districts and these policies are specific to the I-Drive District Overlay

Policies

ID1.4.1

I-Drive District Goals. As stated in the I-Drive 2040 Strategic Vision document accepted by the Board of County Commissioners on November 3, 2015, all future development and redevelopment within the I-Drive District Overlay shall strive to achieve the following District goals:

- **Connected:** Celebrate pedestrians by improving walkability, activating the streets, and offering ample multimodal options;
- **Complete:** Enable a complete community by ensuring that a diversity of uses, including residential, can be accommodated in the District;
- **Authentic:** Reinforce community identity and authenticity by providing civic and gathering spaces featuring public art;
- **Prosperous:** Foster economic development by promoting and facilitating infill and redevelopment opportunities within the District;
- **Sustainable:** Promote efficient use of natural resources by incorporating green building practices and capitalizing on local resources. (Added 6/16, Ord. 2016-15)

I-Drive District and Sub-districts. The I-Drive District, depicted as an overlay on the Future Land Use Map, has been divided into eight (8) Sub-districts that are characterized by certain uses, activity types and their unique functions. These Sub-districts include the following:

1. **Convention Center:** With the Orange County Convention Center as the focal point, this sub-district's hotels and tourist-supportive properties provide conventioners with convenience and comfort in a walkable environment;
2. **Retail & Hospitality:** A mixed-use sub-district featuring lodging accommodations, restaurants, and shops. Situated around the Pointe Orlando complex and along the east side of International Drive this sub-district provides a venue for socialization to visitors;
3. **Entertainment:** Serving as the North I-Drive District gateway, this sub-district is characterized by large-scale tourist attractions and entertainment venues, and creates a point of interest for both local and worldwide visitors;
4. **Sea World:** Sea World, Discovery Cove, and Aquatica theme parks serve as the central attraction to this sub-district, with supportive uses such as office, retail, and residential developments;
5. **Destination Parkway:** An area centered around an abundance of residential development, this sub-district will serve as an incubator for vertically-integrated mixed-use development;
6. **Universal Boulevard:** With a well-balanced mix of housing, retail development, entertainment, and lodging, the Universal Boulevard Sub-District blends the needs and interests of local residents and tourists alike;
7. **Rosen & Shingle Creek:** Featuring the Rosen Shingle Creek Resort and golf course, this sub-district is prime for mixed-use development to provide an eastern edge to the I-Drive District;
8. **Universal:** Anchored with theme park attractions, this sub-district provides resort style development to visitors with a range of entertainment and retail options as well as supporting uses.____
(Added 6/16, Ord. 2016-15)

ID1.4.3 **Conceptual Regulating Plan (CRP).** The Conceptual Regulating Plan (CRP) for the I-Drive District is included as Map 23 of the Future Land Use Map series. The CRP depicts the District's boundary and provides a general and illustrative representation of the desired development pattern, including locations of various development zones, known as transects, within the District. (Added 6/16, Ord. 2016-15)

ID1.4.3.1 **Transects.** Development densities and intensities within the I-Drive District shall be governed through the use of Transects. The transect zones shall feature primary emphasis on building form, building placement, block configuration and connectivity. The transects are defined as follows:

- T6 Core – General (T6 General): Consists of the highest density and height, with the greatest variety of uses. Streets have continuous street tree plantings and buildings are set close to wide sidewalks. This zone is predominantly used on major thoroughfare types including International Drive and Universal Boulevard, near planned transit stations, and abutting major intersections.
- T6 Core – International Drive (T6 I-Drive): Treated similarly to the T6 Core-General Zone. Setbacks and minimum building heights are calibrated to compliment the specific features of International Drive and effectively frame the public realm.
- T6 Core – Universal Boulevard (T6 Universal): Treated similarly to the T6 Core-General Zone. Setbacks and minimum building heights are calibrated to compliment the specific features of Universal Boulevard and effectively frame the public realm.
- Special Zone – Civic (SZ Civic): This zone and its code standards will be based on the Orange County Convention Center's 2015 Master Plan with strong emphasis on walkability, urban development, and civic open spaces.
- Special Zone – Theme Park (SZ Theme Park): This zone consists of theme park or entertainment complexes, and their entertainment, hotel, resort and accessory uses, without open, public access.
(Added 6/16, Ord. 2016-15)

- ID1.4.4 The land development code shall be amended by ~~December 2016, to~~ include regulations that implement the transect zones depicted on Map 23 of the Future Land Use Map Series. (Added 6/16, Ord. 2016-15)
- ID1.4.5 **Phased Implementation and Infrastructure Funding.** Implementation of I-Drive 2040 Strategic Vision shall be phased based on the 5/15/25-year infrastructure funding schedule, as presented in the I-Drive 2040 Strategic Vision document. (Added 6/16, Ord. 2016-15)
- Recommend revising to remove the December 2016 deadline. Regulations have been adopted as part of the Land Development Code, Chapter 38.

GOAL 2 **The efficient, safe, and convenient movement of people and goods within the International Drive Activity Center shall be ensured by the development of a multi-modal transportation system.**

Recommend revising to read safe and convenient movement as this is reflective of current transportation planning practices.

OBJ 2.1 **The County shall continue to pursue an efficient ~~roadway~~ transportation system within the International Drive Activity Center by establishing a ~~master roadway~~ transportation plan and development guidelines encompassing the safety and convenience of all users and modes as well as funding mechanisms to implement ~~the~~ these roadway plans. (Added 12/00, Ord. 00-25)**

Recommend revising to remove the word roadway and replace with transportation system reflecting the current approach to transportation planning.

POLICIES

ID2.1.1 ~~RESERVED. The master road network for the Activity Center shall be adopted as part of this plan. The conditions of development approval shall require development phasing consistent with the implementation of the master road network for the Activity Center. The master road network map is a planning instrument used to convey approximate locations of anticipated roadway links; the map does not function to reserve actual right-of-way corridors.~~

Recommend deleting because this requirement is included in the long-range transportation plan and it is not specific to I-Drive, it is a countywide policy.

ID2.1.2 ~~RESERVED. The capacity of the road network shall be protected by reducing automobile trips for non-residential development in the peak hour by requiring participation in an Activity Center traffic reduction plan. The traffic reduction plan shall be detailed in the development guidelines.~~

Recommend deleting because this requirement is included in the long-range transportation plan and it is not specific to I-Drive, it is a countywide policy.

ID2.1.3 ~~RESERVED. To the extent permitted by law, and as a condition of development approval, a developer's agreement shall be signed agreeing to, 1) provide and dedicate right of way as identified in the International Drive Master Roadway Plan, as applicable to subject property, prior to or concurrent with the issuance of development permits; 2) a maximum amount of \$150,000 per acre for required right of way; and, 3) participation in MSBU or other funding mechanism established to fund the acquisition and construction of the transportation system shall be required when established by the County. Right of way dedication shall be required prior to or concurrent with the issuance of building permits. (Added 12/00, Ord. 00-25)~~

Recommend deleting because this requirement is included in the long-range transportation plan and it is not specific to I-Drive, it is a countywide policy.

ID2.1.4 ~~RESERVED. Access management controls for development within the Activity Center shall be established by December 1, 1991 to ensure the efficient use of the road network and to enhance safety within the Activity Center. Such controls shall include, but not be limited to, shared access by cross access easements, and limited curb cuts, and joint access roads.~~

Recommend deleting because this requirement is included in the long-range transportation plan and it is not specific to I-Drive, it is a countywide policy.

ID2.1.5 Interconnection of adjacent developments within the International Drive Activity Center shall be a condition of approval either by cross access easements or by public right-of-way.

ID2.1.6 ~~RESERVED. The County shall not vacate existing rights of way unless simultaneous dedication of additional right of way, which ensures accessibility to landlocked portions of the Activity Center, occurs.~~

Recommend deleting because this requirement is included in the long-range transportation plan and it is not specific to I-Drive, it is a countywide policy.

ID2.1.7 ~~RESERVED. A Developer's Agreement for monitoring and modeling traffic shall be a condition of development approval.~~

Recommend deleting because this requirement is included in the long-range transportation plan and it is not specific to I-Drive, it is a countywide policy.

ID2.1.8 ~~RESERVED. The level of service (LOS) for County-maintained roads within the International Drive Activity Center Master Road network is as follows:~~

Recommend deleting because this requirement is included in the long-range transportation plan and it is not specific to I-Drive, it is a countywide policy.

| LOS | GENERALIZED PEAK HOUR |
|-------------------------------|----------------------------------|
| Principal Arterial | E |
| Minor Arterial | E |
| Collector | E |

~~The County shall apply to the Florida Department of Transportation (FDOT) for a Special Transportation Area (STA) designation for the Activity Center to allow the above standards for State roads.~~

Recommend deleting because this requirement is included in the long-range transportation plan and it is not specific to I-Drive, it is a countywide policy.

ID2.1.9 Partnership agreements, once executed, shall be considered in the planning and scheduling of transportation improvements related to the International Drive Activity Center. (Added 12/00, Ord. 00-25)

Recommend adding the phrase "once executed" because these agreements are not effective until approved by the Board of County Commissioners

ID2.1.10

~~RESERVED. The following conceptual transportation improvements as depicted in Figure 2 shall be incorporated into the County's roadway improvement program contingent upon future partnership agreements. Where upon final alignments for individual projects shall be established as approved by the Board of County Commissioners. (Added 12/00, Ord. 00-25)~~

Recommend deleting because this requirement is included in the long-range transportation plan and it is not specific to I-Drive, it is a countywide policy.

- ~~1. Lake Avenue (collector)
 - Turkey Lake Road to Fenton Street Extension — new 4 lane
 - Winter Garden Vineland Road to Turkey Lake Road — 2 to 4 lanes~~
- ~~2. Fenton Street (minor arterial)
 - Apopka Vineland Road to Westwood Boulevard Extension — new 4 lane~~
- ~~3. Westwood Boulevard Extension (collector)
 - Westwood Boulevard to International Drive — new 4 lane~~
- ~~4. Poinciana Boulevard (minor arterial)
 - International Drive to County Line — new 4 lane~~
- ~~5. International Drive Extension (minor arterial)
 - SR 536 to SR 535 — new 6 lane~~
- ~~6. Un-named Road (minor arterial)
 - Poinciana Boulevard to Winter Garden Vineland Road — new 4 lane~~
- ~~7. North South Road (minor arterial)
 - Westwood Boulevard extension to Central Florida Greenway — new 4 lane~~
- ~~8. Lake Bryan Avenue
 - Winter Garden Vineland Road to North South Road~~

OBJ 2.2

~~In 1992, the International Drive Master Transit and Improvement District and its implementing International Drive Activity Center Transit Plan was created to foster an effective and efficient transit system by linking uses internal and external to the Activity Center through land development regulations and financing strategies. Land development regulations and financing strategies used within the International Drive Activity Center will foster an effective and efficient transit system that links internal and external land uses. (Added 12/00, Ord. 00-25)~~

Recommend revising to create a clearer objective.

POLICIES

ID2.2.1

~~RESERVED. The development of the International Drive Activity Center Transit Plan shall be coordinated with LYNX (doing business as the Central Florida Regional Transportation Authority). The transit plan shall be adopted by Year 2010. The objectives of the transit plan are as follows:~~

- ~~A. Achievement of 15 percent of all potential vehicular trips within the activity center to be made by transit by the year 2005, and 25 percent by 2010;~~
- ~~B. Assurance of internal linkage of the tourist activities as well as linkage of residential areas to the employment areas;~~
- ~~C. Assurance of external linkage with regional transit system; and,~~
- ~~D. Assurance of minimum headways.~~
- ~~E. Development and implementation of mass transit, rail or circulate system by year 2010.~~
- ~~F. The Transit Plan shall be developed by following the same steps as referenced in Transit Element Policy 1.4.2. (Added 12/00, Ord. 00-25)~~

Recommend deleting as the Activity Center Transit Plan never came to fruition.

| | | |
|---------|--|---|
| ID2.2.2 | <p>To the extent permitted by law, the reservation of a 15 foot wide transit easement along each side of all major road rights-of-way shall be a condition of approval for development within the International Drive Activity Center. <u>This easement is exclusive of the landscape/pedestrian/utility easement noted in Policy ID1.2.15</u> When the Activity Center Transit Plan is completed, any unused portions of easements shall be abandoned and vacated. Until the easement is utilized or abandoned, the fee title holder shall be entitled to make use of such easement areas for temporary uses such as, but not limited to, non-code required parking, landscaping and recreation areas. Such easement areas shall be considered as a part of the site area for development purposes.</p> | <p>Recommend revising to delete reference to the Activity Center Transit Plan, it never came to fruition.</p> |
| ID2.2.3 | <p>Prior to implementation of an internal transit system, participation in or provision of a shuttle service to area attractions and transportation centers, shall be required as a condition of development approval <u>is encouraged</u>. The shuttle service shall be integrated with other area transit where feasible.</p> | <p>Recommend revising to encourage the use of shuttles instead of required as a condition of approval.</p> |
| ID2.2.4 | <p><u>The County may consider the establishment of Aa Mass Transit Utility District,</u> shall be established covering all property that will be serviced by or whose traffic flow could be benefited by a future transit facility. Participation in such district may reduce or eliminate the need/requirement for the provision of individual transit service (shuttle) or participation in other transit funding mechanisms.</p> | <p>Recommend revising this policy to consider the mass transit district.</p> |
| ID2.2.5 | <p><u>RESERVED.</u> All available transit system funding sources shall be continuously pursued by Orange County.</p> | <p>Recommend deleting because this is a countywide practice to pursue project-funding partners.</p> |
| ID2.2.6 | <p>Major roads within the <u>International Drive Activity Center</u> and those serving the Orange County Convention Center shall be designed for transit accessibility, where appropriate, including road widths, intersection radii, and transit easements. (Added 12/00, Ord. 00-25)</p> | |
| ID2.2.7 | <p>The minimum density for new residential development shall be enforced to achieve the objective of creating an effective transit system.</p> | |
| ID2.2.8 | <p><u>Orange County shall consider adopting</u> Ddensity/intensity bonuses for <u>the on-site provision of major and minor Transit Stations,</u> shall be given as outlined in the Activity Center development guidelines.</p> | <p>Staff recommends revising to direct the County to consider adopting bonuses.</p> |

ID2.2.9

~~By Year 2005, the International Drive Development Guidelines shall include~~The County shall consider adopting transit access-oriented design standards within the International Drive Activity Center, in order . Such standards shall be created to ensure that new developments are easily accessible by transit vehicles consistent with the International Drive Activity Center Transit Plan. (Added 12/00, Ord. 00-25)

Recommend revising because the Activity Center Transit Plan and development guidelines were not adopted.

ID2.2.10

~~The County shall consider creating incentives, such as density/intensity bonuses, shall be created for the provision of traffic reduction/transit use facilities such as park-and-ride lots on the periphery of the Activity Center or in shopping areas of the Activity Center Residential Area. These incentives shall be included in the Activity Center development guidelines adopted by December 1, 1991.~~

Recommend revising, as incentives were never created for traffic reduction/transit use facilities.

ID2.2.11

~~The development guidelines for the Activity Center shall allow for~~County shall consider adopting a reduction in parking requirements for development accessible to transit.

Recommend revising because development guidelines for the Activity Center were never adopted to allow for a reduction in parking requirements for development accessible to transit.

OBJ 2.3 The adopted future land use map and the International Drive Activity Center development guidelines shall facilitate a development pattern which encourages pedestrian activity, where appropriate.
(Amended 6/16, Ord. 2016-15)

Staff recommends revising the policy by deleting development guidelines because these were not created or adopted for the International Drive Activity Center.

POLICIES

ID2.3.1 The County shall continually update the standards within the International Drive Activity Center Development Guidelines for development along the roads within the Activity Center, which will promote a pedestrian orientation, e.g., building orientation, wide sidewalks, and location of parking lots.
(Added 12/00, Ord. 00-25)

ID2.3.2 Sidewalks shall be designed and constructed to encourage pedestrian activity, including but not limited to required continuity from one parcel to another and minimum width of ten feet along all major roads.

ID2.3.3 ~~RESERVED. To the extent permitted by law, the reservation of a 20 foot wide landscape/pedestrian/utility easement, on all properties with road frontage, shall be a condition of approval for development within the Activity Center. The pedestrian easement shall be adjacent to the development side of the required transit easement as opposed to the road side if a transit easement is required.~~

Recommend deleting because this policy is proposed to be combined with International Drive Policy ID1.2.15

ID2.3.4 Pedestrian safety measures such as signalization, universal signage, and use of different pavers for pedestrian crossings or overpasses shall be implemented for pedestrian safety within the International Drive Activity Center.

ID2.3.5 Streetscape criteria shall be established in order to promote economic viability and create interest in walking. Streetscape shall consist of, but not be limited to, street art, benches, and shade by plantings. ~~The development guidelines shall detail~~ Various mechanisms, such as incentives, private investment, or use of a Municipal Service Benefit Unit (MSBU), may be employed for the streetscape program.

Recommend revising the policy to remove reference to development guidelines as these were not created or adopted.

GOAL 3

~~It is Orange County's goal to facilitate the development of residential~~ **Residential development in proximity to employment areas of the International Drive Activity Center shall be facilitated in order to minimize travel distance and time between the uses. (Amended 6/16, Ord. 2016-15)**

Recommend revising to clarify the intent of the goal.

OBJ 3.1

Orange County shall use the adopted Future Land Use Map and conditions of development approval to ensure housing, affordable to tourist oriented employment, is built within the International Drive Activity Center in a neighborhood character.

POLICIES

ID3.1.1

Specific areas for residential neighborhoods shall be designated on the Future Land Use Map to provide for reduced home-based/work trip lengths. The following uses shall be allowed within the International Drive Activity Center Residential (ACR) area: (Added 10/94, Ord. 94-20; Amended 11/99, Ord. 99-19)

| | |
|--|---------------------------------------|
| Residential (minimum 12 dwelling units per acre, maximum 30 units per acre) | |
| Neighborhood Support (as detailed below) | |
| Supermarket | <u>Pet Shops</u> |
| Other Retail Food Stores (e.g., bakery, butcher, fish market) | <u>Book and Stationery Stores</u> |
| Florist | <u>Liquor Stores</u> |
| Drug Stores | <u>Veterinary</u> |
| Sporting Goods Stores | <u>Child Care</u> |
| Jewelry Stores | <u>Business and Personal Services</u> |
| Eating and Drinking Establishments | <u>Medical Offices</u> |
| Clothing and Shoe Stores | <u>Automobile Service Stations</u> |
| Fabric Stores | <u>Banks</u> |
| Hardware Stores | <u>Barbers/Beauty Shops</u> |
| Auto and Home Supply Stores | <u>Laundry and Dry Cleaning</u> |
| Retail Nurseries and Garden Stores | <u>Shoe Repair</u> |
| Toy, and Game Shops | <u>Travel Agent</u> |
| Retail Music Stores | <u>Public Facilities and services</u> |
| Pet Shops | |
| Book and Stationery Stores | |
| Liquor Stores | |
| Veterinary | |
| Child Care | |
| Business and Personal Services | |
| Medical Offices | |
| Automobile Service Stations | |
| Banks | |
| Barbers/Beauty Shops | |
| Laundry and Dry Cleaning | |
| Shoe Repair | |
| Travel Agent | |
| Public Facilities and services | |
| Short-term Rental (**restricted) | |
| Bed and breakfast (**restricted) | |
| Religious Institutions | |
| Health and Fitness Centers | |
| Other uses determined, by the Planning and/or the Zoning Directors <u>Managers</u> , to be similar and compatible with the neighborhood character | |
| ** Short-term Rental and Bed and Breakfast uses shall be restricted to the following: | |

Minimum lot aggregation for a development project of no less than 10 acres, unless individually approved by the Planning Manager in such cases for existing single-family homes as of the adoption date of this amendment;

Maximum height of 35 feet or three stories;

Design shall be of a residential character to include, but not be limited to a pitched roof and pedestrian-friendly streetscape and landscape consistent with policies of the International Drive Activity Center Element.

ID3.1.2

~~Consistent with the Future Land Use Element Policy 1.1.13 and the Housing Element Policy 1.1.1 a The County may consider granting a density bonus, as specified in the Activity Center development guidelines, shall be granted with for the provision of affordable housing within the International Drive Activity Center Residential (ACR) Area. Determination of "affordable" shall be consistent with the County's Affordable Housing Threshold Criteria.~~

Recommend deleting references to Future Land Use Policy FLU1.1.13 because it is not a valid reference. Housing Element Policy H1.1.1 is not a correct reference, the policy no longer exists.

~~If the density bonus is granted, the developer shall enter into an agreement with the County establishing the terms and conditions of the deed restrictions to be placed on the units to ensure the units remain affordable to low and moderate income persons for a period of at least 20 years. The restrictions shall run with the land and shall be enforceable by the County until such restrictions expire. The County Attorney shall approve all such agreements prior to execution. (Added 12/00, Ord. 00-25)~~

ID3.1.3

Due to the intent of the nonresidential uses (excluding public facilities and services) permitted in the Activity Center Residential (ACR) Areas, such uses will only be approved concurrent with, and/or conditioned upon the construction of, the residential units at a rate of 10,000 square feet per 125 units, with a maximum of 50,000 square feet of non-residential neighborhood support uses per development. Such uses shall be aggregated in Neighborhood and Community Shopping Areas, centrally located to the built residential units, and designed for pedestrian accessibility. (Added 11/99, Ord. 99-19)

Recommend revising the policy to remove reference to development guidelines as these were not created or adopted.

ID3.1.4

Development of nonresidential uses in the Activity Center Mixed Use (ACMU) area shall be conditioned upon the development of residential units within the areas designated as Activity Center Residential (ACR) on the Future Land Use Map. ~~The criteria for such linkage shall be defined in the International Drive Activity Center Development Guidelines.~~ The linkage program shall include a payment in lieu of development provision.

ID3.1.5 An intensity bonus of nonresidential floor area ratio or hotel units, as specified in the development guidelines, shall be given to developers of Activity Center Mixed Use (ACMU) property who propose to build affordable housing within a designated Activity Center Residential Area (ACR). The building permits for that construction permitted by the bonus shall not be issued until 50 percent of the affordable housing linked to the project is built. Determination of "affordable" shall be consistent with the County's Affordable Housing Threshold Criteria Administrative Regulation #11.02.06#4.08.

If the density bonus is granted, the developer shall enter into an agreement with the County establishing the terms and conditions of the deed restrictions to be placed on the units to ensure the units remain affordable to low and moderate income persons for a period of at least 20 years. The restrictions shall run with the land and shall be enforceable by the County until such restrictions expire. The County Attorney shall approve all such agreements prior to execution.

ID3.1.6 Time-share units built within the International Drive Activity Center shall be considered as a hotel/motel use and permitted only in the Activity Center Mixed Use (ACMU) designated areas. This policy shall not apply to Planned Developments that were approved for resort residential uses prior to January 1, 1987.

ID3.1.7 ~~RESERVED. Conversion of approved multi-family development within the Activity Center Mixed Use area to time-share units, or other hotel/motel type units, shall require a rezoning and/or amendment to the Planned Development Land Use Plan.~~

Recommend deleting because this is required of any change to Planned Development in any future land use or PD zoning.

ID3.1.8 Other mechanisms to ensure the construction of affordable housing within the Activity Center shall be continuously pursued by Orange County.

GOAL 4

~~It is Orange County's goal to ensure a balance between infrastructure programming and land use will be balanced within the International Drive Activity Center.~~
Infrastructure programming and land use will be balanced within the International Drive Activity Center.

Recommend revising to clarify the intent.

OBJ 4.1

Development regulations and financing mechanisms for the provision of infrastructure necessary to support the intended intensity of development within the International Drive Activity Center, shall be established prior to the issuance of building permits for development within the activity center.
(Amended 6/16, Ord. 2016-15)

POLICIES

ID4.1.1

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/quality standards of the comprehensive plan.

ID4.1.2

A funding strategy, including but not limited to Municipal Service Benefit Unit (MSBU), ad valorem taxes, transportation/transit utility district, and impact fees, shall be adopted to ensure provision and maintenance of the adopted level of service/quality standards. Conditions of approval for development within the International Drive Activity Center shall be used to implement the funding strategy.

ID4.1.3

The Capital Improvements Element and Capital Improvement Plan shall include infrastructure improvements for the International Drive Activity Center based on the approved infrastructure financing plan.

ID4.1.4

The road right-of-way and centerline shall be planned and acquired as far in advance as possible to minimize road and construction costs. Full projected right-of-way costs and the incremental cost (if any) for underground electric distribution and landscaping of public rights-of-way shall be included in any road construction financing proposal. The County shall establish an Municipal Service Benefit Unit (MSBU) or other financing mechanism for the design and acquisition of road rights-of-way.

GOAL 5 ~~It is Orange County's goal to ensure~~ **New land uses will be compatible with compatibility and environmental protection within and adjacent to the International Drive Activity Center.**
(Amended 6/16, Ord. 2016-15)

Recommend revising to clarify the intent of the goal.

OBJ 5.1 **In order to minimize adverse development impacts, the County will pursue adoption of land development regulations to ensure land use compatibility and environmental protection within and adjacent to the International Drive Activity Center. (Added 12/00, Ord. 00-25; Amended 06/17, Ord. 2017-12)**

POLICIES

ID5.1.1 ~~International Drive Activity Center Development Guidelines of b~~ Buffer techniques and varied development densities and intensities shall be employed ~~adopted by December 2001, which shall to ensure land use compatibility, environmental protection, and provide transitional land use activities within and adjacent to the International Drive Activity Center consistent with the objective. (Added Amended 12/00, Ord. 00-25)~~

Recommend revising the policy to remove "environmental protection as Chapter 15 contains requirements that apply County wide.

ID5.1.2 ~~RESERVED. Varied densities and intensities of development shall be used to transition land use within and adjacent to the Activity Center.~~

Recommend deleting as this is mentioned in Policy ID5.1.1

ID5.1.3 The International Drive Activity Center Development Guidelines shall include effective land use buffering regulations to provide for the protection of the Lake Willis single family homes.

ID5.1.4 ~~RESERVED. Where applicable, development shall comply with regulations established to protect the habitats of wildlife species listed by both the U.S. Fish and Wildlife Service and Florida Fish and Wildlife Conservation Commission. (Added 12/00, Ord. 00-25)~~

Recommend deleting because development must comply with State and Federal laws.

ID5.1.5 Stormwater management systems, which are designed as permanent wet detention ponds, greater than one acre, and not maintained by Orange County, shall be designed, operated, and maintained so as to resemble a natural pond to the greatest extent practicable.

ID5.1.6 ~~RESERVED. In order to preserve rare natural resources, native vegetation shall be incorporated into the overall landscape design and vegetative buffers to the extent practical. Special consideration for protection shall be given to Sand Pine, Longleaf Pine/Turkey Oak, and Oak Scrub communities.~~

Protection of native vegetation is addressed in state regulatory statutes

ID5.1.7

~~RESERVED. Where potential habitats of plants and animals listed as, threatened, endangered, or species of special concern are reasonably expected to exist, studies shall be undertaken prior to the approval of a Land Use Plan to determine if such habitats do exist. If such species are found, a mitigation/management/protection plan shall be required and approved by the appropriate County, state and federal regulatory agencies prior to the approval of the Development Plan.~~

EPD does not require a habitat study prior to land use plan approval. Wildlife permits are issued at the State or Federal level.

ID5.1.8

~~RESERVED. A transfer of development rights, at a ratio of 1:1.25, shall be given for dedication of development rights for upland property containing plant and/or animal habitats listed as rare, threatened, endangered or species of special concern. Such transfer shall occur internal to the project site and shall only be given where the proposed protection property is part of a viable system as determined by Orange County.~~

EPD does not require a habitat study prior to land use plan approval. Wildlife permits are issued at the State or Federal level.

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The following pages reflect the International Drive Element should the proposed changes be adopted.

I-Drive Element – Text if Adopted

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International Drive Element Goals, Objectives and Policies

GOAL 1 It is Orange County's goal to promote tourism by the development of an economically viable, well planned tourist oriented International Drive (I-Drive) Area made up of the International Drive Activity Center and the I-Drive District Overlay. (Amended 6/16, Ord. 2016-15)

OBJ 1.1 Orange County shall establish the boundaries of the tourist-oriented Activity Center and assign future land uses which permit a mixture of tourism related uses. (Amended 6/16, Ord. 2016-15)

POLICIES

ID1.1.1 The Future Land Use Map and Development within the International Drive Activity Center shall reflect the identified goals and objectives contained herein.

ID1.1.2 To encourage increased transit and pedestrian activity within the International Drive Activity Center, uses shall be balanced between projected density/intensity, and a mixture of land uses and planned infrastructure. (Amended 12/00, Ord. 00-25)

ID1.1.3 Land use designations, which encourage a mixture of tourist related development, shall be included in the International Drive Activity Center. Permitted uses within the Activity Center Mixed Use (ACMU) area shall reflect a tourist orientation and are as follows: (Amended 10/94, Ord. 94-20)

| | |
|--|---|
| Hotel/motel/time-share | Child care |
| Residential (minimum 12, maximum 30 dwelling units/acre) | Business and Personal services |
| Retail Uses | Medical offices |
| Amusement centers, including theaters, including theme attractions | Veterinary |
| Night clubs | Automobile Service Stations |
| Conference Centers | Car wash |
| Health spas | Banks |
| Public community facilities & services | Laundry and dry cleaning |
| Car rental agency | Travel Agent |
| Eating and Drinking Establishments | Warehouses, ancillary to other uses permitted |
| Other similar and compatible tourist commercial uses as determined by the Planning and Zoning Managers | Public Services and Facilities |

ID1.1.4 (Policy deleted 12/14, Ord. 2014-30; see Policy FLU1.1.4(D).)

ID1.1.5 Nonresidential development shall be conditioned upon the development and/or availability of residential units within the areas designated as Activity Center Residential (ACR) on the Future Land Use Map, to the extent permitted by law. Any linkage program may allow a payment in lieu of development provision.

- ID1.1.6 Any land use which, as determined by the County, is out of harmony with the intended character of the International Drive Activity Center shall be prohibited within the Activity Center. Such prohibited uses shall include, but not be limited, to the following:
- A. Uses which emit odorous, noxious, caustic or corrosive matter, whether toxic or non-toxic;
 - B. Any drilling, excavation and/or removal of earth materials except for water wells or as part of normal grading operations in connection with construction of approved improvements;
 - C. Any dumping, disposal, incineration, or reduction of garbage or refuse of any nature whatsoever, other than handling or reducing any such waste matter if actually produced on the premises from authorized uses and if handled in a reasonable clean and sanitary manner;
 - D. Adult entertainment establishments; and,
 - E. Outdoor display or storage of goods or products.
- ID1.1.7 In order to separate residential neighborhoods from, and to reserve the most appropriate areas for tourist related businesses, no more than 30 percent of a site designated for Activity Center Mixed Use (ACMU) shall be used for residential purposes.
- ID1.1.8 RESERVED.
- ID1.1.9 RESERVED.
- ID1.1.10 RESERVED.

OBJ 1.2 Orange County shall create development guidelines to ensure an aesthetic and well organized character of the International Drive Activity Center.

POLICIES

- ID1.2.1 RESERVED. ID1.2.2 A tourist commercial/Activity Center zoning district shall be established as part of the Land Development Code. Until the existence of such district, all development within the International Drive Activity Center shall be approved as a Planned Development (PD) district. This policy does not apply to property located within the I-Drive District Overlay. Refer to International Drive OBJ1.4.
- ID1.2.3 The International Drive Activity Center shall be developed in a comprehensive and unified fashion. Gateways shall be designed and implemented to ensure the International Drive Activity Center is an identifiable destination.
- ID1.2.4 RESERVED.
- ID1.2.5 RESERVED.
- ID1.2.6 Underground electrical distribution lines shall be required within the International Drive Activity Center.
- ID1.2.7 The County shall apply lighting standards within the International Drive Activity Center to ensure safe nighttime outdoor activities. Such standards shall:
- A. Ensure, where appropriate, consistency in lighting style; and,
 - B. Address different lighting needs for public and private property, such as extensive nighttime lighting of sidewalks due to the considerable amount of nighttime tourist activity, and lumens standards for different purposes, e.g., sidewalks, parking areas, road lighting.
- ID1.2.8 A funding mechanism, such as but not limited to a Municipal Service Taxing Unit (MSTU(s)) and/or Municipal Service Benefit Unit (MSBU(s)), for financing underground utilities, maintenance of landscaping on public property, and lighting along major roads, including International Drive, shall be established.
- ID1.2.9 The County shall apply stormwater management facility criteria, designed to enhance the aesthetic quality of the area, within the International Drive Activity Center. Such criteria shall:
- A. Allow for combined or shared stormwater management techniques, where economically and technically reasonable and legally feasible, to maximize available developable land and add to the aesthetic quality of the area; and
 - B. Require stormwater management facilities to be designed as an aesthetic feature, except where determined by the County Engineer to be technically unfeasible.
- ID1.2.10 Sign regulations for the International Drive Activity Center, designed to clearly convey necessary information to an international market, and promote a consistent and aesthetic appearance by requiring uniform material and construction methods.

- ID1.2.11 The County shall apply landscape criteria within the International Drive Activity Center that are designed to promote and reflect the landscape character of Orange County and Central Florida. These landscape criteria shall:
- A. Specify appropriate types and intensity of plants and trees on public and private property to ensure area enhancement and to establish an identity for the International Drive Activity Center;
 - B. Emphasize the use of native plants for public and private property;
 - C. Achieve a landscape design which complements and enhances the architecture of buildings, screens views of parking from rights-of-way, and provides visual and climatic relief from large expanses of parking and creates interest within pedestrian areas;
 - D. Specify performance standards for maintenance of landscape on public and private property;
 - E. Require the inclusion of plants and trees, e.g., Live Oaks, which create shade, into Activity Center developments;
 - F. Specify the type of trees to be planted in landscaped areas to ensure the creation of a canopy of trees along roadways and within parking areas (e.g., Lake Buena Vista); and
 - G. Encourage landscaping of public and private property that promotes a unified development pattern within the International Drive Activity Center.
- ID1.2.12 RESERVED.
- ID1.2.13 Existing trees on public and private property within the International Drive Activity Center shall be saved whenever possible. Sidewalks shall be designed to save trees.
- ID1.2.14 Reuse water for landscape irrigation of public and private property shall be used whenever feasible.
- ID1.2.15 To the extent permitted by law, the reservation of a landscape/pedestrian/utility easement, 20 feet in width, shall be required along each side of all collector and arterial road rights-of-way as a condition of development approval. This easement is exclusive of the transit easement noted in Policy ID2.2.2.
- ID1.2.16 On-site open space regulations shall be adopted to promote the tourist oriented theme and encourage pedestrian activity. Such regulations shall:
- A. Include provisions which support the objective to create street activity, including minimizing open space between buildings;
 - B. Require open space within the International Drive Activity Center to be aggregated, whenever possible, in order to encourage the creation of usable open space; and shall,
 - C. Require open space regulations to be linked to stormwater retention systems or part of a unified parkway or walkway system, where feasible.
- ID1.2.17 The County will develop and implement a parking standard to address the special parking requirements associated with mixed-use developments that incorporate one or more entertainment land uses. The process to develop a standard will evaluate shared parking opportunities for a mix of uses during peak use periods, the length of stay of patrons of the mixed-use establishment, the number and location of parking spaces required, the impact of transit and pedestrian service facilities on the need for parking, and the relationship between the mix, type and scale of uses and parking requirements. (Added 12/14; Ord. 2014-30)

OBJ 1.3 The County shall continue to pursue transportation linkages between points of tourist arrival to the area and the International Drive Activity Center. (Amended 12/00, Ord. 00-25)

POLICIES

ID1.3.1 A direct transit connection from the International Airport and International Drive Activity Center shall be pursued by Orange County.

ID1.3.2 Orange County shall coordinate with Florida Department of Transportation (FDOT), LYNX, the Central Florida Expressway Authority, and other transportation agencies, as appropriate, to ensure level of service is maintained on roadways that serve the International Drive Activity Center.

ID1.3.3 RESERVED.

OBJ1.4 **The International Drive (I-Drive) District is generally located north of Central Florida Parkway, south of Carrier Drive, east of Interstate 4 and west of Shingle Creek, which is depicted as the I-Drive District Overlay on the Future Land Use Map. This District is the primary tourist destination of Orange County with venues and amenities for visitors, conventioners, local residents, and businesses. Orange County shall promote mixed-use development within the I-Drive District Overlay that is characterized by complete streets, urban amenities, and a safe and walkable pedestrian environment that reinforces the District’s stature as a world destination.** (Added 6/16, Ord. 2016-15)

Policies

ID1.4.1 **I-Drive District Goals.** As stated in the I-Drive 2040 Strategic Vision document accepted by the Board of County Commissioners on November 3, 2015, all future development and redevelopment within the I-Drive District Overlay shall strive to achieve the following District goals:

- **Connected:** Celebrate pedestrians by improving walkability, activating the streets, and offering ample multimodal options;
- **Complete:** Enable a complete community by ensuring that a diversity of uses, including residential, can be accommodated in the District;
- **Authentic:** Reinforce community identity and authenticity by providing civic and gathering spaces featuring public art;
- **Prosperous:** Foster economic development by promoting and facilitating infill and redevelopment opportunities within the District;
- **Sustainable:** Promote efficient use of natural resources by incorporating green building practices and capitalizing on local resources.
(Added 6/16, Ord. 2016-15)

ID1.4.2 **I-Drive District and Sub-districts.** The I-Drive District, depicted as an overlay on the Future Land Use Map, has been divided into eight (8) Sub-districts that are characterized by certain uses, activity types and their unique functions. These Sub-districts include the following:

9. **Convention Center:** With the Orange County Convention Center as the focal point, this sub-district’s hotels and tourist-supportive properties provide conventioners with convenience and comfort in a walkable environment;
10. **Retail & Hospitality:** A mixed-use sub-district featuring lodging accommodations, restaurants, and shops. Situated around the Pointe Orlando complex and along the east side of International Drive this sub-district provides a venue for socialization to visitors;
11. **Entertainment:** Serving as the North I-Drive District gateway, this sub-district is characterized by large-scale tourist attractions and entertainment venues, and creates a point of interest for both local and worldwide visitors;
12. **Sea World:** Sea World, Discovery Cove, and Aquatica theme parks serve as the central attraction to this sub-district, with supportive uses such as office, retail, and residential developments;
13. **Destination Parkway:** An area centered around an abundance of residential development, this sub-district will serve as an incubator for vertically-integrated mixed-use development;

14. **Universal Boulevard:** With a well-balanced mix of housing, retail development, entertainment, and lodging, the Universal Boulevard Sub-District blends the needs and interests of local residents and tourists alike;
15. **Rosen & Shingle Creek:** Featuring the Rosen Shingle Creek Resort and golf course, this sub-district is prime for mixed-use development to provide an eastern edge to the I-Drive District;
16. **Universal:** Anchored with theme park attractions, this sub-district provides resort style development to visitors with a range of entertainment and retail options as well as supporting uses.____
(Added 6/16, Ord. 2016-15)

ID1.4.3 **Conceptual Regulating Plan (CRP).** The Conceptual Regulating Plan (CRP) for the I-Drive District is included as Map 23 of the Future Land Use Map series. The CRP depicts the District’s boundary and provides a general and illustrative representation of the desired development pattern, including locations of various development zones, known as transects, within the District. (Added 6/16, Ord. 2016-15)

ID1.4.3.1 **Transects.** Development densities and intensities within the I-Drive District shall be governed through the use of Transects. The transect zones shall feature primary emphasis on building form, building placement, block configuration and connectivity. The transects are defined as follows:

- T6 Core – General (T6 General): Consists of the highest density and height, with the greatest variety of uses. Streets have continuous street tree plantings and buildings are set close to wide sidewalks. This zone is predominantly used on major thoroughfare types including International Drive and Universal Boulevard, near planned transit stations, and abutting major intersections.
- T6 Core – International Drive (T6 I-Drive): Treated similarly to the T6 Core-General Zone. Setbacks and minimum building heights are calibrated to compliment the specific features of International Drive and effectively frame the public realm.
- T6 Core – Universal Boulevard (T6 Universal): Treated similarly to the T6 Core-General Zone. Setbacks and minimum building heights are calibrated to compliment the specific features of Universal Boulevard and effectively frame the public realm.
- Special Zone – Civic (SZ Civic): This zone and its code standards will be based on the Orange County Convention Center’s 2015 Master Plan with strong emphasis on walkability, urban development, and civic open spaces.
- Special Zone – Theme Park (SZ Theme Park): This zone consists of theme park or entertainment complexes, and their entertainment, hotel, resort and accessory uses, without open, public access.
(Added 6/16, Ord. 2016-15)

ID1.4.4 The land development code shall include regulations that implement the transect zones depicted on Map 23 of the Future Land Use Map Series. (Added 6/16, Ord. 2016-15)

ID1.4.5 **Phased Implementation and Infrastructure Funding.** Implementation of I-Drive 2040 Strategic Vision shall be phased based on the 5/15/25-year infrastructure funding schedule, as presented in the I-Drive 2040 Strategic Vision document. (Added 6/16, Ord. 2016-15)

GOAL 2 **The efficient, safe, and convenient movement of people and goods within the International Drive Activity Center shall be ensured by the development of a multi-modal transportation system.**

OBJ 2.1 **The County shall continue to pursue an efficient transportation system within the International Drive Activity Center by establishing a transportation plan and development guidelines encompassing the safety and convenience of all users and modes as well as funding mechanisms to implement these plans. (Amended 12/00, Ord. 00-25)**

POLICIES

ID2.1.1 RESERVED.

ID2.1.2 RESERVED.

ID2.1.3 RESERVED.

ID2.1.4 RESERVED.

ID2.1.5 Interconnection of adjacent developments within the International Drive Activity Center shall be a condition of approval either by cross access easements or by public right-of-way.

ID2.1.6 RESERVED.

ID2.1.7 RESERVED.

ID2.1.8 RESERVED.

ID2.1.9 Partnership agreements, once executed, shall be considered in the planning and scheduling of transportation improvements related to the International Drive Activity Center. (Added 12/00, Ord. 00-25)

ID2.1.10 RESERVED.

OBJ 2.2 Land development regulations and financing strategies used within the International Drive Activity Center will foster an effective and efficient transit system that links internal and external land uses. (Amended 12/00, Ord. 00-25)

POLICIES

- ID2.2.1 RESERVED.
- ID2.2.2 To the extent permitted by law, the reservation of a 15 foot wide transit easement along each side of all major road rights-of-way shall be a condition of approval for development within the International Drive Activity Center. This easement is exclusive of the landscape/pedestrian/utility easement noted in Policy ID1.2.15
- ID2.2.3 Prior to implementation of an internal transit system, participation in or provision of a shuttle service to area attractions and transportation centers is encouraged. The shuttle service shall be integrated with other area transit where feasible.
- ID2.2.4 The County may consider the establishment of a Mass Transit Utility District, covering all property that will be serviced by or whose traffic flow could be benefited by a future transit facility. Participation in such district may reduce or eliminate the need/requirement for the provision of individual transit service (shuttle) or participation in other transit funding mechanisms.
- ID2.2.5 RESERVED.
- ID2.2.6 Major roads within the International Drive Activity Center and those serving the Orange County Convention Center shall be designed for transit accessibility, where appropriate, including road widths, intersection radii, and transit easements. (Amended 12/00, Ord. 00-25)
- ID2.2.7 The minimum density for new residential development shall be enforced to achieve the objective of creating an effective transit system.
- ID2.2.8 Orange County shall consider adopting density/intensity bonuses for the on-site provision of major and minor Transit Stations. .
- ID2.2.9 The County shall consider adopting transit oriented design standards within the International Drive Activity Center, in order to ensure that new developments are accessible by transit vehicles. (Amended 12/00, Ord. 00-25)
- ID2.2.10 The County shall consider creating incentives, such as density/intensity bonuses, for the provision of traffic reduction/transit use facilities such as park-and-ride lots on the periphery of the Activity Center or in shopping areas of the Activity Center Residential Area.
- ID2.2.11 The County shall consider adopting a reduction in parking requirements for development accessible to transit.

OBJ 2.3 The adopted future land use map and the International Drive Activity Center shall facilitate a development pattern which encourages pedestrian activity, where appropriate. (Amended 6/16, Ord. 2016-15)

POLICIES

- ID2.3.1 The County shall continually update the standards within the International Drive Activity Center for development along the roads within the Activity Center, which will promote a pedestrian orientation, e.g., building orientation, wide sidewalks, and location of parking lots. (Amended 12/00, Ord. 00-25)
- ID2.3.2 Sidewalks shall be designed and constructed to encourage pedestrian activity, including but not limited to required continuity from one parcel to another and minimum width of ten feet along all major roads.
- ID2.3.3 RESERVED.
- ID2.3.4 Pedestrian safety measures such as signalization, universal signage, and use of different pavers for pedestrian crossings or overpasses shall be implemented for pedestrian safety within the International Drive Activity Center.
- ID2.3.5 Streetscape criteria shall be established in order to promote economic viability and create interest in walking. Streetscape shall consist of, but not be limited to, street art, benches, and shade by plantings. Various mechanisms, such as incentives, private investment, or use of a Municipal Service Benefit Unit (MSBU), may be employed for the streetscape program.

GOAL 3 Residential development in proximity to employment areas of the International Drive Activity Center shall be facilitated in order to minimize travel distance and time between the uses. (Amended 6/16, Ord. 2016-15)

OBJ 3.1 Orange County shall use the adopted Future Land Use Map and conditions of development approval to ensure housing, affordable to tourist oriented employment, is built within the International Drive Activity Center in a neighborhood character.

POLICIES

ID3.1.1 Specific areas for residential neighborhoods shall be designated on the Future Land Use Map to provide for reduced home-based/work trip lengths. The following uses shall be allowed within the International Drive Activity Center Residential (ACR) area: (Added 10/94, Ord. 94-20; Amended 11/99, Ord. 99-19)

| | |
|--|--------------------------------|
| Residential (minimum 12 dwelling units per acre, maximum 30 units per acre) | |
| Neighborhood Support (as detailed below) | |
| Supermarket | Pet Shops |
| Other Retail Food Stores (e.g., bakery, butcher, fish market) | Book and Stationery Stores |
| Florist | Liquor Stores |
| Drug Stores | Veterinary |
| Sporting Goods Stores | Child Care |
| Jewelry Stores | Business and Personal Services |
| Eating and Drinking Establishments | Medical Offices |
| Clothing and Shoe Stores | Automobile Service Stations |
| Fabric Stores | Banks |
| Hardware Stores | Barbers/Beauty Shops |
| Auto and Home Supply Stores | Laundry and Dry Cleaning |
| Retail Nurseries and Garden Stores | Shoe Repair |
| Toy and Game Shops | Travel Agent |
| Retail Music Stores | Public Facilities and services |
| Short-term Rental (**restricted) | |
| Bed and breakfast (**restricted) | |
| Religious Institutions | |
| Health and Fitness Centers | |
| Other uses determined, by the Planning and/or the Zoning Managers, to be similar and compatible with the neighborhood character | |
| ** Short-term Rental and Bed and Breakfast uses shall be restricted to the following: | |
| Minimum lot aggregation for a development project of no less than 10 acres, unless individually approved by the Planning Manager in such cases for existing single-family homes as of the adoption date of this amendment; | |
| Maximum height of 35 feet or three stories; | |
| Design shall be of a residential character to include, but not be limited to a pitched roof and pedestrian-friendly streetscape and landscape consistent with policies of the International Drive Activity Center Element. | |

- ID3.1.2 The County may consider granting a density bonus for the provision of affordable housing within the International Drive Activity Center Residential (ACR) Area. Determination of "affordable" shall be consistent with the County's Affordable Housing Threshold Criteria. (Amended 12/00, Ord. 00-25)
- ID3.1.3 Due to the intent of the nonresidential uses (excluding public facilities and services) permitted in the Activity Center Residential (ACR) Areas, such uses will only be approved concurrent with, and/or conditioned upon the construction of, the residential units at a rate of 10,000 square feet per 125 units, with a maximum of 50,000 square feet of non-residential neighborhood support uses per development. Such uses shall be aggregated in Neighborhood and Community Shopping Areas, centrally located to the built residential units, and designed for pedestrian accessibility. (Added 11/99, Ord. 99-19)
- ID3.1.4 Development of nonresidential uses in the Activity Center Mixed Use (ACMU) area shall be conditioned upon the development of residential units within the areas designated as Activity Center Residential (ACR) on the Future Land Use Map. The linkage program shall include a payment in lieu of development provision.
- ID3.1.5 An intensity bonus of nonresidential floor area ratio or hotel units, as specified in the development guidelines, shall be given to developers of Activity Center Mixed Use (ACMU) property who propose to build affordable housing within a designated Activity Center Residential Area (ACR). The building permits for that construction permitted by the bonus shall not be issued until 50 percent of the affordable housing linked to the project is built. Determination of "affordable" shall be consistent with the County's Affordable Housing Threshold Criteria Administrative Regulation #4.08.
- If the density bonus is granted, the developer shall enter into an agreement with the County establishing the terms and conditions of the deed restrictions to be placed on the units to ensure the units remain affordable to low and moderate income persons for a period of at least 20 years. The restrictions shall run with the land and shall be enforceable by the County until such restrictions expire. The County Attorney shall approve all such agreements prior to execution.
- ID3.1.6 Time-share units built within the International Drive Activity Center shall be considered as a hotel/motel use and permitted only in the Activity Center Mixed Use (ACMU) designated areas. This policy shall not apply to Planned Developments that were approved for resort residential uses prior to January 1, 1987.
- ID3.1.7 RESERVED.
- ID3.1.8 Other mechanisms to ensure the construction of affordable housing within the Activity Center shall be continuously pursued by Orange County.

GOAL 4 Infrastructure programming and land use will be balanced within the International Drive Activity Center.

OBJ 4.1 Development regulations and financing mechanisms for the provision of infrastructure necessary to support the intended intensity of development within the International Drive Activity Center, shall be established prior to the issuance of building permits for development within the activity center.
(Amended 6/16, Ord. 2016-15)

POLICIES

- ID4.1.1 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/quality standards of the comprehensive plan.
- ID4.1.2 A funding strategy, including but not limited to Municipal Service Benefit Unit (MSBU), ad valorem taxes, transportation/transit utility district, and impact fees, shall be adopted to ensure provision and maintenance of the adopted level of service/quality standards. Conditions of approval for development within the International Drive Activity Center shall be used to implement the funding strategy.
- ID4.1.3 The Capital Improvements Element and Capital Improvement Plan shall include infrastructure improvements for the International Drive Activity Center based on the approved infrastructure financing plan.
- ID4.1.4 The road right-of-way and centerline shall be planned and acquired as far in advance as possible to minimize road and construction costs. Full projected right-of-way costs and the incremental cost (if any) for underground electric distribution and landscaping of public rights-of-way shall be included in any road construction financing proposal. The County shall establish a Municipal Service Benefit Unit (MSBU) or other financing mechanism for the design and acquisition of road rights-of-way.

GOAL 5 **New land uses will be compatible with environmental protection within and adjacent to the International Drive Activity Center.** (Amended 6/16, Ord. 2016-15)

OBJ 5.1 **In order to minimize adverse development impacts, the County will pursue adoption of land development regulations to ensure land use compatibility and environmental protection within and adjacent to the International Drive Activity Center.** (Added 12/00, Ord. 00-25; Amended 06/17, Ord. 2017-12)

POLICIES

ID5.1.1 Buffer techniques and varied development densities and intensities shall be employed to ensure land use compatibility and provide transitional land use activities within and adjacent to the International Drive Activity Center consistent with the objective. (Amended 12/00, Ord. 00-25)

ID5.1.2 RESERVED.

ID5.1.3 The International Drive Activity Center Development Guidelines shall include effective land use buffering regulations to provide for the protection of the Lake Willis single family homes.

ID5.1.4 RESERVED.

ID5.1.5 Stormwater management systems, which are designed as permanent wet detention ponds, greater than one acre, and not maintained by Orange County, shall be designed, operated, and maintained so as to resemble a natural pond to the greatest extent practicable.

ID5.1.6 RESERVED.

ID5.1.7 RESERVED.

ID5.1.8 RESERVED.

TRANSPORTATION ELEMENT

2019-2-B-CP-1

Background Information

The Transportation Element is a required element of the Comprehensive Plan. In the 1990 Comprehensive Plan, it was referred to as the Traffic Circulation Element where it was considered one of the most important elements because it “provides a mechanism for achieving an effective transportation system.” The introduction to the element stated that the freedom to choose where to work, live and shop is all dependent upon an effective transportation system.

The 1990 element included an overview of the transportation system, the functional classification system, existing operational conditions and projected travel demand. The element also included strategies to address the transportation system, such as road design and land development regulations, and alternative modes of transportation.

1990 element recognized alternative modes of transportation such as multi-occupant vehicles, walking, and bicycling. It is noted that “bicycling can also be an effective form of transportation. To promote bicycling, Orange County should develop a network of bikeways, complimented by secure bicycle parking and shower facilities.”

The element also recognized the “strong interdependence” between transportation and land use. The element also addressed the environmentally sensitive areas in Orange County and the impact of roadways on these areas should be discouraged.

The element contained three goals, nine objectives, and 77 policies. The original goals were:

- Goal 1 required Orange County to facilitate the development of a balanced multi-modal transportation system.
- Goal 2 required Orange County to coordinate transportation planning on a multi-jurisdictional basis.
- Goal 3 required roads be designed to make them compatible with the surrounding environment, complement adjacent development, and provide an aesthetically pleasing visual experience to the uses and the adjacent areas.

Past Evaluation and Appraisals

The 2006 Evaluation and Appraisal Report (July 11, 2006) listed the transportation/ mass transit/infrastructure funding as one of the nine major issues in Orange County.

Recommendations were made to develop objective spatial criteria to guide the location

| The following meetings and hearings have been held for this proposal: | | |
|---|---------------------------------------|--|
| Report/Public Hearing | Outcome | |
| ✓ Staff Report | Recommend Adoption | |
| ✓ LPA Transmittal November 21, 2019 | Recommend Transmittal (9-0) | |
| ✓ BCC Transmittal December 17, 2019 | Continue to January 14, 2020 (7-0) | |
| ✓ BCC Transmittal January 14, 2020 | Recommend Transmittal (6-0) | |
| ✓ DEO Comments February 2020 | No Comments | |
| ✓ LPA Adoption December 17, 2020 | Continue to January 21, 2021 | |
| ✓ LPA Adoption January 21, 2021 | Recommend Adoption (6-0) | |
| BCC Adoption | February 23, 2021 | |

Transportation Element - Introduction

of development in order to promote a better mix of uses and to eliminate the typically large separation of residential areas from employment and service centers. It was noted, studies have indicated that sprawl and poor mixes of land use are costlier to service from a transportation standpoint than compact urban growth, activity center development, and a complementary land use mix.

The evaluation and appraisal of the Transportation Element concluded that challenges include:

- The transportation system must service current and projected development. The transportation system has not kept pace with shifts in settlement patterns.
- The transportation system must provide access to basic necessities for a broad spectrum of the population.
- The transportation system must be maintained, while accommodating growth.
- Adequate funding required to help support needed expansion of the major roadway and public transportation system in all areas of the county and region.

As a result, the element was updated in 2009 with recent data, agency references, and updated tables and figures. As well as revised goals, objectives, and policies.

Summary of Proposed Changes

The Transportation Element contains three goals, eighteen objectives, and one hundred forty-three policies.

The reasons supporting proposed policy deletion is the policy are the policies is no longer implemented, is applied county-wide, or never came to fruition. The revisions to the policies are either for clarification, revisions to methodology, or to update program names. Detailed explanations of the proposed changes are included in the column notes that accompany the proposed text amendments.

The following includes a redline copy of the proposed changes. As part of the redline changes, there are notes in the column explaining the reason for the proposed change. Following the redline version, there is a “**clean**” version of the proposed changes, reflecting how the element would read if the changes are adopted.

Transportation Element Goals, Objectives and Policies

GOAL T1 Orange County shall encourage a safe, accessible, convenient, efficient, and financially feasible multimodal transportation system which minimizes environmental impacts.

Staff recommends revising the goal to make it a complete sentence.

OBJ T1.1 **The County adopts the Long-Range Transportation Plan (LRTP), the County’s long-term transportation improvement program, as Map 1 of the Transportation Element. This plan includes the 10-year Capital Improvement Schedule, a 5-year Capital Improvement Program, state roadway projects, and other needed County transportation improvement projects inclusive of proposed partnership projects. This annually-updated plan represents a cost-feasible project plan that addresses current and future roadway deficiencies within the planning horizon. (Added 05/04, Ord. 04-06, Objective 1.2-r; Amended 09/13, Ord. 2013-19)**

POLICIES

T1.1.1 The County shall implement the Long Range Transportation Plan (LRTP) by utilizing the following four-step process: Roadway Conceptual Analysis (RCA), ~~which confirms roadway and corridor needs, recommends the most suitable alignment and design characteristics, provides refined cost estimates and analyzes social/environmental land use impacts;~~ Roadway Design; Right-of-Way Acquisition; and Roadway Construction. (Added 05/04, Ord. 04-06, Policy 1.2.1-r; Amended 11/12, Ord. 2012-20)

Staff recommends revisions to the policy by deleting the Roadway Conceptual Analysis process that is outlined in the policy, to make it more succinct.

T1.1.1.1 A Roadway Conceptual Analysis (RCA) shall be completed ~~performed as part of a proposed County roadway projects as directed by the County.~~ Partnership projects, when appropriate, shall perform a Preliminary Design Study (PDS) instead of an RCA. The RCA process includes a intensive public participation elements, including a ~~and is approved by the Board of County Commissioners (BCC) public hearing.~~ Following BCC approval of the RCA, the project can then proceed to final design, right-of-way acquisition, and construction phases. (Added 05/04, Ord. 04-06, Policy 1.2.2-r; Amended 11/12, Ord. 2012-20)

Staff recommends revisions to specify process based on private sector completion of the Roadway Conceptual Analysis.

T1.1.1.2 The planning, design, construction, and operation of roadway corridors shall reflect the context of the communities and environment through which the corridors pass, to the fullest extent possible ~~feasible~~. Through the Roadway Conceptual Analysis (RCA) process, or other appropriate method, the County will seek public involvement throughout the process to determine measures to mitigate adverse impacts to adjacent land uses and established neighborhoods to the extent possible ~~feasible~~. (Added 05/04, Ord. 04-06, Policy 2.1.6; Amended 11/12, Ord. 2012-20; Amended 11/15, Ord. 2015-20)

T1.1.1.3 Whenever reasonably possible, future roadway ~~projects~~ shall be designed to promote livability and land use-transportation integration, in part by avoiding the severing or fragmenting of existing neighborhoods. The County will coordinate with the Florida Department of Transportation (FDOT), the Central Florida Expressway Authority, and other appropriate entities to help ensure that limited access and other roadway projects ~~which that are~~ constructed by them avoid or minimize negative impacts to existing neighborhoods, wildlife corridors, and sensitive natural areas, and to coordinate these projects with conservation and land use decisions. (Added 12/07, Ord. 2007-20, Policy 2.1.7; Amended 11/12, Ord. 2012-20; Amended 11/15, Ord. 2015-20)

T1.1.2 The County will promote Travel Demand Management (TDM) and Transportation Systems Management Operations (TSMO) strategies and conduct related studies, as needed, to improve capacity, traffic operations, and efficiency where appropriate and will ensure coordination with related agencies, such as LYNX, MetroPlan Orlando, and the Florida Department of Transportation (FDOT). (Added 05/04, Ord. 04-06, Policies 1.2.4-r, 1.3.2, 1.6.5; Amended 11/12, Ord. 2012-20)

T1.1.3 ~~Orange~~ The County shall identify high crash-frequency locations and review crash data to prioritize improvements for roadway, pedestrian and bicycle high crash-frequency locations that help ensure the safety of all users. (Added 05/04, Ord. 04-06, Policy 2.1.2-r; Amended 11/12, Ord. 2012-20; Amended 11/15, Ord. 2015-20)

Staff recommends revisions to provide clarity.

T1.1.4 RESERVED (Added 05/04, Ord. 04-06, Policy 1.2.3; T1.1.4 deleted 11/12, Ord. 2012-20)

T1.1.5

~~Orange~~The County shall consider commercial vehicles, including buses and trucks with six or more tires, in the planning and design of the County's transportation system's capacity and operations to ensure freight mobility and efficiency. (Added 05/04, Ord. 04-06, Objective 1.5; Policies 1.5.1, 1.5.2, 1.5.3; Amended 11/16, Ord. 2016-28)

OBJ T1.2 The County shall utilize a modeling tool consistent with the Metropolitan Planning Organization (MPO) model that accurately reflects projected transportation network conditions.

POLICIES

- T1.2.1 ~~Orange-The~~ County shall use and require the official transportation modeling structure as adopted by ~~METROPLAN- MetroPlan~~ Orlando for traffic analysis, consistent with County methodologies. ~~Orange-The~~ County shall coordinate with ~~METROPLAN- MetroPlan~~ Orlando to update their data sets by providing current and future land use data, socio-economic projections, and recent transportation improvements. (Policy 1.4.8-r; Amended 11/12, Ord. 2012-20)
- T1.2.2 The County may develop a countywide modeling tool to monitor vehicle miles travelled (VMT) and appropriate land use-transportation performance measures to analyze motorized and non-motorized transportation needs. (Amended 11/12, Ord. 2012-20)
- T1.2.3 If the County develops or uses a countywide modeling tool, modeling analysis may include consideration of existing and forecasted freight movement. (Added 11/16, Ord. 2016-28)

Staff recommends revisions to provide clarity; this is the basis for the County methodology.

OBJ T1.3 ~~Orange~~**The County shall implement a financially-feasible multimodal transportation system in coordination with government agencies and public and private entities. (Added 05/04, Ord. 04-06, Objective 4.1-r; Amended 05/04, Ord. 04-06, Policy 4.1.3-r; Amended 11/12, Ord. 2012-20)**

POLICIES

T1.3.1 ~~Orange~~**The County shall continue to use an annually-updated financially feasible, and phased Five-Year Capital Improvement Program to implement the identified transportation improvements required to maintain the designated level of service and quality of service. (Added 05/04, Ord. 04-06, Policy 4.1.1-r; Amended 11/12, Ord. 2012-20; Amended 06/17, Ord. 2017-12)**

Ordinance 2017-12 approved and staff report 2017-1-B-CP-1 omitted "financially feasible" from this policy. Transportation planning is requesting the phrase be returned to the policy.

T1.3.2 To ensure the Capital Improvements Program is responsive to transportation demands, priority for funding County transportation improvement projects shall be based on factors such as:

- A. Safety for all users;
- B. Capacity or level of service deficiency;
- C. Right-of-Way availability/preservation;
- D. Partnership ~~potential~~;
- E. Consistency with the Comprehensive Plan and coordination with Metro-Plan METROPLAN Orlando's Long Range Transportation Plan and Transportation Improvement Program and the Florida Department of Transportation's adopted work program;
- F. ~~Supports~~The use of alternative transit and non-motorized modes of transportation;
- G. ~~Located~~Location is within the County's Urban Service Boundary Area, especially within the Alternative Mobility Area and activity centers~~County-designated Activity Centers~~;
- H. ~~Addresses~~Congestion relief on backlogged facilities to the extent possible;
- I. ~~Makes optimal~~ Optimal use of existing facilities; and
- J. Supports for emergency evacuation, ~~and~~ response, and/or post-disaster recovery.

(Policy 4.1.10; Amended 11/12, Ord. 2012-20; Amended 11/15, Ord. 2015-20)

Staff recommends revisions to provide clarity, institute process to align with other essential processes with a five-year timeline.

- T1.3.3 ~~Orange-The~~ County shall consider all available funding sources, including those at the State and Federal levels, gasoline taxes, impact fees, development-related fees, and public/private initiatives for transportation projects. (Added 05/04, Ord. 04-06, Policy 4.1.2-r; Amended 11/12, Ord. 2012-20) Staff recommends revision to provide clarity.
- T1.3.3.1 The County shall use revenues generated from Transportation Impact Fees to provide new road capacity and other multimodal transportation improvements. (Added 05/04, Ord. 04-06, Policy 4.1.4; Amended 11/12, Ord. 2012-20) Staff recommends revision to provide clarity.
- T1.3.3.2 In addition to paying impact fees or other applicable development-related fees, new development and redevelopment shall be responsible for the costs of all internal subdivision transportation infrastructure, as required by the Land Development Code, and pedestrian access improvements at project entrances to facilitate safe and accessible connections to the transportation network. (Policy 4.1.6; Amended 11/12, Ord. 2012-20, Amended 11/16, Ord. 2016-28)
- T1.3.3.3 (Policies 1.2.6-r, 4.1.13-r; 1.3.3.3 deleted 11/12, Ord. 2012-20)
- T1.3.4 The County shall fund maintenance and operating costs with revenues generated from the Constitutional Gas Tax, Local Option Gas Tax, and other appropriate funding sources. (Added 05/04, Ord. 04-06, Policy 4.1.5)
- T1.3.4.1 ~~Orange-The~~ County shall continue to utilize special assessments as a means of paving streets and providing traffic calming improvements in existing neighborhoods. (Policy 4.1.11; Amended 11/12, Ord. 2012-20)
- T1.3.5 The County shall investigate and pursue all additional funding sources including, but not limited to, additional user fees (car rental surcharge), higher license and tag fees, and other appropriate options. (Policy 4.1.8-r; Amended 11/12, Ord. 2012-20)
- T1.3.6 To provide for an efficient and cost-effective transportation system, ~~Orange-the~~ County shall continue to acquire rights-of-way for timely management or acquisition of property to the extent financially practical and permitted by law. (Objective 4.2-r; Policies 4.2.1-r, 4.2.2-r; Amended 11/12, Ord. 2012-20; Amended 11/15, Ord. 2015-20)
- OBJ T1.4 (OBJ T1.4 deleted 11/12, Ord. 2012-20)

| | | |
|----------|--|---|
| T1.3.7 | <p>The County will <u>shall</u> continue to participate in interlocal agreements, Joint Participation Agreements, and other coordinated funding efforts with other local jurisdictions and public/private partnerships with private developers as a means of funding necessary transportation projects identified in the <u>Long Range Transportation Plan (LRTP)</u> and that are consistent with the County's adopted comprehensive plan and METROPLAN-coordinated with MetroPlan Orlando's LRTP and Transportation Improvement Program and the Florida Department of Transportation's adopted work program. (Added 05/04, Ord. 04-06, Policy 4.1.7-r; Policy 1.4.1-r, Amended 11/12, Ord. 2012-20)</p> | <p>Staff recommends revisions to update the policy and provide clarity.</p> |
| T1.3.8 | <p>(Policy deleted 12/14, Ord. 2014-30; see revised Policy T2.2.6.)</p> | |
| T1.3.9 | <p>Orange-The County shall <u>may</u> support LYNX in <u>seeking appropriate dedicated transit funding sources and shall continue to support mass transit and paratransit, for people with physical or development disabilities,</u> through the appropriation of funds on an annual basis, based upon a two-year operating budget. (Added 05/04, Ord. 04-06, Policy 4.1.15; Policy 1.4.3-r, Amended 11/12, Ord. 2012-20)</p> | <p>Staff recommends combining T1.3.9.1 with T.1.3.9 to streamline policies and reflect existing conditions. Recommend revising the policy to may instead of shall as it is to the discretion of the Board of County Commissioners to approve funding.</p> |
| T1.3.9.1 | <p><u>RESERVED</u> Orange County shall ensure that a percentage of the County's monetary contribution to LYNX be directed to public transit service that meets the special needs of persons with physical or developmental disabilities. (Policy 1.4.3.1-r, Amended 11/12, Ord. 2012-20)</p> <p>(Policy 1.4.3.2 deleted 11/12, Ord. 2012-20)</p> | <p>Staff recommends deleting this policy and integrating it with Policy T1.3.9 to streamline policies and reflect existing conditions.</p> |
| T1.3.10 | <p>The County will continue to assess the investment of County funds in selected State roadway projects to accelerate <u>ensure the timely</u> construction of needed transportation improvements. (Policy 1.2.5; Policy T1.4.4-r, Amended 11/12, Ord. 2012-20)</p> | <p>Staff recommends revisions to provide clarity.</p> |
| T1.3.11 | <p>Orange-The County shall oppose the transfer of <u>Florida Department of Transportation (FDOT)</u> jurisdictional roadways to Orange County jurisdiction unless the roads are improved by the State to meet County adopted level of service and design standards and additional State funds for adequate maintenance and alleviation of deficiencies are made available. (Policy 4.1.9; Policy 1.4.5-r, Amended 11/12, Ord. 2012-20)</p> | |

T1.3.12

Based on annexation activity or other factors, ~~Orange~~ the County shall coordinate with municipalities to pursue the appropriate jurisdictional transfer of roadways and associated drainage facilities to municipalities, consistent with Ch. 335, Florida Statutes, and relevant Joint Planning Area Agreements and/or developer's agreements, as applicable. (Added 11/12, Ord. 2012-20)

GOAL T2 The County shall establish and maintain a concurrency management system and mobility strategy which ensures that the transportation facilities and services needed to support land use designations established in the Future Land Use Element are available.

Staff recommends revising the policy to make it a complete sentence.

OBJ T2.1 The County ~~will~~ shall continue to ensure minimum level of service standards on County roads and State roads within unincorporated Orange County. (Added 05/04, Ord. 04-06, Objective 1.1)

POLICIES

T2.1.1 The ~~generalized~~ minimum peak-hour roadway level of service standards for Orange County shall be as follows (Added 06/07, Ord. 2007-06, Policy 1.1.2-r; Amended 09/13, Ord. 2013-19; Amended 12/14, Ord. 2014-30):

Staff recommends revisions to update and provide clarity from generalized peak hour to minimum peak hour the FDOT standards generalized this provides more flexibility.

Level of Service Standards

| <i>Type</i> | State and County | | | |
|--------------------------------------|-------------------------|-----------------------------------|-----------------------|-------------------------------|
| | <i>Rural</i> | <i>Urban Non-SIS and Non-TRIP</i> | <i>SIS Facilities</i> | <i>TRIP Funded Facilities</i> |
| Principal Arterial, Urban (Class I) | N/A | E | E | E |
| Principal Arterial, Urban (Class II) | N/A | E | E | E |
| Principal Arterial, Rural | D | N/A | N/A | N/A |
| Minor Arterial, Urban | N/A | E | E | E |
| Minor Arterial, Rural | D | N/A | N/A | N/A |
| Collector, Major and Minor Urban | N/A | E | E | E |
| Collector, Rural | D | N/A | N/A | N/A |

County roadway capacities shall be determined by using the guidelines established by the most recent edition of the Florida Department of Transportation (FDOT) Quality/Level of Service Handbook or other County-accepted methodologies.

T2.1.2 Quality of service standards for Multimodal Transportation Networks (MMTNs)~~MMTDs~~ as adopted in Policy ~~T2.5.2~~T2.5.4 shall be maintained to avoid current and future deficiencies. (Replaced 09/13, Ord. 2013-19)

T2.1.3 ~~RESERVED According to the adopted Concurrency Management System, development permits shall not be issued if the total weekday transit capacity drops below 73,500 person trips per day. This number is equal to 75 percent of the mass transit person trips that are available. (Policy 1.6.2)~~

Staff recommends deleting as this is a statutory requirement for mass transit level of service/ concurrency standard that was removed by adoption of HB 7207 in 2011. LYNX is implementing a "mobility management" model that relies on various service types and different performance measures.

OBJ T2.2 The County ~~will~~ shall maintain a concurrency management system which ~~that~~ ensures that transportation facilities and services needed to support development and redevelopment are available concurrent with the impacts of such development. (Objective 1.4)

POLICIES

T2.2.1 ~~Orange~~The County shall review the impacts of development in conjunction with the issuance of all development permits to ensure the following:

- A. Level of service is maintained.
- B. ~~Prior to October 1, 2014, roadway projects, for which construction is scheduled to commence on or before the third year of the County's five-year Capital Improvements Program and which, in addition to meeting all other statutory and rule requirements, are financially feasible; or, facilities included in the first three years of the FDOT Five Year Transportation Plan shall be in the roadway capacity analysis of the Concurrency Management System. On or after October 1, 2014, roadway projects, for which construction is scheduled to commence on or before the first year of the County's five-year Capital Improvements Program and which, in addition to meeting all other statutory and rule requirements, are financially feasible; or, facilities included in the first year of the Florida Department of Transportation (FDOT) Five-Year Transportation Plan shall be in the roadway capacity analysis of the Concurrency Management System.~~
- C. ~~Orange~~The County shall not delete from the Capital Improvements Program any road project for which building permits were issued dependent upon the capacity of the road with the project.
- D. Projects funded by developers, as stipulated within an executed developer's agreement, shall be included in the capacity analysis if the services will be in place when the impacts of development occur.

(Added 05/04, Ord. 04-06; Amended 06/07, Ord. 2007-06, Policy 1.4.1-r; Amended 09/13, Ord. 2013-19)

Staff recommends deleting a portion of the policy as part of this clean-up because it is outdated. There are no existing projects that would be outstanding.

T2.2.2

~~For projects reviewed prior to October 1, 2014, that degrade the roadway level of service below the adopted level of service standard, development permits shall not be issued unless the facility impacted is in the County's five-year Capital Improvements Program, and construction is scheduled within the first three years. If the facility is not scheduled within the first three years of the five-year Capital Improvements Program, the County will calculate a proportionate share contribution based on the formula provided in the Orange County Code. For projects reviewed on or after October 1, 2014, that degrade the roadway level of service below the adopted level of service standard, development permits shall not be issued unless the facility impacted is in the County's five-year Capital Improvements Program, and construction is scheduled within the first year. If the facility is not scheduled within the first year of the five-year Capital Improvements Program, the County will calculate a proportionate share contribution based on the formula provided in the Orange County Code. (Added 03/08, Ord. 2008-05, Policy 1.4.2; Amended 09/13, Ord. 2013-19)~~

Staff recommends deleting a portion of the policy as part of this clean-up because it is outdated. There are no existing projects that would be outstanding.

T2.2.3

The County shall enforce applicable concurrency regulations on new development permits for non-vested development that adversely impact constrained or backlogged facilities. A constrained roadway is defined as a facility to which adding two or more through lanes to meet current or future traffic needs is not possible because of location within the boundary of a municipal jurisdiction, existing development and right-of-way limitations, policy barriers and/or hydrological features. A backlogged roadway is defined as a facility where the existing traffic volume exceeds the level of service standard adopted in the Orange County Comprehensive Plan is not being met, the facility is not constrained, and improvements for the roadway segment are not programmed for construction. (Added 5/04, Ord. 04-06, Policies 1.1.2.1(A)(B), 1.1.2.3-r; Amended 09/13, Ord. 2013-19)

Recommend revising to provide clarity.

T2.2.3.1

Constrained and backlogged facilities shall be included in annual updates to the Capital Improvements Element and the Concurrency Management System, based on available funding. The following roadway facilities are considered constrained:

Staff recommends revising to provide clarity.

| FACILITY | SEGMENT |
|-------------------------------------|---|
| 6 th Street (Windermere) | Park Ridge-Gotha Road to Hempel Avenue* |
| Aloma Avenue | Brewer Avenue to Lakemont Avenue* Semoran Boulevard to Seminole County Line |
| Hoffner Avenue | Orange Avenue to Conway Road* |
| Conroy-Windermere Road | Apopka-Vineland Road to Dr. Phillips Boulevard Kirkman Road to Millenia Boulevard* |
| Consulate Drive | Beachline Expressway to Orange Blossom Trail |
| Curry Ford Road | Econlockhatchee Trail to Central Florida Greenway |
| Michigan Avenue | Bumby Avenue to Crystal Lake Drive* |
| Orange Avenue | Hansel Avenue North to Hansel Avenue South* |
| Turkey Lake Road | Vineland Road to Conroy-Windermere Road* Central Florida Parkway to Sand Lake Road |
| University Boulevard | Dean Road to Alafaya Trail |
| John Young Parkway | Colonial Drive to Princeton Street* Town Center Boulevard to Beachline Expressway |
| Clay Street | Par Avenue to Fairbanks Avenue* |
| Forsyth Road | Colonial Drive to University Boulevard |
| N. Tanner Road | Lake Pickett Road to Seminole County Line |
| Winter Garden-Vineland Road | Interstate 4 to Apopka-Vineland Road* Buena Vista Drive to Perrihouse Acres Lane* |

*Roadway segments that are under state or municipal jurisdiction or located within a municipal jurisdiction as described in Transportation Policy T2.2.3. The County will coordinate with the respective agencies regarding projects to improve levels of service on these facilities.

(Amended 09/13, Ord. 2013-19; Amended 12/14, Ord. 2014-30; Amended 6/16, Ord. 2016-15; Amended 06/17, Ord. 2017-11)

T2.2.4

Within Orange County, development applications ~~along impacting~~ backlogged and constrained facilities shall be subject to concurrency and, if needed, proportionate share. A comprehensive transportation study shall be required, and if the adopted level of service cannot be met under current conditions, or if the improvement is not funded for construction in the adopted Capital Improvements Program, the applicant and County must agree upon mitigating improvements. Private developers shall contribute to the County's multimodal transportation system through the County's transportation concurrency and proportionate share regulations. As parcels are developed or redeveloped, the site design shall conform to applicable standards and requirements in the County's Land Development Code, transportation impact analysis requirements, and concurrency requirements. ~~Projects required of development applicants may include, but are not limited to, the following:~~

- ~~● Pedestrian access requirements, including extending the sidewalk network to make off-site connections to public streets,~~
- ~~● Bicycle connections to adjacent parcels,~~
- ~~● Bicycle circulation from adjacent public streets and multi-use paths or trails to bicycle parking areas,~~
- ~~● Connection of established transit stops to the sidewalk network,~~
- ~~● Incorporation of established transit stops into the site's building placement and design,~~
- ~~● Bus stop amenities,~~
- ~~● Improvements to parallel transportation facilities,~~
- ~~● Creation of parallel transportation facilities,~~
- ~~● Intersection improvements,~~
- ~~● Traffic calming measures,~~
- ~~● Transportation System Management (TSM) improvements,~~
- ~~● Intelligent Transportation Systems (ITS) improvements,~~
- ~~● Transportation Demand Management (TDM) techniques, and/or~~
- ~~● Payment to the County in lieu of the improvements listed above, if approved by the Board of County Commissioners. (Added 05/04, Ord. 04-06, Policy 1.2.4 r; Amended 09/13, Ord. 2013-19)~~

Staff recommends revising to provide clarity as specific site development and design standards are being removed, pending the planned adoption of Land Development Code standards through Orange Code and other County projects. The ability of the Board of County Commissioners to accept payment in lieu of improvements should be retained.

- T2.2.5 Proposed partnership projects cannot be used to satisfy traffic concurrency unless necessary interlocal agreements or joint participation agreements have been executed. (Policy 1.2.7)
- T2.2.6 The transportation impact area for all concurrency applications, including Future Land Use Map (FLUM) Amendments, shall include all roadway segments and signalized intersections located within the analysis radius defined by the latest Orange County Concurrency Management System (CMS) or Comprehensive Plan Amendment (CPA) methodology. Amended 12/14, Ord. 2014-30, Policy T1.3.8-r)
- T2.2.7 The County shall coordinate, ~~as appropriate,~~ with all counties and local governments in, or adjacent to, ~~Orange the County,~~ as appropriate, to ensure that development impacts that traverse jurisdictional boundaries will not cause the level of service in the adjacent jurisdiction to diminish below the adopted standard. This shall be done through the comprehensive plan amendment and review process, by providing up-to-date information and data sets regarding proposed and future developments, and through scheduled ~~coordination meetings to ensure that development impacts that traverse boundaries will not cause the level of service in the adjacent jurisdiction to diminish below the adopted standard.~~ (Policies 3.1.4-r, 3.1.5-r; Amended 09/13; Ord. 2013-19, Policy T2.2.8-r)
- T2.2.8 The Concurrency Management System shall maintain traffic count data for State and City roadways located within a municipal boundary for informational purposes and to aid coordination efforts. Development that impacts these roadways shall be subject to the mobility requirements of the relevant jurisdiction, in coordination with Orange County and the County's Concurrency Management System, as applicable. (Amended 09/13; Ord. 2013-19, Policy T2.2.8.1-r)
- T2.2.8.1 The Concurrency Management System shall maintain traffic count data on limited access facilities for informational purposes and to aid coordination efforts. Implementation of the Concurrency Management System shall continue to ~~divert~~ ensure the appropriate distribution and assignment of trips from limited access facilities to other roadway facilities in the impact area in review of development-related transportation studies. (Amended 09/13; Ord. 2013-19, Policy T2.2.8.2-r)
- Staff recommends revisions to provide clarity.
- Staff recommends revisions to provide clarity.
- Staff recommends revisions to provide clarity.

T2.2.9

The County supports the development of multimodal transportation corridors to increase the viability of walking, biking, and transit along these corridors. Transportation improvements shall focus on operational (TSM&O) enhancements, intersection improvements that provide for safe movement of pedestrians and bicyclists, and design that supports transit-oriented development. Considerations should include, but are not limited to, high-visibility pavement markings and pedestrian refuge islands for pedestrians, multiuse shared use paths, landscaping, bicycle facilities, increased transit service and bus shelters, and facilities and design that support transit-oriented development. Development within these corridors shall be subject to the site design standards in ~~Policy T2.2.4,~~ as determined by a transportation impact study.

Staff recommends revisions as this policy specifies the appropriate multimodal improvements that should be considered in both County projects and development projects. The policy provides guidance for County roadway design standards and countermeasures, which are found in FDOT/USDOT manuals, not in Orange County Code.

Orange County's designated multimodal corridors include:

| <u>Table 1 Orange County Designated Multimodal Corridors</u> | |
|---|---|
| <u>FACILITY</u> | <u>SEGMENT</u> |
| Alafaya Trail | Seminole County Line to Innovation Way |
| Econlockhatchee Trail | University Boulevard to Lake Underhill Road |
| Innovation Way | Alafaya Trail to SR 528 |
| International Drive | Sand Lake Road to Central Florida Parkway |
| Orange Avenue | Hoffner Avenue to Sand Lake Road |
| University Boulevard | Semorán Boulevard to Alafaya Trail |
| Valencia College Lane | Goldenrod Road to Econlockhatchee Trail |

Additional multimodal corridors may be designated, by amending the table above, where premium or high-frequency transit service is either is available or forthcoming existing or programmed or ~~and~~ where recommended by the State, Metropolitan Planning Organization (MPO), or County, on state roadways that are the subject of multimodal corridor feasibility studies by the Florida Department of Transportation. (Amended 09/13; Ord. 2013-19; Amended 12/14, Ord. 2014-30)

OBJ T2.3 The County establishes the Orange County Alternative Mobility Area (AMA) as an extension of the existing Orlando Transportation Concurrency Exception Area for the area shown in Map 16 of the Future Land Use Map Series to promote urban infill development and redevelopment and maximize the use of existing public infrastructure in established areas of the County. (Amended 06/10, Ord. 2010-07; Amended 03/13, Ord. 2013-07)

POLICIES

- T2.3.1 Transportation network investment and connectivity shall increase in the AMA through support of alternative modes of transportation and development design that provides daily activities within walking distance of residences; public infrastructure that is safe, comfortable, and attractive for pedestrians with adjoining buildings open to the street and an attractive streetscape; and parking designed to avoid pedestrian conflicts with pedestrian, transit, automobile, and truck traffic. (Amended 06/10, Ord. 2010-07; Amended 03/13, Ord. 2013-07)

- T2.3.2 All land use and development located within the AMA shall be exempt from transportation concurrency, and thus shall not be required to meet roadway level-of-service standards, based on their compliance with Objective T2.3 and related policies. Developments outside of the AMA that impact roadways within the AMA shall be required to meet transportation concurrency requirements and level of service standards. (Amended 06/10, Ord. 2010-07; Amended 03/13, Ord. 2013-07)

- T2.3.3 Parcels located within unincorporated Orange County and located within the boundaries of an approved municipal transportation concurrency exception area shall be subject to the requirements of Objective T2.3 and associated policies. (Amended 06/10, Ord. 2010-07)

- T2.3.4 Any project in the AMA with an existing capacity reservation or encumbrance account may elect to satisfy mobility requirements by converting the existing account to a pre-paid impact fee account. (Amended 06/10, Ord. 2010-07; Amended 03/13, Ord. 2013-07)

- T2.3.5 All development or redevelopment in the AMA shall be required to provide safe and convenient movement on the development site for all users, particularly pedestrians, through strategies that may include but are not limited to the following:
- A. Cross-access connections/easements or joint driveways, where available.
 - B. Closure of existing excessive, duplicative, or unsafe curb cuts or narrowing of overly wide curb cuts at the development site, as defined in Section 30-248 of the Land Development Code.
Provide safe and convenient on-site pedestrian circulation such as sidewalks and crosswalks connecting buildings and parking areas at the development site. (Amended 06/10, Ord. 2010-07, Policy T2.3.6-r)
- T2.3.6 The AMA shall be implemented, in part, using system-level and site-level mobility strategies to enhance mobility and accessibility as found in Section 30, Article XII, Orange County Code. (Amended 06/10, Ord. 2010-07, Policy T2.3.7-r; Amended 03/13, Ord. 2013-07)
- T2.3.7 The County shall require special transportation studies including, but not limited to, information about trip generation, trip distribution, trip credits, signal warrants, and/or transit, bicycle, and pedestrian facilities needed within an AMA. (Amended 06/10, Ord. 2010-07; Policy T2.3.10-r; Amended 03/13, Ord. 2013-07)
- T2.3.8 The County shall amend the Concurrency Management section and any other relevant sections of the Land Development Code to reflect adoption of the Alternative Mobility Areas. (Amended 06/10, Ord. 2010-07, Policy T2.3.11-r)
- T2.3.9 Development plans (DPs) and Preliminary Subdivision Plans (PSPs) approved prior to adoption of the AMA with requirements for transportation improvements, modifications or mitigation shall comply with such requirements unless the DP or PSP is substantially changed and the previously approved improvements, modifications, or mitigation are inconsistent with current design standards or other adopted policies. (Amended 06/10, Ord. 2010-07, Policy T2.3.12-r)

- T2.3.10 Orange County shall coordinate on an ongoing basis with the Florida Department of Transportation (FDOT) concerning the AMA. (Amended 06/10, Ord. 2010-07, Policy T2.3.13-r)
- T2.3.11 Orange County shall coordinate on an ongoing basis with municipalities and counties adjacent to the AMA concerning the AMA. (Amended 06/10, Ord. 2010-07, Policy T2.3.14-r; Amended 03/13, Ord. 2013-07, Policy T2.3.12-r)
- T2.3.12 Orange County shall monitor and evaluate the impacts of approved development in the AMA on adjacent city or adjacent county-maintained roads and the state highway system, and share that information accordingly. (Amended 06/10, Ord. 2010-07, Policy T2.3.14.1-r; Amended 03/13, Ord. 2013-07, Policy T2.3.13-r)
- T2.3.13 Orange County shall monitor the success of AMA strategies using the following performance measures. Evaluation of the AMA using these performance measures shall occur in 2015. (Amended 06/10, Ord. 2010-07, Policy T2.3.15-r; Amended 03/13, Ord. 2013-07, Policy T2.3.14-r)

| Mobility Strategy | Measure | Target and Timeline |
|---|---|---|
| Support alternative modes of transportation | Transit shelters in the AMA | Increase number of bus shelters |
| | Sidewalk coverage near transit stops in the AMA | Increase percentage of roadways within ¼ mile of transit stops with sidewalks (at least one side) |
| | Pedestrian, bicycle and transit Q/LOS | Achieve grade C or better |
| | VMT in the AMA (per capita) | Maintain or reduce amount |
| | Accidents involving pedestrians and bicyclists in the AMA | Reduce annual number of accidents involving pedestrians and bicyclists in the AMA. |
| Transportation network connectivity | Pedestrian connectivity index | Increase pedestrian connectivity index score by measuring link to node ratio. |

T2.3.14

Objective T2.3 and all associated policies shall apply to any Transportation Concurrency Exception Area (Alternative Mobility Area) designated within Orange County’s jurisdiction. (Amended 06/10, Ord. 2010-07, Policy T2.3.16-r; Amended 03/13, Ord. 2013-07, Policy T2.3.15-r)

OBJ T2.4 The County establishes a long-term transportation concurrency management system to correct deficiencies in transportation facilities on designated roadways that are included in the Orange County Ten-Year Capital Improvements Schedule and to implement operational improvements that may be needed. (Added 05/04, Ord. 04-06; Policy 1.4.7-r; Amended 09/13, Ord. 2013-19)

POLICIES

- T2.4.1 A long-term (10-year) schedule of capital improvements for transportation facilities will be established for any long-term concurrency management system and will be reflected in the Capital Improvements Element.
- T2.4.2 An applicant may satisfy transportation concurrency through a proportionate share calculation on the impacted facility which shall be applied to the applicable facility or facilities on the long-term schedule of capital improvements, or the applicant may provide proportionate share payment for operational improvements along the failing facility or facilities. (Amended 09/13; Ord. 2013-19, Policy T2.4.3-r)
- T2.4.3 Transportation facilities identified as mitigation for traffic impacts in the long-term concurrency management system shall be added to the long-term schedule of capital improvements in the next regularly scheduled update of the Capital Improvements Element. (Amended 09/13; Ord. 2013-19, Policy T2.4.4-r)
- T2.4.4 In addition to the Ten-Year Capital Improvements Schedule, operational improvements may be added to the Capital Improvements Program on an annual basis. These projects include, but are not limited to, intersection improvements, turn lanes, roundabouts, and Intelligent Transportation Systems (ITS) improvements. (Added 09/13, Ord. 2013-19)

OBJ T2.5 **Where appropriate, the County shall create Multimodal Transportation Networks (MMTN) where priority is placed on providing a safe, comfortable, and attractive environment for pedestrians, bicyclists, and automobiles, with potential access to transit. (Added 09/11, Ord. 2009-28; Amended 11/12, Ord. 2012-20; Amended 01/16, Ord. 2016-04)**

POLICIES

T2.5.1 ~~**GENERAL-General Multimodal Transportation Networks (MMTN) PRINCIPLES-Principles**~~

Designation Criteria. Existing areas with multimodal characteristics or proposed new areas for multimodal developments (e.g. greenfield developments) may be designated as an Multimodal Transportation Network (MMTN) consistent with the following criteria.

- A. **Financial Feasibility.** ~~MMTNs-Multimodal Transportation Network (MMTN)~~ shall be approved only in conjunction with a financially feasible infrastructure plan as defined by the County and applicable policies in the Comprehensive Plan, including but not limited to Objective CIE1.6 and implementing Policies CIE1.6.5 and 1.6.6.

- B. **Preservation of Strategic Intermodal System (SIS) Facilities.** ~~Proposed Multimodal Transportation Network (MMTN)~~MMTNs shall not significantly degrade the adopted level of service standards for facilities designated as part of the Florida – Strategic Intermodal System – major arterial roadways that have the primary function of moving high volumes of statewide and regional traffic – without appropriate mitigation. Any impacts outside the Multi-Modal Transportation Network (MMTN) shall be mitigated within the MMTN to the extent possible. (Amended 11/12, Ord. 2012-20)

C. **Required Design Elements.** ~~Proposed~~
Multimodal Transportation Network
~~(MMTN)~~MMTNs shall exhibit the following
community design elements:

1. An interconnected network of streets and paths designed to encourage walking and bicycle use, with traffic calming where desirable;
2. A complementary mix and range of land uses, including residential, employment, educational, recreational, and cultural;
3. Appropriate densities and intensities of land uses within walking distance of transit stops;
4. Daily activities within walking distance of residences and public uses, streets and squares that are safe, comfortable, and attractive for the pedestrian, with adjoining buildings open to the street and parking designed so as not to interfere with all transportation modes. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

Transportation Quality/Level of Service.

Staff recommends revisions to provide clarity.

- A. Level of service shall be consistent with T-2.1.1. ~~Orange~~the County establishes the following minimum quality/level of service standards for transit, bicycle, and pedestrian facilities and roadways within an Multimodal Transportation Network (MMTN). The Level of Service (LOS) shall be measured in accordance with professionally-accepted methodologies detailed in Florida Department of Transportation (FDOT) publications, handbooks, and/or software implementing multimodal quality of service, as they may be updated from time to time.

Table 3 Level of Service Standards

| | <i>Pedestrian</i> | <i>Transit</i> | <i>Bicycle</i> | <i>Automobile</i> |
|-----------------------------|--------------------------|-----------------------|-----------------------|--------------------------|
| Transit-oriented | C | C | D | E * |
| Bicycle/Pedestrian-oriented | C | D | C | E * |

*Automobile LOS shall be periodically reviewed as the transit network and other non-motorized transportation improvements are implemented.

- B. ~~Orange~~The County shall coordinate with appropriate agencies to apply the transit quality of service framework as found in the most recent edition of the *Transit Capacity and Quality of Service Manual (TCQSM)*.
- C. ~~Orange~~The County establishes the following performance targets for transit, bicycle, and pedestrian facilities, and roadways within an Multimodal Transportation Network (MMTN) as follows:
 1. 80% of all the bicycle and pedestrian facilities within the MMTN network shall function at LOS C or better;
 2. All parcels within ¼ mile of an existing or identified future a-transit stop should be serviced by pedestrian facilities operating at LOS C or better;
 3. 70% of the employees and dwelling units in an MMTN should generally be located within ½ mile of a transit stop.

(Added 09/11, Ord. 2009-28; Amended 11/12, Ord. 2012-20; Amended 09/13, Ord. 2013-19; Amended 01/16, Ord. 2016-04)

T2.5.3 **Transportation Concurrency.** Transportation concurrency in an Multimodal Transportation Network (MMTN) shall be evaluated based upon a financially feasible capital improvements plan as defined by the County and applicable policies in the Comprehensive Plan, including but not limited to Objective CIE1.6 and implementing Policies CIE1.6.5 and 1.6.6. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.5.4 **Vehicle Trip Reduction/Transportation Demand Management.** When appropriate, ~~Orange-the~~ County ~~will~~ shall identify and work with other service providers, to implement transportation demand management strategies into the transportation planning process for Multimodal Transportation Network (MMTN). ~~MMTNs to~~ alleviate congestion. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.5.5 **Intergovernmental Coordination.** ~~Orange-The~~ County shall coordinate with the Florida Department of Transportation, ~~METROPLAN ORLANDO~~ MetroPlan Orlando, LYNX, and other affected agencies and jurisdictions to implement land use, transportation, and parking policies that promote transportation choice and to overcome identified deficiencies in the multimodal transportation network. ~~Orange-The~~ County shall make every reasonable effort to coordinate with the Greater Orlando Aviation Authority to integrate Innovation Way into the airport's transportation master plan. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.5.6 **Consideration for Demographics.** Special consideration shall be given to areas with concentrations of students, seniors, low income families, or others that are more dependent on modes other than the automobile to provide a safe, accessible environment. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.5.7 **Contributions to Multimodal Network.** New development or redevelopment projects shall contribute to providing a safe, convenient, comfortable, and aesthetically pleasing transportation environment that promotes walking, cycling, and transit use. Appropriate improvements or enhancements to the multimodal network may be required as a condition of development approval, including, but not limited to the following:

- A. Accommodations for pedestrian access and movement, including shaded sidewalks, benches, and enhanced crossings;
- B. Direct connections between the Multimodal Transportation Network (MMTN) and the regional bicycle/ pedestrian network;
- C. Installation of shared use paths in accordance with ~~the~~ the Florida Department of Transportation (FDOT) Bicycle Facilities Planning and Design Guidelines Handbook;
- D. Well-designed accommodations for transfer of passengers at designated transit facilities;
- E. Preferential parking for rideshare participants;
- F. Well-designed access for motor vehicle passenger drop-offs and pick-ups at designated transit facilities and at commercial and office development sites;
- G. Accommodations for car sharing, bike sharing, and electric cars, including designated locations, preferential parking, and electric car charging stations, as applicable.
- H. Weather protection at transit stops. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.5.8

Multimodal Street Design and Operation.

~~Orange~~The County shall establish multimodal street cross-sections, design standards, and operational measures (e.g. pre-emptive signals, dedicated bus lanes, etc.) to ensure streets are safe, convenient, and appealing for all modes of travel, including transit, automobiles, trucks, bicycles, and pedestrians. Strategies shall include marked crosswalks, wider sidewalks, on-street parking, bus turnouts, traffic calming, raised medians, adequate drainage, or other appropriate safety enhancements that reduce hazardous conflicts between modes and that are consistent with the planned functions of the roadway. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.5.9

Street Network and Connectivity. To provide continuous circulation systems for pedestrians, bicyclists, and automobiles, unconnected streets (cul-de-sacs, T- turnarounds, and dead ends) shall be avoided. In places where an unconnected street cannot be avoided, pedestrian and bicycle connectivity shall be provided with a through-connection designed into the street. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.5.9.1

To promote communities that are physically connected to each other, and to foster community and connectedness beyond the development, all development plans shall include streets stubbed to the boundary of the development in all major directions. Development plans shall include streets connecting to all streets stubbed to the boundary of adjacent development plans. Street connections shall be made between adjacent development, in order to continue the interconnected street network of the Multi-Modal Transportation Network (MMTN) from one development to the next. The requirements of this policy do not apply if it is demonstrated that a connection cannot be made because the existence of one or both of the following conditions:

- A. Physical conditions preclude development of a connecting street on the adjacent property; or,
- B. Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude a connection now or in the future, considering the potential for redevelopment. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.5.10 **Bicycle/ Pedestrian Network and Connectivity.** Multimodal Transportation Networks (MMTN) ~~MMTNs~~ shall provide direct bicycle and pedestrian connections within and between residential areas and supporting community facilities and services, such as shopping areas, employment centers, transit stops, neighborhood parks, and schools.

Bicycle lanes may be provided on new or reconstructed arterials and collector roadways within the MMTN in accordance with the Florida Department of Transportation (FDOT) guidelines or other standards determined appropriate by the County Engineer.

(Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T-2.5.11 **Consideration for Schools.** ~~Orange~~ The County shall give special consideration to schools and their multimodal needs to provide a safe, accessible environment for students. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T-2.5.11.1 Developments adjacent to school properties shall be required to provide right-of-way and a direct safe access path for pedestrian and bicycle travel to existing and planned school sites, and shall connect to the neighborhood's existing pedestrian network. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T-2.5.11.2 Where a designated walk or bicycle route to a school must cross a roadway greater than two lanes wide, the crossing must be designed to allow safe passage across the roadway for school-aged children. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T-2.5.12

Transit. The County shall work with LYNX and other transit providers to ensure that the Multimodal Transportation Network (MMTN) is well-connected via transit to major trip generators and attractors both inside and outside of the MMTN, ~~that Transit transit stops and waiting areas~~ should be planned concurrent with development and designed in a manner to provide a safe and comfortable environment to encourage their use, ~~and to enhance intermodal connections.~~

The County shall coordinate with LYNX and other transit providers regarding the provision of benches, signage, lights, bicycle parking, and covered or enclosed waiting areas for transit stops within the Multimodal Transportation Network (MMTN). Where provided, shelters shall include a level of amenities appropriate for the stop type for passenger comfort and convenience.

(Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

OBJ T2.6 Innovation Way Multimodal Transportation Network is hereby established on Map 1 of the Transportation Element Orange County 2030 Long Range Plan. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

POLICIES

T2.6.1 Development within Innovation Way that is proceeding substantially in accordance with a Development Order approved prior to June 13, 2006, shall be exempt from the design requirements of the Multimodal Transportation Network (MMTN). Such exemption shall not relieve the developer from meeting all conditions of approval in the Development Order. In other areas of Innovation Way, development will be guided by a Regulating Plan that describes each transect and associated development requirements. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.6.2 **Street Function and Type.** Characteristics shall be appropriate to Innovation Way’s context and multimodal planning objectives, as described below and in corresponding roadway network agreements, as applicable. Additional street types will be defined in the Innovation Way Code.

Staff recommends revising to provide clarity.

Innovation Way: Designed to incorporate two spine roads, limited to four travel lanes with a dedicated (future) transit envelope and include an 8 to 12-foot wide multi-purpose paths on both sides of the road.

Four-Lane Avenue: Roadways shall be limited to four travel lanes and may include wide sidewalks, on-street parking, and enhanced features for pedestrians, bicyclists, and transit users.

(Added 09/11, Ord. 2009-28; Policy 2.6.5-r, Amended 11/12, Ord. 2012-20; Amended 01/16, Ord. 2016-04)

T2.6.3 **Access to Parks, Recreation and Open Space.** Where permitted and to advance connectivity and to allow access for the entire community, public access shall be provided to all parks, recreation areas, conservation areas, natural areas, lakes and general open space from a public roadway, sidewalk, or trail. The public roadway, sidewalk, or trail shall be located between private property, including homes, and the park, recreation area, conservation area, natural area, lake, or general open space. (Added 09/11, Ord. 2009-28; Amended 11/12, Ord. 2012.20, Policy 2.6.11-r; Amended 01/16, Ord. 2016-04)

T2.6.4

Funding of Capital Improvements. An Innovation Way Transportation Agreement (IW-TA) financially feasible capital improvements plan, as defined by the County, and applicable policies in the Comprehensive Plan, including but not limited to Objective CIE1.6 and implementing Policies CIE1.6.5 and 1.6.6, shall be developed for the network. Funding sources for identified projects may include, but are not limited to, the following:

- Community Development District
- Road Impact Fees
- General Fund
- Tax Increment Financing District
- Developer Contributions and other Public-Private Partnerships
- Municipal Service Taxing Unit/Municipal Service Benefit Unit
- Farebox Revenues
- Available State or Federal Highway or Transit Funds
- Others as approved by the Board of County Commissioners

(Added 09/11, Ord. 2009-28; Amended 11/12, Ord. 2012-20, Policy 2.6.13-r; Amended 01/16, Ord. 2016-04)

_OBJ T2.7 (OBJ T2.7 deleted 09/13, Ord. 2013-19)
POLICIES

T2.7.1 (Policy T2.7.1 deleted 09/13, Ord. 2013-19)

NOTE: The following objective and policies originally were adopted as part of the EAR-based amendments (Ordinance 2009-15, adopted May 19, 2009) as Objective T2.6 and Policies T2.6.1 through T2.6.10. Subsequently, the Innovation Way ~~MMTD~~ Multimodal Transportation Network (MMTN) was adopted (Ordinance 2009-28, adopted October 13, 2009) as Objective T2.6 and associated policies. Therefore, this objective and policies have been renumbered as Objective T2.8 and Policies T2.8.1 through T2.8.10.

OBJ T2.8 ~~Orange~~The County ~~shall~~may grant an exception from transportation concurrency for projects that promote public transportation, as defined in Chapter 163.3164(37), Florida Statutes. (Added 05/09, Ord. 2009-15; Amended 06/12, Ord. 2012-14; Amended 03/13, Ord. 2013-07)

POLICIES

- T2.8.1 Projects that promote public transportation are developments within the Urban Service ~~Boundary~~Area boundary that directly affect the provision of public transit, including transit terminals, transit lines and routes, separate lanes for the exclusive use of public transit services, transit stops (shelters and stations), office buildings or projects that include fixed-rail or transit terminals as part of the building, and projects ~~which~~that are transit oriented and designed to complement reasonably proximate planned or existing public facilities. (Added 05/09, Ord. 2009-15, Policy T2.6.1; Amended 06/12, Ord. 2012-14)
- T2.8.2 Where there are opportunities, ~~Orange~~the County shall ensure that new development and redevelopment shall be designed such that the long-range plan for sustainable public transportation options are realized by implementing specific performance standards that will exempt the development from traditional road concurrency. A portion of a Planned Development or proposed development may be eligible for concurrency exception for trips generated for these portions by meeting the performance standards in Policies T2.8.5 through T2.8.9. This partial exception shall not affect other portions of a Planned Development or proposed development that do not comply with these policies, which shall still be subject to concurrency. Review of these portions not receiving a concurrency exception shall not be subject to the performance standards. (Added 05/09, Ord. 2009-15, Policy T2.6.2; Amended 06/12, Ord. 2012-14; Amended 03/13, Ord. 2013-07)
- T2.8.3 Transportation concurrency exceptions granted under this objective shall not relieve development from meeting performance standards set forth to ensure the appropriate mix of land use and accommodating infrastructure are provided. (Added 05/09, Ord. 2009-15, Policy T2.6.3; Amended 06/12, Ord. 2012-14; Amended 03/13, Ord. 2013-07)
- Staff recommends updating to update the term.

T2.8.4

Proposed transit oriented projects shall be reviewed based on the results of a study conducted by the applicant, which shall be consistent with County-approved methodologies. ~~completed for the proposed development by the applicant to include the following:~~

- ~~A map depicting the proposed development site in the context of the transit corridor, rail station, or other transit facility;~~
- ~~A map depicting the proposed development site in the immediate context of adjacent parcels;~~
- ~~Existing circulation network (streets, sidewalks, pedestrian paths, and bicycle paths, with stub-outs clearly indicated);~~
- ~~Proposed circulation network for the development site in relationship to its immediate context and in connecting to existing and/or planned transit stops/stations;~~
- ~~Footprint of proposed development;~~
- ~~Current land use and density/intensity for developed sites;~~
- ~~Future Land Use Designations for parcels adjacent; and~~
- ~~Location of any existing and/or planned transit stops/stations.~~

(Added 05/09, Ord. 2009-15, Policy T2.6.4; Amended 06/12, Ord. 2012-14; Amended 03/13, Ord. 2013-07)

Staff recommends streamlining the policy to allow for more flexibility in the administration of transportation studies, due to changing technical resources from FDOT, FHWA, and other agencies.

T2.8.5

Compliance with performance standards shall be subject to the final approval by the County during the development review process based upon the following:

- Land uses shall be organized in such a way that the densities and intensities promote transit use, primarily with higher density and intensity uses such as commercial offices, multifamily residential, and institutions shall be located within walking distance to activities along the major route transit stations/stops and connected by pedestrian and bicycle circulation systems, consistent with all County-adopted Land Development Code standards for transit-oriented development. The densities along perpendicular facilities to the major route will decrease as distance from the major route increases.
- Vehicle parking supply shall be based on average demand, not peak demand, using shared vehicle parking to accommodate demand peaks. It is preferred that parking be located on the street, behind buildings, and in carefully designed and located parking structures.
- Buildings are, to the extent practicable, to be located and oriented in a manner that accommodates non-motorized travel and with facades and design features that contribute to an active street scene and create pedestrian-oriented environments, consistent with all County-adopted Land Development Code standards for transit-oriented development. (Added 05/09, Ord. 2009-15, Policy T2.6.5; Amended 06/12, Ord. 2012-14)

Staff recommends streamlining the policy by integrating Policies T2.8.6, T2.8.7, T2.8.8, T2.8.9, and T2.8.10.

T2.8.6

~~RESERVED. Parking supply shall be based on average demand, not peak demand, using shared parking to accommodate demand peaks. Parking is preferred to be located on the street, behind buildings, and in carefully designed and located parking structures. Parking lots should have a carefully planned and clearly marked pedestrian circulation system and a landscape architecture plan that aid stormwater management. (Added 05/09, Ord. 2009-15, Policy T2.6.6; Amended 06/12, Ord. 2012-14; Amended 03/13, Ord. 2013-07)~~

Staff recommends deleting and integrating into Policy T2.8.5, in part to reflect Land Development Code updates pending from the Orange Code and other County projects.

- | | | |
|---------|---|--|
| T2.8.7 | RESERVED. The development must provide continuously linked walkways with shade trees, plantings, benches, transit stop shelters, and directions to places of interest where appropriate. (Added 05/09, Ord. 2009-15, Policy T2.6.7; Amended 06/12, Ord. 2012-14) | Staff recommends deleting and integrating into Policy T2.8.5, in part to reflect Land Development Code updates pending from the Orange Code and other County projects. |
| T2.8.8 | RESERVED. Wherever possible, design features that cause cars to slow down when turning and reduce the amount of time a walker spends crossing traffic shall be used to provide safe and convenient on-site pedestrian circulation at the development site. (Added 05/09, Ord. 2009-15, Policy T2.6.8; Amended 06/12, Ord. 2012-14) | Staff recommends deleting and integrating into Policy T2.8.5, in part to reflect Land Development Code updates pending from the Orange Code and other County projects. |
| T2.8.9 | RESERVED. Buildings are preferred to be located and oriented in a manner that accommodates alternative modes of travel in addition to the automobile, and that contributes to an active street scene, to create pedestrian-oriented areas and surroundings so that transit-related development will be able to function effectively as an asset to the community. The impact of the building facades at the street level and design features that are human in scale and comprehensible to pedestrians shall be considered. (Added 05/09, Ord. 2009-15, Policy T2.6.9; Amended 06/12, Ord. 2012-14; Amended 03/13, Ord. 2013-07) | Staff recommends deleting and integrating into Policy T2.8.5, in part to reflect Land Development Code updates pending from the Orange Code and other County projects. |
| T2.8.10 | RESERVED. Compliance with performance standards shall be subject to the final approval of the County during the plan approval process. (Added 05/09, Ord. 2009-15, Policy T2.6.10; Amended 06/12, Ord. 2012-14; Amended 03/13, Ord. 2013-07) | Staff recommends deleting and integrating into Policy T2.8.5, in part to reflect Land Development Code updates pending from the Orange Code and other County projects. |

GOAL T3 **A multimodal transportation system that integrates land use, transportation strategies with and the provision of infrastructure and services shall be established to provide a sustainable transportation and mobility infrastructure for all users.** Staff recommends revising to provide clarity.

OBJ T3.1 **The County shall support land use strategies in the Future Land Use Element and revisions to the Land Development Code ~~which that~~ promote a convenient and efficient mobility system ~~for for pedestrians, cyclists, transit riders, and motorists~~ all users of the transportation system based upon the development context. (Objective 2.1-r)** Staff recommends revising to provide clarity.

POLICIES

T3.1.1 The County shall require ~~land use~~ densities, intensities and mixed uses that integrate and support ~~alternative non-motorized~~ transportation modes, enhance the feasibility of transit, decrease trip lengths, and promote internal capture of vehicle trips. (Added 05/04, Ord. 04-06, Policies 1.6.10-r, 1.6.11-r, 2.1.4-r, 2.1.5-r, 2.1.8)

T3.1.2 ~~Orange-The~~ County shall promote pedestrian-friendly, compact, mixed-use, transit-ready and transit-oriented development in ~~Mixed-Use Development and other designated~~ Activity Centers activity centers with existing or programmed high-frequency transit service as a means for making more efficient use of land, infrastructure, and services within the Urban Service Area boundary. ~~Mixed-Use Development and other Activity Centers will help reduce automobile use through greater multi-modal connectivity, supporting transit services, and opportunities for workforce housing, while encouraging quality urban design standards. (Policies 2.1.4-r, 2.1.5-r, 2.1.8; Amended 10/10, Ord. 2010-13)~~

Activity Center development shall meet the following transportation requirements:

- A. ~~Vehicular, bicycle, and pedestrian connections to existing or potential future development on adjacent parcels, including cross-access agreements, new streets, and sidewalks that encourage travel between adjacent land uses and provide access to transit without requiring the use of major thoroughfares. To the greatest extent feasible, the project shall provide interconnectivity to all adjacent parcels and parcels located on roadways immediately across from the project. (Policy 2.1.1.4; Amended 03/13, Ord. 2013-07)~~
- A. ~~Streets designed for transportation choice. Such design standards call for minimal street widths, modest turning radii, modest design speeds, curb extensions, traffic calming, sidewalks, bicycle facilities and the limited use of cul-de-sacs.~~
- B. ~~All projects within an MXDAC shall submit a mobility plan that preserves major arterial capacity and includes access management. An MXDAC should avoid straddling major roadways or roadway intersections. Vehicular access should be oriented away from major roadways and onto minor roadways to protect the major roadways and reinforce alternative transportation modes. MXDAC mobility plans shall address pedestrian and bicycle circulation, access, safety, and facilities through design, particularly at roadway crossings along adjacent major arterials and/or at roadway intersections. Mobility plans also shall depict existing and planned multi-modal circulation systems internal and external to the MXDAC, including transit services and facilities. The street network and pedestrian connectivity within MXDACs are encouraged to meet multi-modal transportation district standards. (Added 05/04, Ord. 04-06, Policies 1.6.11 r, 1.7.2; Amended 03/13, Ord. 2013-07)~~
- C. ~~Provision of transit centers, super stops, and other facilities necessary for the transfer of passengers to and from the regional transportation system. (Policy 1.6.9 r)~~
- D.B. ~~Parking management standards that support different modes of transportation. (Policy 1.6.12 r; Amended 03/13, Ord. 2013-07)~~

| | | |
|---------|---|--|
| T3.1.3 | RESERVED The County shall work with LYNX to locate regional transit routes and facilities with the location of Mixed Use Development and other Activity Centers as identified in the Comprehensive Plan. (Policy 2.1.9 r; Amended 10/10, Ord. 2010-13) | Staff recommends deleting policies T.3.1.3 and T.3.1.4 to reflect the Planning Division's proposal to eliminate the MXDAC in the Future Land Use Element policies. |
| T3.1.4 | RESERVED Orange County strongly supports the use of a designated Orlando International Airport (OIA) Activity Center as a regional intermodal center. (Policy 1.9.3 r) | |
| T.3.1.5 | RESERVED. Proposed gated communities and private streets will be evaluated on a case by case basis for appropriateness. (Policy 2.1.1.4) | Staff recommends moving the policy under Objective T3.2. |

OBJ T3.2 ~~Orange~~**The County shall build and require to be built street, pedestrian and bicycle networks that provide regional, community, and neighborhood interconnectivity and provide direct access to existing and planned multi-modal transportation facilities, activity centers, community services, and amenities as appropriate. (Policies 2.1.1-r, 2.1.1.1-r, 2.1.1.4; Amended 06/17, Ord. 2017-11)**

POLICIES

T3.2.1 The County shall require developments to provide interconnected transportation street, pedestrian, and bicycle networks through measures including, but not limited to, cross-access easements, public rights-of-way, and/or transportation facility stubouts to adjacent parcels. These connections shall be provided in all directions, except where not physically feasible or the abutting land is undevelopable, including across existing and proposed streets, at intervals that support direct pedestrian and bicycle travel within and beyond the borders of the proposed development and that avoid cul-de-sacs or other closed-end street designs. (Amended 06/17, Ord. 2017-11)

Staff recommends moving the policy from Objective T3.1 to Objective T3.2.

T3.2.2 The County shall ensure that existing and new developments are connected by pedestrian, bikeways, and roadway systems unless prevented by physical or environmental barriers, including, but not limited to, limited access roadways, railroads, and environmental features. Where full street connections are not possible, bicycle and pedestrian connections may be required by the County. (Amended 06/17, Ord. 2017-11)

T3.2.3 ~~Orange~~The County shall require an interconnected transportation network to develop and maintain transportation networks that accommodate local and regional travel demand and to allow access between neighborhoods. Residential streets should be designed to limit excessive speeds on neighborhood streets, including traffic calming measures where appropriate. (Policies 2.1.1.2-r, 2.1.1.3, 2.1.1.4; Amended 11/15, Ord. 2015-20; Amended 06/17; 2017-11)

T3.2.4 To promote multi-modal transportation choice and encourage an interconnected street network, the County shall not close or vacate streets except under the following conditions:

- A. the loss of the street will not forestall reasonably foreseeable future bicycle/pedestrian use;
- B. the loss of the street will not forestall non-motorized access to adjacent land uses or transit stops;
- C. the loss of the street is necessary for the construction of a high-density, mixed-use project containing both residential and non-residential uses; and
- D. there is no reasonably foreseeable need for any type of transportation corridor for the area in the future.

(Amended 03/13, Ord. 2013-07)

~~T3.2.5~~ Proposed gated communities and private streets will be evaluated on a case-by-case basis for appropriateness. (Policy 2.1.1.4)

OBJ T3.3 The County shall support the infrastructure and service improvements necessary to increase mobility options for all users, promote safety for all users of the transportation system, and promote the use of non-motorized transportation. (Amended 11/16, Ord. 2016-28)

POLICIES

- T3.3.1 ~~The County shall support the use of high-capacity high-frequency public transit systems including, but not limited, to commuter rail, light rail, circulator rail systems, and Bus Rapid Transit (BRT), where appropriate.~~ (Policy 1.7-r)
- T3.3.2 ~~Orange~~The County shall, where appropriate, ensure that design features associated with major roadway projects promote safe and convenient bicycle travel in accordance with Florida Department of Transportation (FDOT) guidance or other engineering standards determined appropriate by the County Engineer. (Added 05/04, Ord. 04-06, Policies 1.6.8, 1.6.8.1-r, Amended 11/16, Ord. 2016-28)
- T3.3.3 ~~Orange~~The County shall continue to use the Orange County Trails Master Plan to implement a countywide multi-use trail system. (Added 05/04, Ord. 04-06, Policy 1.6.8.2-r; Amended 11/13, Ord. 2013-22)
- T3.3.4 ~~Orange~~The County shall include the appropriate pedestrian facilities on any new or reconstructed street in accordance with federal accessibility laws and with Florida Department of Transportation (FDOT) guidance or other engineering standards determined appropriate by the County Engineer. (Amended 11/16, Ord. 2016-28)
- T3.3.5 ~~Orange~~The County shall consider the special mobility and transit needs of the transportation disadvantaged in association with the construction or retrofit of sidewalks, signalized intersections and roadways at the collector level or above, including design and installation of midblock crossings, beacons, and/or other safety features, as warranted. (Policy 2.2.6-r; Amended 11/16, Ord. 2016-28))
- T3.3.6 The County shall support the provision of intermodal stations that facilitate safe and accessible transitions between appropriate travel modes, including pedestrians, bicycles, rail, buses, and automobiles. (Added 05/04, Ord. 04-06, Policy 1.7.4-r; Amended 11/16, Ord. 2016-28)

Staff recommends revising to provide clarity.

T3.3.7

The Orange County will plan, design, operate, and maintain County roadways to promote safety for people of all ages and abilities, including pedestrians, cyclists, transit users, motorists, and freight and service operators, through the adoption of a Complete Streets policy and implementation guidelines by the end of 2018. (Added 11/16, Ord. 2016-28)

OBJ T3.4 ~~Orange~~**The County shall coordinate with local governments, government agencies, public and private entities in order to plan a regional multimodal transportation system. (Goal 3-r; Objective 3.1-r)**

POLICIES

T3.4.1 The County, in collaboration with Florida Department of Transportation (FDOT), ~~METROPLAN~~MetroPlan Orlando, LYNX, local governments, Central Florida Expressway Authority, and the private sector, will plan the development and operation of viable and financially feasible transportation systems on a local and regional scale that use state-of-the-art and energy-efficient infrastructure, vehicles, materials, technologies, and methodologies, where economically feasible. (Added 05/04, Ord. 04-06, Policies 1.7.1-r, 1.7.3-r, 3.1.1-r, 3.1.2-r, Objective 3.2-r, Policy 3.4.1; Amended 11/15, Ord. 2015-20)

T3.4.2 The County will continue to coordinate with Florida Department of Transportation (FDOT), ~~METROPLAN~~MetroPlan Orlando, Central Florida Expressway Authority, local governments, and private entities to identify needed ~~roadway~~ transportation projects. These include projects named on the Orange County Five-Year Capital Improvements Program and Ten-Year Capital Improvements ~~Program~~Schedule, ~~METROPLAN~~MetroPlan Orlando Transportation Improvement Program, State Transportation Improvement Program, and ~~METROPLAN~~MeteroPlan Orlando Long Range Transportation Plan. (Objective 1.3-r, Policies 1.3.1-r, 1.3.4-r, 3.1.1-r, 3.1.3-r; Amended 11/15, Ord. 2015-20)

Staff recommends revising to provide clarity.

T3.4.2.1 The County will continue to coordinate with Florida Department of Transportation (FDOT), MetroPlan Orlando, Central Florida Expressway Authority, local governments, and private entities to address capacity and operational project needs identified in state and regional freight plans. (Added 11/16, Ord. 2016-28)

T3.4.2.2 The County will work with MetroPlan Orlando to develop and implement County and regional freight routing plans to ensure freight efficiency, leverage transportation investments, and ensure compatibility with other land uses in the County. (Added 11/16, Ord. 2016-28)

- T3.4.3 The County shall coordinate with MetroPlan Orlando to ensure that air quality, and carbon emissions standards, tourism, and freight movement are issues considered in the development of the regional Long Range Transportation Plan and in related project development activities. (Added 05/04, Ord. 04-06, Policies 1.5.1, 3.1.1-r, 3.4.3-r; Amended 03/13, Ord. 2013-07; Amended 11/16, Ord. 2016-28)
- Staff recommends revising to provide clarity.
- T3.4.4 ~~Orange~~The County shall continue to coordinate with LYNX, Florida Department of Transportation (FDOT), MetroPlan Orlando, and other local governments and agencies to identify, design and develop transportation facilities that promote safety for all users of the transportation system and the use of non-motorized transportation. (Policies 1.6.6-r, 3.2.2-r, Amended 11/16, Ord. 2016-28)
- T.3.4.4.1 The County shall partner with Florida Department of Transportation (FDOT), MetroPlan Orlando, LYNX, local governments, and other regional and local entities, as appropriate, in regional and local initiatives focused on engineering, evaluation, enforcement, education, and encouragement of activities to improve pedestrian and bicyclist safety and to reduce crashes. (Added 11/16, Ord. 2016-28)
- T3.4.5 The County shall work with Florida Department of Transportation (FDOT), ~~METROPLAN~~MetroPlan Orlando, LYNX, local governments, and the private sector to promote the use of Travel Demand Management (TDM), Transportation Systems Management and Operations (TSMO), and Intelligent Transportation Systems (ITS) strategies along with other capacity improvements and transit services. (Added 05/04, Ord. 04-06, Policies 1.3.2, 1.6.4, 1.6.5, 1.6.7)
- T3.4.6 ~~Orange~~The County shall continue to coordinate with LYNX and MetroPlan Orlando to accommodate the special needs of the transportation disadvantaged in accordance with Federal, State, and local regulations and definitions. This includes the provision of safe, accessible, and convenient public transportation service and facilities, through financial and technical assistance and through inter-agency agreements. (Objective 2.2-r; Policies 2.2.1-r, 2.2.2-r, 2.2.3, 2.2.4; Amended 11/16, Ord. 2016-28)

- T3.4.7 ~~Orange-The~~ County shall continue to work with the Orange County School Board and LYNX to facilitate transportation of students to and from school, promote Safe Routes to School and the use of non-motorized transportation, and to identify and address hazardous walking conditions consistent with statutory requirements. (Policy 2.2.5; Amended 11/16, Ord. 2016-28)
- T3.4.8 The County shall coordinate with ~~METROPLAN~~ MetroPlan Orlando and local governments to implement the regional connectivity of the Trails Master Plan, to plan state and regional trail networks and projects, and to promote the development of recreational trails and other forms of active transportation. (Policies 1.6.8.3-r, 1.6.8.4-r; Amended 11/13, Ord. 2013-22; Amended 11/15, Ord. 2015-20)
- T3.4.9 ~~Orange-The~~ County shall work with all appropriate entities to develop a comprehensive multimodal improvement strategy which includes the connection of regional employment centers and other economic assets and high density and high intensity land use areas to each other by appropriate modes. (Policy 1.6.1-r; Amended 11/15, Ord. 2015-20)
- T3.4.10 ~~Orange-The~~ County shall provide the opportunity for the public to participate in the transportation planning process through public meetings, public workshops, small group meetings, websites and press releases, and other public forums. Public input shall be solicited at the Roadway Conceptual Analysis or other initial stage of planning through public meetings held in the affected impact-geographic area of the project. These meetings shall be scheduled and conducted in accordance with county guidelines, including public notification, Title VI compliance, and accessibility. (Objective 3.3-r; Policies 3.3.1-r, 3.3.2-r)
- T3.4.11 ~~Orange-The~~ County shall continue to support the construction of the Wekiva Parkway and associated transportation projects, including improvements by the Central Florida Expressway Authority, the Florida Department of Transportation (FDOT), or Florida's Turnpike Enterprise to the greatest extent feasible-possible. (Added 12/07, Ord. 2007-20; Policy 1.3.5-r; Amended 11/15, Ord. 2015-20)

T3.4.12 The County ~~will~~ shall continue to work with Lake and Seminole Counties, ~~The~~ the Florida Department of Transportation, the Central Florida Expressway Authority, Florida's Turnpike Enterprise, and other state agencies and ~~jurisdictions~~ municipalities to help ensure the construction of the Wekiva Parkway and associated improvements in a cost effective and environmentally sensitive manner. The County shall encourages the use of parkway-associated stormwater management facilities for aquifer recharge, wetland and habitat restoration, and as irrigation sources in lieu of groundwater. (Added 12/07, Ord. 2007-20; Policy 3.1.7; Amended 11/15, Ord. 2015-20)

T3.4.13 ~~Orange~~ The County shall continue to support the planning and construction of Interstate 4 improvements, including the "I-4 Ultimate" configuration through metro Orlando and the development of "Beyond the Ultimate" I-4 improvements with six (6) General Use Lanes and four (4) Managed Express Lanes from US 27 in Polk County to SR 472 in Volusia County. (Added 06/15, Ord. 2015-07)

OBJ T3.5 Existing and future aviation facilities within Orange County shall be integrated into the overall transportation system. (Objective 1.9-r)

POLICIES

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|----------|---|---|
| T3.5.1 | <p>The County shall coordinate with <u>the Greater Orlando Aviation Authority (GOAA), the City of Orlando, LYNX, MetroPlan Orlando, and the Florida Department of Transportation (FDOT), the Central Florida Expressway Authority, and private entities, as applicable, to promote increased alternative multimodal and intermodal transportation opportunities systems that connect at the Orlando International Airport (OIA) and the Orlando Executive Airport (OEA) to the overall transportation network.</u> (Policy 3.2.4-r)</p> | <p>Staff recommends revising as the pre-2009 policies under this objective have been streamlined to reflect current conditions, such as DRI status, and with the input of GOAA.</p> |
| T3.5.2 | <p>Orange The County, through its role on METROPLAN MetroPlan Orlando and the Greater Orlando Aviation Authority (GOAA) governing boards and other appropriate means, shall continue to ensure that planned GOAA's aviation expansions improvements and operations are coordinated with area transportation agencies and projects, the appropriate Federal, State and regional agencies and regulations, and are supported by appropriate land use and airport noise regulations, are reviewed for potential transportation and environmental impacts and required mitigation, and are consistent with the Comprehensive Plan. (Objective 1.8-r; Policy 1.8.7-r)</p> | <p>Staff recommends revising as the pre-2009 policies under this objective have been streamlined to reflect current conditions, such as DRI status, and with the input of GOAA.</p> |
| T3.5.2.1 | <p>RESERVED Orange County shall enforce the Airport Noise Zoning Ordinance. This Ordinance determines the compatibility of residential, commercial, office, industrial, recreational, conservation, and agricultural uses within the 55, 60, 65, 70 and >70 Ldn contours (Zones E-A respectively). (Policies 1.8.1 r, 1.8.2 r)</p> | <p>Staff recommends deleting this policy as the pre-2009 policies under this objective have been streamlined to reflect current conditions, such as DRI status, and with the input of GOAA.</p> |
| T3.5.2.2 | <p>RESERVED The Orlando/Orange County Airports Zoning Board of Adjustment shall monitor the placement of tall structures within the County, ensuring that clear zones of existing publicly-owned, for public use airports and Federal Aviation Administration Regulation Part 77 are not violated. (Policy 1.8.3)</p> | <p>Staff recommends deleting the policy as the pre-2009 policies under this objective have been streamlined to reflect current conditions, such as DRI status, and with the input of GOAA.</p> |
| T3.5.2.3 | <p>RESERVED The Orlando/Orange County Airports Zoning Board of Adjustment shall incorporate any amendments to the airport flight zone areas within six months of approval by the Federal Aviation Administration. (Policy 1.8.8)</p> | <p>Staff recommends deleting the policy as the pre-2009 policies under this objective have been streamlined to reflect current conditions, such as DRI status, and with the input of GOAA.</p> |

| | | |
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| T3.5.2.4 | RESERVED The County shall adopt and maintain comprehensive airport related land use standards, consistent with those of the appropriate jurisdictions. (Policy 1.8.9) | Recommend deleting the policies (T.3.5.2.4 – T.3.5.4.1) as the pre-2009 policies under this objective have been streamlined to reflect current conditions, such as DRI status, and with the input of GOAA |
| T3.5.3 | RESERVED Orange County shall participate in the review process to ensure that any adverse impacts from GOAA related development are avoided or mitigated. | |
| T3.5.3.1 | RESERVED Orange County shall participate in the Development of Regional Impact (DRI) review process so that improvements to existing aviation facilities are reviewed for adverse transportation impacts against the criteria for new facilities. (Policy 1.8.5 r) | |
| T3.5.3.2 | RESERVED The County shall ensure that potentially adverse environmental impacts are eliminated or minimized by utilizing the best management practices during any aviation facility expansion. (Policy 1.8.6) | |
| T3.5.3.3 | RESERVED If no other practical alternatives exist for avoiding environmentally sensitive lands when siting new aviation facilities, then Orange County shall require appropriate mitigation measures to be consistent with the County's Conservation Element and Conservation Ordinance. (Policy 1.8.4) | |
| T3.5.4 | RESERVED Orange County and the Greater Orlando Aviation Authority shall coordinate airport ground traffic generating facilities with surface transportation and transit improvements. (Objective 1.9 r) | |
| T3.5.4.1 | RESERVED The OIA access area shall be defined as all County and State roadway segments in which projected year 2030 airport traffic constitutes ten percent of the acceptable level of service volume threshold on the existing plus committed network. Projected OIA traffic shall also be added to existing traffic to determine access area roadway deficiencies using the acceptable level of service standards. (Policy 1.9.1 r) | |

T3.5.4.2

~~RESERVED The State, County, City of Orlando, and GOAA shall coordinate on roadways providing OIA access identified as having deficiencies in order to determine appropriate mitigation measures. Mitigation measures, in order of preference, shall include one or a combination of the following: (Added 05/04, Ord. 04-06, Policy 1.9.2)~~

- ~~• Complete funding or construction of roadway projects that restore an acceptable level of in the Airport's access area;~~
- ~~• Restricting non-OIA development along congested corridors in the access area until roadway projects which restore an acceptable level of service are added to the County or State capital improvements program; or,~~
- ~~• Ensure that new developments provide for a transportation plan that mitigates congestion in the appropriate corridors.~~

Recommend deleting this policy as the pre-2009 policies under this objective have been streamlined to reflect current conditions, such as DRI status, and with the input of GOAA.

T3.5.5

~~Orange The County will work shall coordinate with any proposed new general aviation facility development to provide technical assistance as needed and to ensure that plans are aviation development is consistent and compatible with surrounding land use and community context to address transportation and environmental impacts and required mitigation consistent with applicable plans and regulations; a noise ordinance in compliance with the FAA is approved; to implement appropriate land use and airport noise regulations; and coordinate surface transportation access and projects is coordinated and consistent with relevant local, regional, and state transportation plans. (Added 05/03, Ord. 03-03, Objective 1.10, Policies 1.10.1, 1.10.2, 1.10.3, 1.10.4)~~

Recommend revising the policy to address potential future needs in review of new aviation facilities, as they are proposed by Airport Authorities or private-sector entities.

OBJ T3.6 The County recognizes the East Central Florida Corridor Task Force (ECFCTF) Final Report, presented to the Governor on December 1, 2014, pursuant to Executive Order 13-319. Additional ECFCTF maps published in the study that depict Conceptual Corridors for future planning and analysis are included in the Data and Analysis section of the Transportation Element. Orange County Transportation Element Policies have been revised, as appropriate, to reflect the following Guiding Principles for Corridors, as presented in the ECFCTF Final Report. (Added 11/15; Ord. 2015-20)

POLICIES

| T3.6.1 The County shall direct ~~Direct~~ strategic investments to transportation corridors that will provide better access to regional employment centers and other economic assets or provide better connectivity to global markets. (Added 11/15; Ord. 2015-20)

| T3.6.2 The County shall make ~~Make~~ optimal use of existing transportation facilities before adding new capacity to existing facilities or developing new facilities. (Added 11/15; Ord. 2015-20)

| T3.6.3 Where ~~possible~~ feasible, the County shall give preference to enhancing existing corridors, recognizing that new corridors may be needed to meet current or future mobility and connectivity needs. (Added 11/15; Ord. 2015-20)

| T3.6.4 The County shall make ~~Make~~ early decisions about the location of new or enhanced corridors to ensure effective coordination with conservation and land use decisions and to enable timely preservation, management, or acquisition of property necessary to accommodate existing and planned transportation facilities. (Added 11/15; Ord. 2015-20)

- | T3.6.5 ~~The County shall plan~~ Plan-enhanced or new transportation corridors, where appropriate, to accommodate multiple modes of transportation, including opportunities for recreational trails and other forms of active transportation, and to accommodate multiple uses, including utility infrastructure. (Added 11/15; Ord. 2015-20)
- | T3.6.6 ~~Protect~~The County shall protect the integrity of statewide and interregional corridors by developing and maintaining strong regional and local transportation networks to accommodate demand for regional and local trips. (Added 11/15; Ord. 2015-20)
- | T3.6.7 ~~Plan~~The County shall plan, design, construct, and operate transportation corridors to reflect the context of the communities and environment through which the corridors pass to the fullest extent possible. (Added 11/15; Ord. 2015-20)
- | T3.6.8 ~~Use~~The County shall use state-of-the-art and energy-efficient infrastructure, vehicles, materials, technologies, and methodologies, where economically feasible, to develop and operate transportation corridors. (Added 11/15; Ord. 2015-20)
- | T3.6.9 ~~Plan~~The County shall plan, design, construct, and operate transportation corridors to be safe and secure for all users. (Added 11/15; Ord. 2015-20)
- | T3.6.10 ~~Plan~~The County shall plan, design, construct, and operate transportation corridors to support emergency evacuation, emergency response, and post disaster recovery activities; ensure that corridor improvements intended to enhance emergency evacuation and response are not used to promote additional development in hazardous areas or areas not planned for growth. (Added 11/15; Ord. 2015-20)

The following pages reflect the Transportation Element should the proposed changes be adopted.

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Transportation Element Goals, Objectives and Policies

GOAL T1 Orange County shall encourage a safe, accessible, convenient, efficient, and financially feasible multimodal transportation system which minimizes environmental impacts.

OBJ T1.1 The County adopts the Long-Range Transportation Plan (LRTP), the County's long-term transportation improvement program, as Map 1 of the Transportation Element. This plan includes the 10-year Capital Improvement Schedule, a 5-year Capital Improvement Program, state roadway projects, and other needed County transportation improvement projects inclusive of proposed partnership projects. This annually-updated plan represents a cost-feasible project plan that addresses current and future roadway deficiencies within the planning horizon. (Added 05/04, Ord. 04-06, Objective 1.2-r; Amended 09/13, Ord. 2013-19)

POLICIES

T1.1.1 The County shall implement the Long Range Transportation Plan (LRTP) by utilizing the following four-step process: Roadway Conceptual Analysis (RCA); Roadway Design; Right-of-Way Acquisition; and Roadway Construction. (Added 05/04, Ord. 04-06, Policy 1.2.1-r; Amended 11/12, Ord. 2012-20)

T1.1.1.1 A Roadway Conceptual Analysis (RCA) shall be completed as part of a proposed County roadway project as directed by the County. Partnership projects, when appropriate, shall perform a Preliminary Design Study (PDS) instead of an RCA. The RCA process includes a public participation element, including a Board of County Commissioners (BCC) public hearing. Following BCC approval of the RCA, the project can then proceed to final design, right-of-way acquisition, and construction phases. (Added 05/04, Ord. 04-06, Policy 1.2.2-r; Amended 11/12, Ord. 2012-20)

T1.1.1.2 The planning, design, construction, and operation of roadway corridors shall reflect the context of the communities and environment through which the corridors pass, to the fullest extent feasible. Through the Roadway Conceptual Analysis (RCA) process, or other appropriate method, the County will seek public involvement throughout the process to determine measures to mitigate adverse impacts to adjacent land uses and established neighborhoods to the extent feasible. (Added 05/04, Ord. 04-06, Policy 2.1.6; Amended 11/12, Ord. 2012-20; Amended 11/15, Ord. 2015-20)

T1.1.1.3 Whenever reasonably possible, future roadways shall be designed to promote livability and land use-transportation integration, in part by avoiding the severing or fragmenting of existing neighborhoods. The County will coordinate with the Florida Department of Transportation (FDOT), the Central Florida Expressway Authority, and other appropriate entities to help ensure that limited access and other roadway projects that are constructed by them avoid or minimize negative impacts to existing neighborhoods, wildlife corridors, and sensitive natural areas, and to coordinate these projects with conservation and land use decisions. (Added 12/07, Ord. 2007-20, Policy 2.1.7; Amended 11/12, Ord. 2012-20; Amended 11/15, Ord. 2015-20)

T1.1.2 The County will promote Travel Demand Management (TDM) and Transportation Systems Management Operations (TSMO) strategies and conduct related studies, as needed, to improve capacity, traffic operations, and efficiency where appropriate and will ensure coordination with related agencies, such as LYNX, MetroPlan Orlando, and the Florida Department of Transportation (FDOT). (Added 05/04, Ord. 04-06, Policies 1.2.4-r, 1.3.2, 1.6.5; Amended 11/12, Ord. 2012-20)

- T1.1.3 The County shall identify high crash-frequency locations and review crash data to prioritize improvements for roadway, pedestrian and bicycle high crash-frequency locations that help ensure the safety of all users. (Added 05/04, Ord. 04-06, Policy 2.1.2-r; Amended 11/12, Ord. 2012-20; Amended 11/15, Ord. 2015-20)
- T1.1.4 (Added 05/04, Ord. 04-06, Policy 1.2.3; T1.1.4 deleted 11/12, Ord. 2012-20)
- T1.1.5 The County shall consider commercial vehicles, including buses and trucks with six or more tires, in the planning and design of the County's transportation system's capacity and operations to ensure freight mobility and efficiency. (Added 05/04, Ord. 04-06, Objective 1.5; Policies 1.5.1, 1.5.2, 1.5.3; Amended 11/16, Ord. 2016-28)

OBJ T1.2 The County shall utilize a modeling tool consistent with the Metropolitan Planning Organization (MPO) model that accurately reflects projected transportation network conditions.

POLICIES

- T1.2.1 The County shall use and require the official transportation modeling structure as adopted by MetroPlan Orlando for traffic analysis, consistent with County methodologies. The County shall coordinate with MetroPlan Orlando to update their data sets by providing current and future land use data, socio-economic projections, and recent transportation improvements. (Policy 1.4.8-r; Amended 11/12, Ord. 2012-20)
- T1.2.2 The County may develop a countywide modeling tool to monitor vehicle miles travelled (VMT) and appropriate land use-transportation performance measures to analyze motorized and non-motorized transportation needs. (Amended 11/12, Ord. 2012-20)
- T1.2.3 If the County develops or uses a countywide modeling tool, modeling analysis may include consideration of existing and forecasted freight movement. (Added 11/16, Ord. 2016-28)

OBJ T1.3 The County shall implement a financially-feasible multimodal transportation system in coordination with government agencies and public and private entities. (Added 05/04, Ord. 04-06, Objective 4.1-r; Amended 05/04, Ord. 04-06, Policy 4.1.3-r; Amended 11/12, Ord. 2012-20)

POLICIES

T1.3.1 The County shall continue to use an annually-updated financially feasible, and phased Five-Year Capital Improvement Program to implement the identified transportation improvements required to maintain the designated level of service and quality of service. (Added 05/04, Ord. 04-06, Policy 4.1.1-r; Amended 11/12, Ord. 2012-20; Amended 06/17, Ord. 2017-12)

T1.3.2 To ensure the Capital Improvements Program is responsive to transportation demands, priority for funding County transportation improvement projects shall be based on factors such as:

- A. Safety for all users;
- B. Capacity or level of service deficiency;
- C. Right-of-Way availability/preservation;
- D. Partnership potential;
- E. Consistency with the Comprehensive Plan and coordination with Metro-Plan Orlando's Long Range Transportation Plan and Transportation Improvement Program and the Florida Department of Transportation's adopted work program;
- F. The use of alternative transit and non-motorized modes of transportation;
- G. Location is within the County's Urban Service Area, especially within the Alternative Mobility Areas and County-designated Activity Centers;
- H. Congestion relief on backlogged facilities to the extent possible;
- I. Optimal use of existing facilities; and
- J. Support for emergency evacuation, response, and/or post-disaster recovery.

(Policy 4.1.10; Amended 11/12, Ord. 2012-20; Amended 11/15, Ord. 2015-20)

T1.3.3 The County shall consider all available funding sources, including those at the State and Federal levels, gasoline taxes, impact fees, development-related fees, and public/private initiatives for transportation projects. (Added 05/04, Ord. 04-06, Policy 4.1.2-r; Amended 11/12, Ord. 2012-20)

T1.3.3.1 The County shall use revenues generated from Transportation Impact Fees to provide new road capacity and other multimodal transportation improvements. (Added 05/04, Ord. 04-06, Policy 4.1.4; Amended 11/12, Ord. 2012-20)

T1.3.3.2 In addition to paying impact fees or other applicable development-related fees, new development and redevelopment shall be responsible for the costs of all internal subdivision transportation infrastructure, as required by the Land Development Code, and pedestrian access improvements at project entrances to facilitate safe and accessible connections to the transportation network. (Policy 4.1.6; Amended 11/12, Ord. 2012-20, Amended 11/16, Ord. 2016-28)

T1.3.3.3 (Policies 1.2.6-r, 4.1.13-r; 1.3.3.3 deleted 11/12, Ord. 2012-20)

T1.3.4 The County shall fund maintenance and operating costs with revenues generated from the Constitutional Gas Tax, Local Option Gas Tax, and other appropriate funding sources. (Added 05/04, Ord. 04-06, Policy 4.1.5)

- T1.3.4.1 The County shall continue to utilize special assessments as a means of paving streets and providing traffic calming improvements in existing neighborhoods. (Policy 4.1.11; Amended 11/12, Ord. 2012-20)
- T1.3.5 The County shall investigate and pursue all additional funding sources including, but not limited to, additional user fees (car rental surcharge), higher license and tag fees, and other appropriate options. (Policy 4.1.8-r; Amended 11/12, Ord. 2012-20)
- T1.3.6 To provide for an efficient and cost-effective transportation system, the County shall continue to acquire rights-of-way for timely management or acquisition of property to the extent financially practical and permitted by law. (Objective 4.2-r; Policies 4.2.1-r, 4.2.2-r; Amended 11/12, Ord. 2012-20; Amended 11/15, Ord. 2015-20)
- OBJ T1.4 (OBJ T1.4 deleted 11/12, Ord. 2012-20)
- T1.3.7 The County shall continue to participate in interlocal agreements, Joint Participation Agreements, and other coordinated funding efforts with other local jurisdictions and public/private partnerships with private developers as a means of funding necessary transportation projects identified in the Long Range Transportation Plan (LRTP) that are consistent with the County's adopted comprehensive plan and coordinated with MetroPlan Orlando's LRTP and Transportation Improvement Program and the Florida Department of Transportation's adopted work program. (Added 05/04, Ord. 04-06, Policy 4.1.7-r; Policy 1.4.1-r, Amended 11/12, Ord. 2012-20)
- T1.3.8 (Policy deleted 12/14, Ord. 2014-30; see revised Policy T2.2.6.)
- T1.3.9 The County may support LYNX in seeking appropriate dedicated transit funding sources and shall continue to support mass transit and paratransit, for people with physical or development disabilities, through the appropriation of funds on an annual basis. (Added 05/04, Ord. 04-06, Policy 4.1.15; Policy 1.4.3-r, Amended 11/12, Ord. 2012-20)
- T1.3.9.1 RESERVED
- T1.3.10 The County will continue to assess the investment of County funds in selected State roadway projects to ensure the timely construction of needed transportation improvements. (Policy 1.2.5; Policy T1.4.4-r, Amended 11/12, Ord. 2012-20)
- T1.3.11 The County shall oppose the transfer of Florida Department of Transportation (FDOT) jurisdictional roadways to Orange County jurisdiction unless the roads are improved by the State to meet County adopted level of service and design standards and additional State funds for adequate maintenance and alleviation of deficiencies are made available. (Policy 4.1.9; Policy 1.4.5-r, Amended 11/12, Ord. 2012-20)
- T1.3.12 Based on annexation activity or other factors, the County shall coordinate with municipalities to pursue the appropriate jurisdictional transfer of roadways and associated drainage facilities to municipalities, consistent with Ch. 335, Florida Statutes, and relevant Joint Planning Area Agreements and/or developer's agreements, as applicable. (Added 11/12, Ord. 2012-20)

GOAL T2 **The County shall establish and maintain a concurrency management system and mobility strategy which ensures that the transportation facilities and services needed to support land use designations established in the Future Land Use Element are available.**

OBJ T2.1 **The County shall continue to ensure minimum level of service standards on County roads and State roads within unincorporated Orange County. (Added 05/04, Ord. 04-06, Objective 1.1)**

POLICIES

T2.1.1 The minimum peak-hour roadway level of service standards for Orange County shall be as follows (Added 06/07, Ord. 2007-06, Policy 1.1.2-r; Amended 09/13, Ord. 2013-19; Amended 12/14, Ord. 2014-30):

Level of Service Standards

| <i>Type</i> | State and County | | | |
|--------------------------------------|-------------------------|-----------------------------------|-----------------------|-------------------------------|
| | <i>Rural</i> | <i>Urban Non-SIS and Non-TRIP</i> | <i>SIS Facilities</i> | <i>TRIP Funded Facilities</i> |
| Principal Arterial, Urban (Class I) | N/A | E | E | E |
| Principal Arterial, Urban (Class II) | N/A | E | E | E |
| Principal Arterial, Rural | D | N/A | N/A | N/A |
| Minor Arterial, Urban | N/A | E | E | E |
| Minor Arterial, Rural | D | N/A | N/A | N/A |
| Collector, Major and Minor Urban | N/A | E | E | E |
| Collector, Rural | D | N/A | N/A | N/A |

County roadway capacities shall be determined by using the guidelines established by the most recent edition of the Florida Department of Transportation (FDOT) *Quality/Level of Service Handbook* or other County-accepted methodologies.

T2.1.2 Quality of service standards for Multimodal Transportation Networks (MMTNs) as adopted in Policy T2.5.2 shall be maintained to avoid current and future deficiencies. (Replaced 09/13, Ord. 2013-19)

T2.1.3 RESERVED

OBJ T2.2 The County shall maintain a concurrency management system that ensures that transportation facilities and services needed to support development and redevelopment are available concurrent with the impacts of such development. (Objective 1.4)

POLICIES

T2.2.1 The County shall review the impacts of development in conjunction with the issuance of all development permits to ensure the following:

- A. Level of service is maintained.
- B. On or after October 1, 2014, roadway projects, for which construction is scheduled to commence on or before the first year of the County’s five-year Capital Improvements Program and which, in addition to meeting all other statutory and rule requirements, are financially feasible; or, facilities included in the first year of the Florida Department of Transportation (FDOT) Five-Year Transportation Plan shall be in the roadway capacity analysis of the Concurrency Management System.
- C. The County shall not delete from the Capital Improvements Program any road project for which building permits were issued dependent upon the capacity of the road with the project.
- D. Projects funded by developers, as stipulated within an executed developer’s agreement, shall be included in the capacity analysis if the services will be in place when the impacts of development occur.

(Added 05/04, Ord. 04-06; Amended 06/07, Ord. 2007-06, Policy 1.4.1-r; Amended 09/13, Ord. 2013-19)

T2.2.2 For projects reviewed on or after October 1, 2014, that degrade the roadway level of service below the adopted level of service standard, development permits shall not be issued unless the facility impacted is in the County’s five-year Capital Improvements Program, and construction is scheduled within the first year. If the facility is not scheduled within the first year of the five-year Capital Improvements Program, the County will calculate a proportionate share contribution based on the formula provided in the Orange County Code. (Added 03/08, Ord. 2008-05, Policy 1.4.2; Amended 09/13, Ord. 2013-19)

T2.2.3 The County shall enforce applicable concurrency regulations on new development permits for non-vested development that adversely impact constrained or backlogged facilities. A constrained roadway is defined as a facility to which adding two or more through lanes to meet current or future traffic needs is not possible because of location within the boundary of a municipal jurisdiction, existing development and right-of-way limitations, policy barriers and/or hydrological features. A backlogged roadway is defined as a facility where the level of service standard adopted in the Orange County Comprehensive Plan is not being met, the facility is not constrained, and improvements for the roadway segment are not programmed for construction. (Added 5/04, Ord. 04-06, Policies 1.1.2.1(A)(B), 1.1.2.3-r; Amended 09/13, Ord. 2013-19)

T2.2.3.1 Constrained and backlogged facilities shall be included in annual updates to the Capital Improvements Element and the Concurrency Management System, based on available funding. The following roadway facilities are considered constrained:

| FACILITY | SEGMENT |
|--|--|
| 6 th Street (Windermere) | Park Ridge-Gotha Road to Hempel Avenue* |
| Aloma Avenue | Brewer Avenue to Lakemont Avenue* Semoran Boulevard to Seminole County Line |

| | |
|-----------------------------|---|
| Hoffner Avenue | Orange Avenue to Conway Road* |
| Conroy-Windermere Road | Apopka-Vineland Road to Dr. Phillips Boulevard Kirkman Road to Millenia Boulevard* |
| Consulate Drive | Beachline Expressway to Orange Blossom Trail |
| Curry Ford Road | Econlockhatchee Trail to Central Florida Greeneway |
| Michigan Avenue | Bumby Avenue to Crystal Lake Drive* |
| Orange Avenue | Hansel Avenue North to Hansel Avenue South* |
| Turkey Lake Road | Vineland Road to Conroy-Windermere Road* Central Florida Parkway to Sand Lake Road |
| University Boulevard | Dean Road to Alafaya Trail |
| John Young Parkway | Colonial Drive to Princeton Street* Town Center Boulevard to Beachline Expressway |
| Clay Street | Par Avenue to Fairbanks Avenue* |
| Forsyth Road | Colonial Drive to University Boulevard |
| N. Tanner Road | Lake Pickett Road to Seminole County Line |
| Winter Garden-Vineland Road | Interstate 4 to Apopka-Vineland Road* Buena Vista Drive to Perrishouse Acres Lane* |

*Roadway segments that are under state or municipal jurisdiction or located within a municipal jurisdiction as described in Transportation Policy T2.2.3. The County will coordinate with the respective agencies regarding projects to improve levels of service on these facilities.

(Amended 09/13, Ord. 2013-19; Amended 12/14, Ord. 2014-30; Amended 6/16, Ord. 2016-15; Amended 06/17, Ord. 2017-11)

T2.2.4 Within Orange County, development applications impacting backlogged and constrained facilities shall be subject to concurrency and, if needed, proportionate share. A comprehensive transportation study shall be required, and if the adopted level of service cannot be met under current conditions, or if the improvement is not funded for construction in the adopted Capital Improvements Program, the applicant and County must agree upon mitigating improvements. Private developers shall contribute to the County's multimodal transportation system through the County's transportation concurrency and proportionate share regulations. As parcels are developed or redeveloped, the site design shall conform to applicable standards and requirements in the County's Land Development Code, transportation impact analysis requirements, and concurrency requirements.

T2.2.5 Proposed partnership projects cannot be used to satisfy traffic concurrency unless necessary interlocal agreements or joint participation agreements have been executed. (Policy 1.2.7)

T2.2.6 The transportation impact area for all concurrency applications, including Future Land Use Map (FLUM) Amendments, shall include all roadway segments and signalized intersections located within the analysis radius defined by the latest Orange County Concurrency Management System (CMS) or Comprehensive Plan Amendment (CPA) methodology. Amended 12/14, Ord. 2014-30, Policy T1.3.8-r)

- T2.2.7 The County shall coordinate with all counties and local governments in, or adjacent to, the County, as appropriate, to ensure that development impacts that traverse jurisdictional boundaries will not cause the level of service in the adjacent jurisdiction to diminish below the adopted standard. This shall be done through the comprehensive plan amendment and review process, by providing up-to-date information and data sets regarding proposed and future developments, and through scheduled coordination meetings. (Policies 3.1.4-r, 3.1.5-r; Amended 09/13; Ord. 2013-19, Policy T2.2.8-r)
- T2.2.8 The Concurrency Management System shall maintain traffic count data for State and City roadways located within a municipal boundary for informational purposes and to aid coordination efforts. Development that impacts these roadways shall be subject to the mobility requirements of the relevant jurisdiction, in coordination with Orange County and the County's Concurrency Management System, as applicable. (Amended 09/13; Ord. 2013-19, Policy T2.2.8.1-r)
- T2.2.8.1 The Concurrency Management System shall maintain traffic count data on limited access facilities for informational purposes and to aid coordination efforts. Implementation of the Concurrency Management System shall continue to ensure the appropriate distribution and assignment of trips from limited access facilities to other roadway facilities in the impact area in review of development-related transportation studies. (Amended 09/13; Ord. 2013-19, Policy T2.2.8.2-r)
- T2.2.9 The County supports the development of multimodal transportation corridors to increase the viability of walking, biking, and transit along these corridors. Transportation improvements shall focus on operational (TSM&O) enhancements, intersection improvements that provide for safe movement of pedestrians and bicyclists, and design that supports transit-oriented development. Considerations should include, but are not limited to, high-visibility pavement markings and pedestrian refuge islands, shared use paths, landscaping, bicycle facilities, increased transit service and bus shelters, and facilities and design that support transit-oriented development. Development within these corridors shall be subject to design standards as determined by a transportation impact study.

Orange County's designated multimodal corridors include:

| Table 1 Orange County Designated Multimodal Corridors | |
|--|---|
| FACILITY | SEGMENT |
| Alafaya Trail | Seminole County Line to Innovation Way |
| Econlockhatchee Trail | University Boulevard to Lake Underhill Road |
| Innovation Way | Alafaya Trail to SR 528 |
| International Drive | Sand Lake Road to Central Florida Parkway |
| Orange Avenue | Hoffner Avenue to Sand Lake Road |
| University Boulevard | Semorán Boulevard to Alafaya Trail |
| Valencia College Lane | Goldenrod Road to Econlockhatchee Trail |

Additional multimodal corridors may be designated, by amending the table above, where premium or high-frequency transit service is either existing or programmed or where recommended by the State, Metropolitan Planning Organization (MPO), or County. . (Amended 09/13; Ord. 2013-19; Amended 12/14, Ord. 2014-30)

OBJ T2.3 The County establishes the Orange County Alternative Mobility Area (AMA) as an extension of the existing Orlando Transportation Concurrency Exception Area for the area shown in Map 16 of the Future Land Use Map Series to promote urban infill development and redevelopment and maximize the use of existing public infrastructure in established areas of the County. (Amended 06/10, Ord. 2010-07; Amended 03/13, Ord. 2013-07)

POLICIES

T2.3.1 Transportation network investment and connectivity shall increase in the AMA through support of alternative modes of transportation and development design that provides daily activities within walking distance of residences; public infrastructure that is safe, comfortable, and attractive for pedestrians with adjoining buildings open to the street and an attractive streetscape; and parking designed to avoid pedestrian conflicts with pedestrian, transit, automobile, and truck traffic. (Amended 06/10, Ord. 2010-07; Amended 03/13, Ord. 2013-07)

T2.3.2 All land use and development located within the AMA shall be exempt from transportation concurrency, and thus shall not be required to meet roadway level-of-service standards, based on their compliance with Objective T2.3 and related policies. Developments outside of the AMA that impact roadways within the AMA shall be required to meet transportation concurrency requirements and level of service standards. (Amended 06/10, Ord. 2010-07; Amended 03/13, Ord. 2013-07)

T2.3.3 Parcels located within unincorporated Orange County and located within the boundaries of an approved municipal transportation concurrency exception area shall be subject to the requirements of Objective T2.3 and associated policies. (Amended 06/10, Ord. 2010-07)

T2.3.4 Any project in the AMA with an existing capacity reservation or encumbrance account may elect to satisfy mobility requirements by converting the existing account to a pre-paid impact fee account. (Amended 06/10, Ord. 2010-07; Amended 03/13, Ord. 2013-07)

- T2.3.5 All development or redevelopment in the AMA shall be required to provide safe and convenient movement on the development site for all users, particularly pedestrians, through strategies that may include but are not limited to the following:
- A. Cross-access connections/easements or joint driveways, where available.
 - B. Closure of existing excessive, duplicative, or unsafe curb cuts or narrowing of overly wide curb cuts at the development site, as defined in Section 30-248 of the Land Development Code.
Provide safe and convenient on-site pedestrian circulation such as sidewalks and crosswalks connecting buildings and parking areas at the development site.
(Amended 06/10, Ord. 2010-07, Policy T2.3.6-r)
- T2.3.6 The AMA shall be implemented, in part, using system-level and site-level mobility strategies to enhance mobility and accessibility as found in Section 30, Article XII, Orange County Code. (Amended 06/10, Ord. 2010-07, Policy T2.3.7-r; Amended 03/13, Ord. 2013-07)
- T2.3.7 The County shall require special transportation studies including, but not limited to, information about trip generation, trip distribution, trip credits, signal warrants, and/or transit, bicycle, and pedestrian facilities needed within an AMA. (Amended 06/10, Ord. 2010-07; Policy T2.3.10-r; Amended 03/13, Ord. 2013-07)
- T2.3.8 The County shall amend the Concurrency Management section and any other relevant sections of the Land Development Code to reflect adoption of the Alternative Mobility Areas. (Amended 06/10, Ord. 2010-07, Policy T2.3.11-r)
- T2.3.9 Development plans (DPs) and Preliminary Subdivision Plans (PSPs) approved prior to adoption of the AMA with requirements for transportation improvements, modifications or mitigation shall comply with such requirements unless the DP or PSP is substantially changed and the previously approved improvements, modifications, or mitigation are inconsistent with current design standards or other adopted policies. (Amended 06/10, Ord. 2010-07, Policy T2.3.12-r)
- T2.3.10 Orange County shall coordinate on an ongoing basis with the Florida Department of Transportation (FDOT) concerning the AMA. (Amended 06/10, Ord. 2010-07, Policy T2.3.13-r)
- T2.3.11 Orange County shall coordinate on an ongoing basis with municipalities and counties adjacent to the AMA concerning the AMA. (Amended 06/10, Ord. 2010-07, Policy T2.3.14-r; Amended 03/13, Ord. 2013-07, Policy T2.3.12-r)
- T2.3.12 Orange County shall monitor and evaluate the impacts of approved development in the AMA on adjacent city or adjacent county-maintained roads and the state highway system, and share that information accordingly. (Amended 06/10, Ord. 2010-07, Policy T2.3.14.1-r; Amended 03/13, Ord. 2013-07, Policy T2.3.13-r)
- T2.3.13 Orange County shall monitor the success of AMA strategies using the following performance measures. Evaluation of the AMA using these performance measures shall occur in 2015. (Amended 06/10, Ord. 2010-07, Policy T2.3.15-r; Amended 03/13, Ord. 2013-07, Policy T2.3.14-r)

| Mobility Strategy | Measure | Target and Timeline |
|---|---|---|
| Support alternative modes of transportation | Transit shelters in the AMA | Increase number of bus shelters |
| | Sidewalk coverage near transit stops in the AMA | Increase percentage of roadways within ¼ mile of transit stops with sidewalks (at least one side) |
| | Pedestrian, bicycle and transit Q/LOS | Achieve grade C or better |
| | VMT in the AMA (per capita) | Maintain or reduce amount |
| | Accidents involving pedestrians and bicyclists in the AMA | Reduce annual number of accidents involving pedestrians and bicyclists in the AMA. |
| Transportation network connectivity | Pedestrian connectivity index | Increase pedestrian connectivity index score by measuring link to node ratio. |

T2.3.14

Objective T2.3 and all associated policies shall apply to any Transportation Concurrency Exception Area (Alternative Mobility Area) designated within Orange County's jurisdiction. (Amended 06/10, Ord. 2010-07, Policy T2.3.16-r; Amended 03/13, Ord. 2013-07, Policy T2.3.15-r)

OBJ T2.4 The County establishes a long-term transportation concurrency management system to correct deficiencies in transportation facilities on designated roadways that are included in the Orange County Ten-Year Capital Improvements Schedule and to implement operational improvements that may be needed. (Added 05/04, Ord. 04-06; Policy 1.4.7-r; Amended 09/13, Ord. 2013-19)

POLICIES

T2.4.1 A long-term (10-year) schedule of capital improvements for transportation facilities will be established for any long-term concurrency management system and will be reflected in the Capital Improvements Element.

T2.4.2 An applicant may satisfy transportation concurrency through a proportionate share calculation on the impacted facility which shall be applied to the applicable facility or facilities on the long-term schedule of capital improvements, or the applicant may provide proportionate share payment for operational improvements along the failing facility or facilities. (Amended 09/13; Ord. 2013-19, Policy T2.4.3-r)

T2.4.3 Transportation facilities identified as mitigation for traffic impacts in the long-term concurrency management system shall be added to the long-term schedule of capital improvements in the next regularly scheduled update of the Capital Improvements Element. (Amended 09/13; Ord. 2013-19, Policy T2.4.4-r)

T2.4.4 In addition to the Ten-Year Capital Improvements Schedule, operational improvements may be added to the Capital Improvements Program on an annual basis. These projects include, but are not limited to, intersection improvements, turn lanes, roundabouts, and Intelligent Transportation Systems (ITS) improvements. (Added 09/13, Ord. 2013-19)

OBJ T2.5 **Where appropriate, the County shall create Multimodal Transportation Networks (MMTN) where priority is placed on providing a safe, comfortable, and attractive environment for pedestrians, bicyclists, and automobiles, with potential access to transit. (Added 09/11, Ord. 2009-28; Amended 11/12, Ord. 2012-20; Amended 01/16, Ord. 2016-04)**

POLICIES

T2.5.1 **General Multimodal Transportation Networks (MMTN) Principles**

Designation Criteria. Existing areas with multimodal characteristics or proposed new areas for multimodal developments (e.g. greenfield developments) may be designated as an Multimodal Transportation Network (MMTN) consistent with the following criteria.

- D. **Financial Feasibility.** Multimodal Transportation Network (MMTN) shall be approved only in conjunction with a financially feasible infrastructure plan as defined by the County and applicable policies in the Comprehensive Plan, including but not limited to Objective CIE1.6 and implementing Policies CIE1.6.5 and 1.6.6.
- E. **Preservation of Strategic Intermodal System (SIS) Facilities.** Multimodal Transportation Network (MMTN) shall not significantly degrade the adopted level of service standards for facilities designated as part of the Florida – Strategic Intermodal System – major arterial roadways that have the primary function of moving high volumes of statewide and regional traffic – without appropriate mitigation. Any impacts outside the Multi-Modal Transportation Network (MMTN) shall be mitigated within the MMTN to the extent possible. (Amended 11/12, Ord. 2012-20)
- F. **Required Design Elements.** Multimodal Transportation Network (MMTN) shall exhibit the following community design elements:
 - 5. An interconnected network of streets and paths designed to encourage walking and bicycle use, with traffic calming where desirable;
 - 6. A complementary mix and range of land uses, including residential, employment, educational, recreational, and cultural;
 - 7. Appropriate densities and intensities of land uses within walking distance of transit stops;
 - 8. Daily activities within walking distance of residences and public uses, streets and squares that are safe, comfortable, and attractive for the pedestrian, with adjoining buildings open to the street and parking designed so as not to interfere with all transportation modes. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.5.2

Transportation Quality/Level of Service.

- B. Level of service shall be consistent with T2.1.1. the County establishes the following minimum quality/level of service standards for transit, bicycle, and pedestrian facilities and roadways within a Multimodal Transportation Network (MMTN). The Level of Service (LOS) shall be measured in accordance with professionally-accepted methodologies detailed in Florida Department of Transportation (FDOT) publications, handbooks, and/or software implementing multimodal quality of service, as they may be updated from time to time.

| Table 3 Level of Service Standards | | | | |
|---|--------------------------|-----------------------|-----------------------|--------------------------|
| | <i>Pedestrian</i> | <i>Transit</i> | <i>Bicycle</i> | <i>Automobile</i> |
| Transit-oriented | C | C | D | E * |
| Bicycle/Pedestrian-oriented | C | D | C | E * |

*Automobile LOS shall be periodically reviewed as the transit network and other non-motorized transportation improvements are implemented.

- B. The County shall coordinate with appropriate agencies to apply the transit quality of service framework as found in the most recent edition of the *Transit Capacity and Quality of Service Manual (TCQSM)*.
- C. The County establishes the following performance targets for transit, bicycle, and pedestrian facilities, and roadways within an Multimodal Transportation Network (MMTN):
 1. 80% of all the bicycle and pedestrian facilities within the MMTN network shall function at LOS C or better;
 2. All parcels within ¼ mile of an existing or identified future transit stop should be serviced by pedestrian facilities operating at LOS C or better;
 3. 70% of the employees and dwelling units in an MMTN should generally be located within ½ mile of a transit stop.

(Added 09/11, Ord. 2009-28; Amended 11/12, Ord. 2012-20; Amended 09/13, Ord. 2013-19; Amended 01/16, Ord. 2016-04)

T2.5.3

Transportation Concurrence. Transportation concurrency in an Multimodal Transportation Network (MMTN) shall be evaluated based upon a financially feasible capital improvements plan as defined by the County and applicable policies in the Comprehensive Plan, including but not limited to Objective CIE1.6 and implementing Policies CIE1.6.5 and 1.6.6. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.5.4

Vehicle Trip Reduction/Transportation Demand Management. When appropriate, the County shall identify and work with other service providers, to implement transportation demand management strategies into the transportation planning process for Multimodal Transportation Network (MMTN) to alleviate congestion. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.5.5

Intergovernmental Coordination. The County shall coordinate with the Florida Department of Transportation, MetroPlan Orlando, LYNX, and other affected agencies and jurisdictions to implement land use, transportation, and parking policies that promote transportation choice and to overcome identified deficiencies in the multimodal transportation network. The County shall make every reasonable effort to coordinate with the Greater Orlando Aviation Authority to integrate Innovation Way into the airport's transportation master plan. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

- T2.5.6 **Consideration for Demographics.** Special consideration shall be given to areas with concentrations of students, seniors, low income families, or others that are more dependent on modes other than the automobile to provide a safe, accessible environment. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)
- T2.5.7 **Contributions to Multimodal Network.** New development or redevelopment projects shall contribute to providing a safe, convenient, comfortable, and aesthetically pleasing transportation environment that promotes walking, cycling, and transit use. Appropriate improvements or enhancements to the multimodal network may be required as a condition of development approval, including, but not limited to the following:
- I. Accommodations for pedestrian access and movement, including shaded sidewalks, benches, and enhanced crossings;
 - J. Direct connections between the Multimodal Transportation Network (MMTN) and the regional bicycle/ pedestrian network;
 - K. Installation of shared use paths in accordance with the Florida Department of Transportation (FDOT) *Bicycle Facilities Planning and Design Guidelines Handbook*;
 - L. Well-designed accommodations for transfer of passengers at designated transit facilities;
 - M. Preferential parking for rideshare participants;
 - N. Well-designed access for motor vehicle passenger drop-offs and pick-ups at designated transit facilities and at commercial and office development sites;
 - O. Accommodations for car sharing, bike sharing, and electric cars, including designated locations, preferential parking, and electric car charging stations, as applicable.
 - P. Weather protection at transit stops. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)
- T2.5.8 **Multimodal Street Design and Operation.** The County shall establish multimodal street cross-sections, design standards, and operational measures (e.g. pre-emptive signals, dedicated bus lanes, etc.) to ensure streets are safe, convenient, and appealing for all modes of travel, including transit, automobiles, trucks, bicycles, and pedestrians. Strategies shall include marked crosswalks, wider sidewalks, on-street parking, bus turnouts, traffic calming, raised medians, adequate drainage, or other appropriate safety enhancements that reduce hazardous conflicts between modes and that are consistent with the planned functions of the roadway. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)
- T2.5.9 **Street Network and Connectivity.** To provide continuous circulation systems for pedestrians, bicyclists, and automobiles, unconnected streets (cul-de-sacs, T-turnarounds, and dead ends) shall be avoided. In places where an unconnected street cannot be avoided, pedestrian and bicycle connectivity shall be provided with a through-connection designed into the street. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)
- T2.5.9.1 To promote communities that are physically connected to each other, and to foster community and connectedness beyond the development, all development plans shall include streets stubbed to the boundary of the development in all major directions. Development plans shall include streets connecting to all streets stubbed to the boundary of adjacent development plans. Street connections shall be made between adjacent development, in order to continue the interconnected street network of the Multi-Modal Transportation Network (MMTN) from one development to the next. The requirements of this policy do not apply if it is demonstrated that a connection cannot be made because the existence of one or both of the following conditions:

- C. Physical conditions preclude development of a connecting street on the adjacent property; or,
- D. Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude a connection now or in the future, considering the potential for redevelopment. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.5.10 **Bicycle/ Pedestrian Network and Connectivity.** Multimodal Transportation Networks (MMTN) shall provide direct bicycle and pedestrian connections within and between residential areas and supporting community facilities and services, such as shopping areas, employment centers, transit stops, neighborhood parks, and schools.

Bicycle lanes may be provided on new or reconstructed arterials and collector roadways within the MMTN in accordance with the Florida Department of Transportation (FDOT) guidelines or other standards determined appropriate by the County Engineer.

(Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.5.11 **Consideration for Schools.** The County shall give special consideration to schools and their multimodal needs to provide a safe, accessible environment for students. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.5.11.1 Developments adjacent to school properties shall be required to provide right-of-way and a direct safe access path for pedestrian and bicycle travel to existing and planned school sites, and shall connect to the neighborhood's existing pedestrian network. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.5.11.2 Where a designated walk or bicycle route to a school must cross a roadway greater than two lanes wide, the crossing must be designed to allow safe passage across the roadway for school-aged children. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.5.12 **Transit.** The County shall work with LYNX and other transit providers to ensure that the Multimodal Transportation Network (MMTN) is well-connected via transit to major trip generators and attractors both inside and outside of the MMTN. Transit stops and waiting areas should be planned concurrent with development and designed in a manner to provide a safe and comfortable environment to encourage their use.

The County shall coordinate with LYNX and other transit providers regarding the provision of benches, signage, lights, bicycle parking, and covered or enclosed waiting areas for transit stops within the Multimodal Transportation Network (MMTN). Where provided, shelters shall include a level of amenities appropriate for the stop type for passenger comfort and convenience.

(Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

OBJ T2.6 Innovation Way Multimodal Transportation Network is hereby established on Map 1 of the Transportation Element Orange County 2030 Long Range Plan. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

POLICIES

T2.6.1 Development within Innovation Way that is proceeding substantially in accordance with a Development Order approved prior to June 13, 2006, shall be exempt from the design requirements of the Multimodal Transportation Network (MMTN). Such exemption shall not relieve the developer from meeting all conditions of approval in the Development Order. In other areas of Innovation Way, development will be guided by a Regulating Plan that describes each transect and associated development requirements. (Added 09/11, Ord. 2009-28; Amended 01/16, Ord. 2016-04)

T2.6.2 **Street Function and Type.** Characteristics shall be appropriate to Innovation Way's context and multimodal planning objectives, as described below and in corresponding roadway network agreements, as applicable. Additional street types will be defined in the Innovation Way Code.

Innovation Way: Designed to incorporate two spine roads, limited to four travel lanes with a dedicated (future) transit envelope and include an 8 to 12-foot wide multi-purpose path on both sides of the road.

Four-Lane Avenue: Roadways shall be limited to four travel lanes and may include wide sidewalks, on-street parking, and enhanced features for pedestrians, bicyclists, and transit users.

(Added 09/11, Ord. 2009-28; Policy 2.6.5-r, Amended 11/12, Ord. 2012-20; Amended 01/16, Ord. 2016-04)

T2.6.3 **Access to Parks, Recreation and Open Space.** Where permitted and to advance connectivity and to allow access for the entire community, public access shall be provided to all parks, recreation areas, conservation areas, natural areas, lakes and general open space from a public roadway, sidewalk, or trail. The public roadway, sidewalk, or trail shall be located between private property, including homes, and the park, recreation area, conservation area, natural area, lake, or general open space. (Added 09/11, Ord. 2009-28; Amended 11/12, Ord. 2012.20, Policy 2.6.11-r; Amended 01/16, Ord. 2016-04)

T2.6.4 **Funding of Capital Improvements.** An Innovation Way Transportation Agreement (IW-TA) financially feasible capital improvements plan, as defined by the County, and applicable policies in the Comprehensive Plan, including but not limited to Objective CIE1.6 and implementing Policies CIE1.6.5 and 1.6.6, shall be developed for the network. Funding sources for identified projects may include, but are not limited to, the following:

- Community Development District
- Road Impact Fees
- General Fund
- Tax Increment Financing District
- Developer Contributions and other Public-Private Partnerships
- Municipal Service Taxing Unit/Municipal Service Benefit Unit
- Farebox Revenues
- Available State or Federal Highway or Transit Funds
- Others as approved by the Board of County Commissioners

(Added 09/11, Ord. 2009-28; Amended 11/12, Ord. 2012-20, Policy 2.6.13-r; Amended 01/16, Ord. 2016-04)

OBJ T2.7 **(OBJ T2.7 deleted 09/13, Ord. 2013-19)**

POLICIES

T2.7.1 (Policy T2.7.1 deleted 09/13, Ord. 2013-19)

NOTE: The following objective and policies originally were adopted as part of the EAR-based amendments (Ordinance 2009-15, adopted May 19, 2009) as Objective T2.6 and Policies T2.6.1 through T2.6.10. Subsequently, the Innovation Way Multimodal Transportation Network (MMTN) was adopted (Ordinance 2009-28, adopted October 13, 2009) as Objective T2.6 and associated policies. Therefore, this objective and policies have been renumbered as Objective T2.8 and Policies T2.8.1 through T2.8.10.

OBJ T2.8 The County may grant an exception from transportation concurrency for projects that promote public transportation, as defined in Chapter 163.3164(37), Florida Statutes. (Added 05/09, Ord. 2009-15; Amended 06/12, Ord. 2012-14; Amended 03/13, Ord. 2013-07)

POLICIES

T2.8.1 Projects that promote public transportation are developments within the Urban Service Area boundary that directly affect the provision of public transit, including transit terminals, transit lines and routes, separate lanes for the exclusive use of public transit services, transit stops (shelters and stations), office buildings or projects that include fixed-rail or transit terminals as part of the building, and projects that are transit oriented and designed to complement reasonably proximate planned or existing public facilities. (Added 05/09, Ord. 2009-15, Policy T2.6.1; Amended 06/12, Ord. 2012-14)

T2.8.2 Where there are opportunities, the County shall ensure that new development and redevelopment shall be designed such that the long-range plan for sustainable public transportation options are realized by implementing specific performance standards that will exempt the development from traditional road concurrency. A portion of a Planned Development or proposed development may be eligible for concurrency exception for trips generated for these portions by meeting the performance standards in Policies T2.8.5 through T2.8.9. This partial exception shall not affect other portions of a Planned Development or proposed development that do not comply with these policies, which shall still be subject to concurrency. Review of these portions not receiving a concurrency exception shall not be subject to the performance standards. (Added 05/09, Ord. 2009-15, Policy T2.6.2; Amended 06/12, Ord. 2012-14; Amended 03/13, Ord. 2013-07)

T2.8.3 Transportation concurrency exceptions granted under this objective shall not relieve development from meeting performance standards set forth to ensure the appropriate mix of land use and accommodating infrastructure are provided. (Added 05/09, Ord. 2009-15, Policy T2.6.3; Amended 06/12, Ord. 2012-14; Amended 03/13, Ord. 2013-07)

T2.8.4 Proposed transit oriented projects shall be reviewed based on the results of a study conducted by the applicant, which shall be consistent with County-approved methodologies.

(Added 05/09, Ord. 2009-15, Policy T2.6.4; Amended 06/12, Ord. 2012-14; Amended 03/13, Ord. 2013-07)

- T2.8.5 Compliance with performance standards shall be subject to the final approval by the County during the development review process based upon the following:
- Land uses shall be organized in such a way that the densities and intensities promote transit use, with higher density and intensity commercial offices, multifamily residential, and institutions located within walking distance to transit stations/stops and connected by pedestrian and bicycle circulation systems, consistent with all County-adopted Land Development Code standards for transit-oriented development.
 - Vehicle parking supply shall be based on average demand, not peak demand, using shared vehicle parking to accommodate demand peaks. It is preferred that parking be located on the street, behind buildings, and in carefully designed and located parking structures.
 - Buildings are, to the extent practicable, to be located and oriented in a manner that accommodates non-motorized travel and with facades and design features that contribute to an active street scene and create pedestrian-oriented environments, consistent with all County-adopted Land Development Code standards for transit-oriented development. (Added 05/09, Ord. 2009-15, Policy T2.6.5; Amended 06/12, Ord. 2012-14)
- T2.8.6 RESERVED.
- T2.8.7 RESERVED.
- T2.8.8 RESERVED.
- T2.8.9 RESERVED.
- T2.8.10 RESERVED.

GOAL T3 **A multimodal transportation system that integrates land use, transportation strategies and the provision of infrastructure and services shall be established to provide a sustainable transportation and mobility infrastructure for all users.**

OBJ T3.1 **The County shall support land use strategies in the Future Land Use Element and revisions to the Land Development Code that promote a convenient and efficient mobility system for all users of the transportation system based upon the development context. (Objective 2.1-r)**

POLICIES

T3.1.1 The County shall require densities, intensities and mixed uses that integrate and support non-motorized transportation, enhance the feasibility of transit, decrease trip lengths, and promote internal capture of vehicle trips. (Added 05/04, Ord. 04-06, Policies 1.6.10-r, 1.6.11-r, 2.1.4-r, 2.1.5-r, 2.1.8)

T3.1.2 The County shall promote pedestrian-friendly, compact, mixed-use, transit-ready and transit-oriented development in designated activity centers with existing or programmed high-frequency transit service for more efficient use of land, infrastructure, and services within the Urban Service Area boundary.

T3.1.3 RESERVED.

T3.1.4 RESERVED.

T3.1.5 RESERVED

OBJ T3.2 The County shall build and require to be built street, pedestrian and bicycle networks that provide regional, community, and neighborhood interconnectivity and provide direct access to existing and planned multi-modal transportation facilities, activity centers, community services, and amenities as appropriate. (Policies 2.1.1-r, 2.1.1.1-r, 2.1.1.4; Amended 06/17, Ord. 2017-11)

POLICIES

- T3.2.1 The County shall require developments to provide interconnected transportation street, pedestrian, and bicycle networks through measures including, but not limited to, cross-access easements, public rights-of-way, and/or transportation facility stubouts to adjacent parcels. These connections shall be provided in all directions, except where not physically feasible or the abutting land is undevelopable, including across existing and proposed streets, at intervals that support direct pedestrian and bicycle travel within and beyond the borders of the proposed development and that avoid cul-de-sacs or other closed-end street designs. (Amended 06/17, Ord. 2017-11)
- T3.2.2 The County shall ensure that existing and new developments are connected by pedestrian, bikeways, and roadway systems unless prevented by physical or environmental barriers, including, but not limited to, limited access roadways, railroads, and environmental features. Where full street connections are not possible, bicycle and pedestrian connections may be required by the County. (Amended 06/17, Ord. 2017-11)
- T3.2.3 The County shall require an interconnected transportation network to develop and maintain transportation networks that accommodate local and regional travel demand and to allow access between neighborhoods. Residential streets should be designed to limit excessive speeds on neighborhood streets, including traffic calming measures where appropriate. (Policies 2.1.1.2-r, 2.1.1.3, 2.1.1.4; Amended 11/15, Ord. 2015-20; Amended 06/17; 2017-11)
- T3.2.4 To promote multi-modal transportation choice and encourage an interconnected street network, the County shall not close or vacate streets except under the following conditions:
- E. the loss of the street will not forestall reasonably foreseeable future bicycle/pedestrian use;
 - F. the loss of the street will not forestall non-motorized access to adjacent land uses or transit stops;
 - G. the loss of the street is necessary for the construction of a high-density, mixed-use project containing both residential and non-residential uses; and
 - H. there is no reasonably foreseeable need for any type of transportation corridor for the area in the future.
- (Amended 03/13, Ord. 2013-07)
- T3.2.5 Proposed gated communities and private streets will be evaluated on a case-by-case basis for appropriateness. (Policy 2.1.1.4)

OBJ T3.3 The County shall support the infrastructure and service improvements necessary to increase mobility options for all users, promote safety for all users of the transportation system, and promote the use of non-motorized transportation. (Amended 11/16, Ord. 2016-28)

POLICIES

- T3.3.1 The County shall support high-frequency public transit including, but not limited, to commuter rail, light rail, circulator systems, and Bus Rapid Transit (BRT), where appropriate. (Policy 1.7-r)
- T3.3.2 The County shall, where appropriate, ensure that design features associated with major roadway projects promote safe and convenient bicycle travel in accordance with Florida Department of Transportation (FDOT) guidance or other engineering standards determined appropriate by the County Engineer. (Added 05/04, Ord. 04-06, Policies 1.6.8, 1.6.8.1-r, Amended 11/16, Ord. 2016-28)
- T3.3.3 The County shall continue to use the Orange County Trails Master Plan to implement a countywide multi-use trail system. (Added 05/04, Ord. 04-06, Policy 1.6.8.2-r; Amended 11/13, Ord. 2013-22)
- T3.3.4 The County shall include the appropriate pedestrian facilities on any new or reconstructed street in accordance with federal accessibility laws and with Florida Department of Transportation (FDOT) guidance or other engineering standards determined appropriate by the County Engineer. (Amended 11/16, Ord. 2016-28)
- T3.3.5 The County shall consider the special mobility and transit needs of the transportation disadvantaged in association with the construction or retrofit of sidewalks, signalized intersections and roadways at the collector level or above, including design and installation of midblock crossings, beacons, and/or other safety features, as warranted. (Policy 2.2.6-r; Amended 11/16, Ord. 2016-28)
- T3.3.6 The County shall support the provision of intermodal stations that facilitate safe and accessible transitions between appropriate travel modes, including pedestrians, bicycles, rail, buses, and automobiles. (Added 05/04, Ord. 04-06, Policy 1.7.4-r; Amended 11/16, Ord. 2016-28)
- T3.3.7 The County will plan, design, operate, and maintain County roadways to promote safety for people of all ages and abilities, including pedestrians, cyclists, transit users, motorists, and freight and service operators, through the adoption of a Complete Streets policy and implementation guidelines by the end of 2018. (Added 11/16, Ord. 2016-28)

OBJ T3.4 The County shall coordinate with local governments, government agencies, public and private entities in order to plan a regional multimodal transportation system. (Goal 3-r; Objective 3.1-r)

POLICIES

- T3.4.1 The County, in collaboration with Florida Department of Transportation (FDOT), MetroPlan Orlando, LYNX, local governments, Central Florida Expressway Authority, and the private sector, will plan the development and operation of viable and financially feasible transportation systems on a local and regional scale that use state-of-the-art and energy-efficient infrastructure, vehicles, materials, technologies, and methodologies, where economically feasible. (Added 05/04, Ord. 04-06, Policies 1.7.1-r, 1.7.3-r, 3.1.1-r, 3.1.2-r, Objective 3.2-r, Policy 3.4.1; Amended 11/15, Ord. 2015-20)
- T3.4.2 The County will continue to coordinate with Florida Department of Transportation (FDOT), MetroPlan Orlando, Central Florida Expressway Authority, local governments, and private entities to identify needed transportation projects. These include projects named on the Orange County Five-Year Capital Improvements Program and Ten-Year Capital Improvements Schedule, MetroPlan Orlando Transportation Improvement Program, State Transportation Improvement Program, and MetroPlan Orlando Long Range Transportation Plan. (Objective 1.3-r, Policies 1.3.1-r, 1.3.4-r, 3.1.1-r, 3.1.3-r; Amended 11/15, Ord. 2015-20)
- T3.4.2.1 The County will continue to coordinate with Florida Department of Transportation (FDOT), MetroPlan Orlando, Central Florida Expressway Authority, local governments, and private entities to address capacity and operational project needs identified in state and regional freight plans. (Added 11/16, Ord. 2016-28)
- T3.4.2.2 The County will work with MetroPlan Orlando to develop and implement County and regional freight routing plans to ensure freight efficiency, leverage transportation investments, and ensure compatibility with other land uses in the County. (Added 11/16, Ord. 2016-28)
- T3.4.3 The County shall coordinate with MetroPlan Orlando to ensure that air quality and carbon emissions, tourism, and freight movement are issues considered in the development of the regional Long Range Transportation Plan and in related project development activities. (Added 05/04, Ord. 04-06, Policies 1.5.1, 3.1.1-r, 3.4.3-r; Amended 03/13, Ord. 2013-07; Amended 11/16, Ord. 2016-28)
- T3.4.4 The County shall continue to coordinate with LYNX, Florida Department of Transportation (FDOT), MetroPlan Orlando, and other local governments and agencies to identify, design and develop transportation facilities that promote safety for all users of the transportation system and the use of non-motorized transportation. (Policies 1.6.6-r, 3.2.2-r, Amended 11/16, Ord. 2016-28)
- T.3.4.4.1 The County shall partner with Florida Department of Transportation (FDOT), MetroPlan Orlando, LYNX, local governments, and other regional and local entities, as appropriate, in regional and local initiatives focused on engineering, evaluation, enforcement, education, and encouragement of activities to improve pedestrian and bicyclist safety and to reduce crashes. (Added 11/16, Ord. 2016-28)
- T3.4.5 The County shall work with Florida Department of Transportation (FDOT), MetroPlan Orlando, LYNX, local governments, and the private sector to promote the use of Travel Demand Management (TDM), Transportation Systems Management and Operations (TSMO), and Intelligent Transportation Systems (ITS) strategies along with other capacity improvements and transit services. (Added 05/04, Ord. 04-06, Policies 1.3.2, 1.6.4, 1.6.5, 1.6.7)

- T3.4.6 The County shall continue to coordinate with LYNX and MetroPlan Orlando to accommodate the special needs of the transportation disadvantaged in accordance with Federal, State, and local regulations and definitions. This includes the provision of safe, accessible, and convenient public transportation service and facilities, through financial and technical assistance and through inter-agency agreements. (Objective 2.2-r; Policies 2.2.1-r, 2.2.2-r, 2.2.3, 2.2.4; Amended 11/16, Ord. 2016-28)
- T3.4.7 The County shall continue to work with the Orange County School Board and LYNX to facilitate transportation of students to and from school, promote Safe Routes to School and the use of non-motorized transportation, and to identify and address hazardous walking conditions consistent with statutory requirements. (Policy 2.2.5; Amended 11/16, Ord. 2016-28)
- T3.4.8 The County shall coordinate with MetroPlan Orlando and local governments to implement the regional connectivity of the Trails Master Plan, to plan state and regional trail networks and projects, and to promote the development of recreational trails and other forms of active transportation. (Policies 1.6.8.3-r, 1.6.8.4-r; Amended 11/13, Ord. 2013-22; Amended 11/15, Ord. 2015-20)
- T3.4.9 The County shall work with all appropriate entities to develop a comprehensive multimodal improvement strategy which includes the connection of regional employment centers and other economic assets and high density and high intensity land use areas to each other by appropriate modes. (Policy 1.6.1-r; Amended 11/15, Ord. 2015-20)
- T3.4.10 The County shall provide the opportunity for the public to participate in the transportation planning process through public meetings, public workshops, small group meetings, websites and press releases, and other public forums. Public input shall be solicited at the Roadway Conceptual Analysis or other initial stage of planning through public meetings held in the affected geographic area of the project. These meetings shall be scheduled and conducted in accordance with county guidelines, including public notification, Title VI compliance, and accessibility. (Objective 3.3-r; Policies 3.3.1-r, 3.3.2-r)
- T3.4.11 The County shall continue to support the construction of the Wekiva Parkway and associated transportation projects, including improvements by the Central Florida Expressway Authority, the Florida Department of Transportation (FDOT), or Florida's Turnpike Enterprise to the greatest extent feasible. (Added 12/07, Ord. 2007-20; Policy 1.3.5-r; Amended 11/15, Ord. 2015-20)
- T3.4.12 The County shall continue to work with Lake and Seminole Counties, the Florida Department of Transportation, the Central Florida Expressway Authority, Florida's Turnpike Enterprise, and other state agencies and municipalities to help ensure the construction of the Wekiva Parkway and associated improvements in a cost effective and environmentally sensitive manner. The County shall encourage the use of parkway-associated stormwater management facilities for aquifer recharge, wetland and habitat restoration, and as irrigation sources in lieu of groundwater. (Added 12/07, Ord. 2007-20; Policy 3.1.7; Amended 11/15, Ord. 2015-20)
- T3.4.13 The County shall continue to support the planning and construction of Interstate 4 improvements, including the "I-4 Ultimate" configuration through metro Orlando and the development of "Beyond the Ultimate" I-4 improvements with six (6) General Use Lanes and four (4) Managed Express Lanes from US 27 in Polk County to SR 472 in Volusia County. (Added 06/15, Ord. 2015-07)

OBJ T3.5 Existing and future aviation facilities within Orange County shall be integrated into the overall transportation system. (Objective 1.9-r)

POLICIES

- T3.5.1 The County shall coordinate with the Greater Orlando Aviation Authority (GOAA), the City of Orlando, LYNX, MetroPlan Orlando, and the Florida Department of Transportation (FDOT), the Central Florida Expressway Authority, and private entities, as applicable, to promote multimodal and intermodal transportation systems that connect the Orlando International Airport (OIA) and the Orlando Executive Airport (OEA) to the overall transportation network. (Policy 3.2.4-r)
- T3.5.2 The County, through its role on MetroPlan Orlando and the Greater Orlando Aviation Authority (GOAA) governing boards and other appropriate means, shall continue to ensure that GOAA’s aviation improvements and operations are coordinated with area transportation agencies and projects, are supported by appropriate land use and airport noise regulations, are reviewed for potential transportation and environmental impacts and required mitigation, and are consistent with the Comprehensive Plan. (Objective 1.8-r; Policy 1.8.7-r)
- T3.5.2.1 RESERVED.
- T3.5.2.2 RESERVED.
- T3.5.2.3 RESERVED.
- T3.5.2.4 RESERVED.
- T3.5.3 RESERVED.
- T3.5.3.1 RESERVED.)
- T3.5.3.2 RESERVED.
- T3.5.3.3 RESERVED.
- T3.5.4 RESERVED.
- T3.5.4.1 RESERVED.
- T3.5.4.2 RESERVED.
- T3.5.5 The County shall coordinate with any proposed new general aviation facility to provide technical assistance as needed and to ensure aviation development is consistent and compatible with surrounding land use and community context to address transportation and environmental impacts and required mitigation consistent with applicable plans and regulations; to implement appropriate land use and airport noise regulations; and coordinate surface transportation access and projects consistent with local, regional, and state transportation plans. (Added 05/03, Ord. 03-03, Objective 1.10, Policies 1.10.1, 1.10.2, 1.10.3, 1.10.4)

OBJ T3.6 The County recognizes the East Central Florida Corridor Task Force (ECFCTF) Final Report, presented to the Governor on December 1, 2014, pursuant to Executive Order 13-319. Additional ECFCTF maps published in the study that depict Conceptual Corridors for future planning and analysis are included in the Data and Analysis section of the Transportation Element. Orange County Transportation Element Policies have been revised, as appropriate, to reflect the following Guiding Principles for Corridors, as presented in the ECFCTF Final Report. (Added 11/15; Ord. 2015-20)

POLICIES

- T3.6.1 The County shall direct strategic investments to transportation corridors that will provide better access to regional employment centers and other economic assets or provide better connectivity to global markets. (Added 11/15; Ord. 2015-20)
- T3.6.2 The County shall make optimal use of existing transportation facilities before adding new capacity to existing facilities or developing new facilities. (Added 11/15; Ord. 2015-20)
- T3.6.3 Where feasible, the County shall give preference to enhancing existing corridors, recognizing that new corridors may be needed to meet current or future mobility and connectivity needs. (Added 11/15; Ord. 2015-20)
- T3.6.4 The County shall make early decisions about the location of new or enhanced corridors to ensure effective coordination with conservation and land use decisions and to enable timely preservation, management, or acquisition of property necessary to accommodate existing and planned transportation facilities. (Added 11/15; Ord. 2015-20)
- T3.6.5 The County shall plan enhanced or new transportation corridors, where appropriate, to accommodate multiple modes of transportation, including opportunities for recreational trails and other forms of active transportation, and to accommodate multiple uses, including utility infrastructure. (Added 11/15; Ord. 2015-20)
- T3.6.6 The County shall protect the integrity of statewide and interregional corridors by developing and maintaining strong regional and local transportation networks to accommodate demand for regional and local trips. (Added 11/15; Ord. 2015-20)
- T3.6.7 The County shall plan, design, construct, and operate transportation corridors to reflect the context of the communities and environment through which the corridors pass to the fullest extent possible. (Added 11/15; Ord. 2015-20)
- T3.6.8 The County shall use state-of-the-art and energy-efficient infrastructure, vehicles, materials, technologies, and methodologies, where economically feasible, to develop and operate transportation corridors. (Added 11/15; Ord. 2015-20)
- T3.6.9 The County shall plan, design, construct, and operate transportation corridors to be safe and secure for all users. (Added 11/15; Ord. 2015-20)
- T3.6.10 The County shall plan, design, construct, and operate transportation corridors to support emergency evacuation, emergency response, and post disaster recovery activities; ensure that corridor improvements intended to enhance emergency evacuation and response are not used to promote additional development in hazardous areas or areas not planned for growth. (Added 11/15; Ord. 2015-20)

HOUSING ELEMENT

The Housing Element was not part of the Comprehensive Plan Clean-up because the Housing for All Task Force was convening the same time and was expected to propose amendments to this element.

Any revisions to the Housing Element will be proposed as part of the Vision 2050 review of the Comprehensive Plan.

NEIGHBORHOOD ELEMENT 2019-2-C-CP-2

Background Information

The Neighborhood Element, adopted in June 1998, is an optional element of the Comprehensive Plan. The goal of the element is to serve as a blueprint for creating safe, livable, and sustainable neighborhoods where citizens are proud and happy to dwell.

This element is one of the outcomes of Orange County Commission Chairman Linda Chapin's *Citizen's First!* Initiative in the early 1990s. The initiative inspired the County's annual Community Conference, its Targeted Community Initiatives, its Strategic Neighborhood Action Plans, and a variety of other grassroots, bottom-up neighborhood planning efforts. As part of this initiative, a citizen committee was formed consisting of neighborhood representatives throughout Orange County who participated in a series of community meetings in July and August of 1997 to develop goals, objectives, and policies. Many of these original goals, objectives, and policies are still a part of this element.

In 2002, the County established the Neighborhood Services Division, previously a small neighborhood planning unit in the Planning Department. This Division was created to improve and preserve the quality of life in Orange County neighborhoods, and the commercial corridors in the neighborhoods.

Past Evaluation and Appraisals

The Neighborhood Element did not undergo major changes in past Evaluation and Appraisal Reports. Past appraisals resulted in the addition of new County sponsored programs to update or add to those listed in existing policies. Many of the policies are original from the 1998 adoption.

Goal 6 was added to the Neighborhood Element in 2012 to guide programs and strategies to rejuvenate the commercial corridors within neighborhoods.

Objective N6.2, recognizing the Pine Hills Neighborhood Improvement District, was added to the Comprehensive Plan in August 2015. Upon designation, work began on the Neighborhood Improvement Plan. As required by Florida Statutes 163.516 the local governing body is required to find the Neighborhood Improvement Plan Consistent with the Comprehensive Plan. Further, the new policies enabled

| The following meetings and hearings have been held for this proposal: | | |
|---|---------------------------------------|--|
| Report/Public Hearing | Outcome | |
| ✓ Staff Report | Recommend Adoption | |
| ✓ LPA Transmittal November 21, 2019 | Recommend Transmittal (9-0) | |
| ✓ BCC Transmittal December 17, 2019 | Continue to January 14, 2020 (7-0) | |
| ✓ BCC Transmittal January 14, 2020 | Recommend Transmittal (6-0) | |
| ✓ DEO Comments February 2020 | No Comments | |
| ✓ LPA Adoption December 17, 2020 | Continue to January 21, 2021 | |
| ✓ LPA Adoption January 21, 2021 | Recommend Adoption (6-0) | |
| BCC Adoption | February 23, 2021 | |

incorporation of an approved neighborhood improvement plan into the Comprehensive Plan as required prior to the levy and expenditure of any tax assessment or fee authorized to the Pine Hills Neighborhood Improvement District. This is required per Florida Statutes 163.516(9). Adoption of the Pine Hills Neighborhood Improvement Plan into the Comprehensive Plan also fulfills the requirement that an Urban Infill and Redevelopment Area plan be adopted by ordinance.

In the 2010 EAR data and analysis section of the Neighborhood Element, it is noted that because growth in Orange County was relatively new development, Orange County has been free to focus mostly on new growth and development. Therefore, infrastructure support was directed to those areas. It was noted that some of Orange County's older neighborhoods begin to show signs of decline that threaten their long-term viability, the County's focus must be broadened to include comprehensive neighborhood revitalization strategies. It is stated, "Aging commercial malls along major arterials were beginning to show signs of disinvestment that require attention. Reversing this decline at an early state will be far less expensive than waiting until major disinvestment necessitates large-scale intervention."

Summary of Proposed Changes

The Neighborhood Element contains six goals, sixteen objectives, and eighty-four policies.

The reason for policy deletion is the policy is either repeated elsewhere in the Comprehensive Plan or the directive to engage with a task force is no longer applicable as the task force has been dissolved.

The revisions to the policies are either for clarification or to update program names.

The following includes a redline copy of the proposed changes. As part of the redline changes there are notes in the column explaining the reason for the proposed change. Following the redline version is a "**clean**" version of the proposed changes, reflecting how the element would read if the changes are adopted.

Neighborhood Element

Goals, Objectives and Policies

GOAL N1 **Maintain the residential character of neighborhoods through land use regulations.**

OBJ N1.1 **Orange County shall ensure that future land use changes are compatible with or do not adversely impact existing or proposed neighborhoods.**

POLICIES

N.1.1.1 The County shall ensure that the Land Development Code establishes screening requirements for a visual buffer between neighborhoods and businesses where ~~at which~~ outside storage of equipment or materials is permitted.

N1.1.2 The County shall ensure that industrial uses that produce or emit loud noises, significant vibrations, or noxious/hazardous waste/fumes are not approved if they have adverse impacts to nearby residential areas, consistent with Future Land Use Policy FLU1.4.24.

OBJ N1.2 ~~**RESERVED. The County shall ensure that the Land Development Code either prohibits uses in residential areas that are not compatible with neighborhoods or requires that they be adequately buffered.**~~

POLICIES

N1.2.1 ~~RESERVED The Land Development Code shall establish screening requirements for a visual buffer between neighborhoods and businesses at which outside storage of equipment or materials is permitted.~~

N1.2.2 ~~RESERVED Industrial uses that produce or emit loud noises, significant vibrations, or noxious/hazardous wastes/fumes shall not be approved if they have adverse impacts to nearby residential areas, consistent with Future Land Use Policy FLU1.4.24.~~

The objective and accompanying policies are original to the element. Staff recommends that the objective and policy are deleted because they are similar to Obj. N1.1 and Policy N1.1.1 and N1.1.2.

GOAL N2 **Improve public safety in neighborhoods to provide a secure environment for residents.**

OBJ N2.1 **The County shall support Crime Prevention Programs.**

POLICIES

N2.1.1 The County shall coordinate with the Sheriff's Office for projects in Safe Neighborhood Target Areas.

N2.1.2 Residents and neighborhood organizations shall be encouraged to participate in the Neighborhood Crime Watch and Citizens on Patrol Programs by publicizing the program through various neighborhood initiatives.

N2.1.3 Ongoing public education programs shall be supported for all interested neighborhoods.

N2.1.4 Community ~~policing~~ Policing and off duty patrols shall be advocated for high crime areas.

N2.1.5 Designated County and Sheriff's Office staff shall meet at least quarterly to explore whether opportunities exist to assist one another through existing programs or procedures.

Neighborhood Services Division meets quarterly with Orange County Sheriff's Office for this purpose

OBJ N2.2 The County shall investigate methods of implementing Crime Prevention Through Environmental Design (CPTED). The continuance of Safe Neighborhood Improvement Districts shall be encouraged.

POLICIES

- N2.2.1 The County shall invite local experts in Crime Prevention Through Environmental Design (CPTED) to work with staff and neighborhood leaders to determine how CPTED can be implemented in Orange County.
- N2.2.2 The County shall seek opportunities to form citizen committees to recommend infrastructure improvements that increase the safety of neighborhoods.
- N2.2.3 The County shall educate those County departments that initiate Capital Improvement Projects regarding Crime Prevention Through Environmental Design (CPTED) principles to ensure that they are included in the project design.
- N2.2.4 The County shall support initiatives that ensure that abandoned houses are boarded up or demolished to prevent illegal use of the property.
- N2.2.5 The County shall encourage adequate street lighting in neighborhoods to maintain the safety of the community through Municipal Service Taxing Units (MSTUs).

OBJ N2.3 Safety on neighborhood streets shall be encouraged to protect pedestrians, cyclists, and motorists.

POLICIES

N2.3.1 ~~Traffic~~ Alternative traffic-calming strategies shall be identified and implemented, when feasible, to reduce speeding and to discourage trucks and cut-through traffic on residential streets.

Staff recommends removing the word alternative from traffic calming strategies as it is unnecessary.

N2.3.2 Appropriate law enforcement agencies shall be encouraged to enforce speed limits within the neighborhoods and respond to citizens' requests in a timely manner.

N2.3.3 Appropriate law enforcement agencies shall be encouraged to enforce parking violations within neighborhoods in a timely and consistent manner.

GOAL N3 **Improve the quality and appearance of existing and new neighborhoods.**

OBJ N3.1 **The integrity of neighborhoods shall be protected ~~the integrity of neighborhoods~~ through the enforcement of County codes.**

The goal and objective are original to the element and remains relevant. Staff recommend removing the redundant phrase "the integrity of neighborhoods."

POLICIES

- N3.1.1 The County shall continue to work with homeowners through programs regarding code enforcement issues.
- N3.1.2 The County shall consistently implement strict code enforcement for all property owners, including absentee landlords.
- N3.1.3 The County's neighborhood code enforcement efforts shall focus on issues that have ~~historically~~ been chronic ~~continual~~ problems for neighborhoods.
- N3.1.4 The County shall meet with business and neighborhood representatives to explore options by which shopping carts can be removed from neighborhoods in a timely manner.
- N3.1.5 The County shall continue to offer and ~~market~~promote a non-automated code violators (~~3-1-1~~) hotline.
- N3.1.6 The County shall investigate increasing the number of code enforcement officers in chronically troubled areas.
- N3.1.7 RESERVED ~~The Board of Zoning Adjustment shall continue to strive to be consistent in the enforcement of codes and regulations.~~
- N3.1.8 The County shall investigate all incidents of illegal dumping in ~~neighborhoods~~ residential areas and will coordinate with appropriate law enforcement agencies to prevent such illegal activities.

Staff recommends revising the policy to provide replace the phrase "historically been continual" with "chronic".

Staff recommends deleting this policy as it is the role of the BZA to be consistent in the enforcement of codes and regulations.

OBJ N3.2 The County shall continue to provide park facilities that meet the recreation needs of the residents in the surrounding neighborhoods.

POLICIES

N3.2.1 The County shall continue to work with citizens regarding the location, timing, and design of new park facilities.

N3.2.2 The County shall seek to build additional bicycle and pedestrian trails to connect neighborhoods to each other and to other parks, such as the West Orange Trail and the Little Econ Greenway.

N3.2.3 The County shall coordinate bicycle ~~bike~~-path planning with the development of roads, consistent with Policy T3.6.5.

N3.2.4 The County shall investigate whether vacant, reserved school sites can be used for public recreation.

N3.2.5 The County shall investigate opportunities to include more recreational and social activities for youth and families in park facilities and programs.

Staff recommends the revision to alert the reader of the policy in the Transportation Element related to bicycle path planning

OBJ N3.3 The County shall continue to promote neighborhood revitalization through urban design.

POLICIES

- | | | |
|--------|---|--|
| N3.3.1 | The County shall <u>encourage neighborhoods to participate in a neighborhood signage program</u> investigate the feasibility of creating a neighborhood signage program. | Staff recommends revising the policy to reflect the existence of the neighborhood signage program. |
| N3.3.2 | The County shall investigate the feasibility of expanding its existing <u>residential tree planting programs</u> Residential Tree Planting Program. | UF/IFAS has an Adopt a Tree Program that residents can use. |
| N3.3.3 | RESERVED. The County shall consider adding a neighborhood representative to the Urban Design Commission. | Staff recommends deleting the policy because the Urban Design Commission has been dissolved. |
| N3.3.4 | The County shall encourage municipalities to respect the identity of existing neighborhoods by not dividing them when annexing additional land. | |
| N3.3.5 | The County shall maintain a database and GIS layer of neighborhood <u>organizations</u> Associations registered with Orange County that can be accessed via the County's InfoMap system. | |
| N3.3.6 | The County shall <u>encourage citizens to participate in the preparation of</u> continue to prepare Small Area Studies <u>small area studies to ensure they reflect neighborhood concerns</u> to which are a tool to encourage redevelopment that is compatible in use and intensity with the existing community. | Staff recommends revising the policy to involve citizens in the preparation of small area studies as a tool to redevelopment in their community. |
| N3.3.7 | The County shall continue to notify residents in a timely manner of land use issues affecting their neighborhoods and shall be provided opportunities for public input through neighborhood meetings. | |
| N3.3.8 | The County shall prepare a study that reviews how other communities minimize displacement of neighborhoods due to development or redevelopment and that makes recommendations regarding how such techniques could be applied in Orange County. | |

OBJ N3.4 **The County shall support and develop programs that empower citizens to make physical improvements in their neighborhoods and become engaged in their communities~~encourage citizens to use programs that were established to make physical improvements in their neighborhoods.~~**

The Neighborhood Services Division supports and develops programs for this kind of citizen involvement.

POLICIES

N3.4.1 The County shall use Orange TV and the Orange County web-site and e-mail ~~the electronic mail~~ to enhance routine communications with residents.

Staff recommends revising the policy to remove the grant program names as they can change.

N3.4.2 The County shall promote beautification and other grants to assist neighborhoods ~~aggressively market ReNEW and Crime Prevention grant programs~~ through mailings, e-mail, Internet, Orange TV, public meetings, and other efforts.

Staff recommends removing specific program names.

N3.4.3 The County shall promote ongoing programs ~~(i.e. Adopt A Street, Streetscape, etc.)~~ through which physical improvements can be made to neighborhoods.

N3.4.4 The County shall coordinate community clean-up days with homeowners associations and community groups to enhance the community.

OBJ N3.5 The County shall strive to ensure that housing and public infrastructure are adequate for all residents within the community.

POLICIES

N3.5.1 The County shall maintain adequate public infrastructure (i.e. sidewalks, drainage, roads, etc.) as appropriate.

N3.5.2 The County shall aggressively and consistently enforce its zoning codes through targeted "code enforcement blitzes" to rebuild communities that are deteriorating and to improve the physical features of such neighborhoods.

N3.5.3 The County shall continue to promote increased awareness among property owners and residents of the importance of property maintenance to long-term housing quality.

N3.5.4 The County shall continue to educate citizens of the housing and rehabilitation funds that are available to renovate their houses.

N3.5.5 The County shall continue to support and encourage the development of ~~implement recommendations of the Workforce Housing Task Force affordable housing, and continue to encourage development of workforce housing~~ throughout Orange County by both supporting the use of public/private programs, and by educating citizens on ~~workforce~~ housing issues and opportunities with a periodic Affordable Housing Summit.

Staff recommends revising the policy to reflect the implementation of the Workforce Housing Task Force study and reflecting a change in the scope from workforce to affordable housing.

GOAL N4 **Seek out and respond to citizen input regarding neighborhood issues.**

OBJ N4.1 **The County shall provide residents with information regarding existing County programs, procedures, and services.**

POLICIES

N4.1.1 The County shall continue to produce and regularly update publications regarding County services, events, and programs (i.e. The Source, the Neighborhood Organization Directory, etc.).

N4.1.2 The County shall regularly communicate with residents through mailings, Orange TV, brochures, Internet, and other media.

N4.1.3 The County shall continue to conduct special events and conferences, such as the annual Community Conference and the Citizens Planner Academy, to give citizens the opportunity to learn more about county government.

N4.1.4 The County shall provide opportunities for residents to meet with elected officials and department representatives on a regular basis through community meetings.

N4.1.5 The County shall investigate using additional methods to inform citizens of proposed new developments.

N4.1.6 The County shall regularly expand the Video Library Series to ensure that it addresses topics of current concern to residents.

The Notification Task Force created an app, OCFL Atlas, which provides an option to register and receive email notifications when new projects are established within 1 mile of a registered address.

OBJ N4.2 The County shall continue to provide services and programs that cause positive change in neighborhoods.

POLICIES

- | | | |
|---------|--|---|
| N4.2.1 | The County shall implement the 2008 develop an Infill Master Plan Strategy to identify target areas with vacant and underused parcels, and to recommend incentives to spur private development in these areas. | Staff recommends revising the policy to reflect the completion of the Infill Master Plan. |
| N4.2.2 | The County shall periodically conduct a survey of all registered homeowner associations to determine their primary top ten issues of concern in order to better focus County activities. | Staff recommends revising the policy to primary issues instead of limiting to ten issues. |
| N4.2.3 | The County shall offer opportunities for leaders of neighborhood organizations and homeowners association to develop leadership and community building skills through monthly workshops, special seminars/academies, and an annual Community Conference. | |
| N4.2.4 | The County shall continue to hold community meetings to inform citizens of new <u>County</u> road projects at the design stage to ensure their input at the beginning of the process. | |
| N4.2.5 | The County shall investigate opportunities to expand its affordable workforce housing programs. | Staff recommends revising to reflect a broader scope in housing programs. |
| N4.2.6 | The County shall continue to improve services to neighborhoods. | |
| N4.2.7 | The County shall encourage all neighborhood associations and community groups to join the Orange County Homeowners Association. | |
| N4.2.8 | The County shall investigate opportunities to increase the services provided to the communities at Community Centers. | |
| N4.2.9 | The County shall support the use of community centers and schools by neighborhood groups for meeting sites. | |
| N4.2.10 | The County shall consider creating multi-departmental task forces to address the needs and concerns of specific neighborhoods. | |

GOAL N5 **Create partnerships with public and private agencies to build sustainable neighborhoods.**

OBJ N5.1 **The County shall encourage the business community to become involved in neighborhood issues and concerns.**

POLICIES

N5.1.1 The County Planning Division shall investigate how other communities have partnered with private businesses in neighborhood revitalization and economic development initiatives, and create recommendations regarding how such partnerships can be formed in Orange County.

N5.1.2 The County shall consider appointing a private sector task force to advise the County in its efforts to form partnerships with the business community for neighborhood revitalization and economic development.

N5.1.3 ~~RESERVED The County shall seek to increase the number of businesses participating in the Community Design Assistance Grant Program.~~

Staff recommends moving the policy under OBJ N6.1 and to use a non-specific program name.

N5.1.4 The County shall investigate the feasibility of creating an "Adopt a Neighborhood" program whereby businesses adopt a neighborhood and provide funding for projects that are needed for revitalization.

N5.1.5 The County shall create a "Businesses for Neighborhoods" honor list, which will provides public recognition (i.e. banners in public buildings, Orange TV, etc.) for businesses that provide financial assistance for community-building and neighborhood revitalization efforts.

OBJ 5.2 The County shall coordinate its planning efforts with the Orange County School Board to provide better services to neighborhoods and residents.

POLICIES

N5.2.1 The County shall encourage the location of parks, libraries, and museums contiguous to school sites to provide for maximum reciprocal use by both students and the general public.

N5.2.2 The County and School Board staffs (and private developers when applicable) shall meet regularly to coordinate school siting and shall promptly advise affected neighborhoods of any major changes to the proposed location of school sites.

N5.2.3 ~~RESERVED The County and School board shall require private developers to help mitigate the impact of new development on surrounding neighborhoods and schools.~~

Staff recommends deleting this policy because it is addressed in the Public School Element.

N5.2.4 The County shall encourage the School Board to continue to make its facilities available for community events and meetings.

N5.2.5 The County shall recognize that schools are the planning cornerstone of all neighborhoods (as elaborated in the Public School Facilities Element) and shall implement this philosophy in its entire neighborhood planning approach.

N5.2.6 ~~RESERVED The County shall request the School Board to appoint a member of its staff to represent it on the County's private sector task force, as proposed in the preceding objective.~~

Staff recommends deleting this policy because it references an objective and program that were never adopted.

GOAL N6 **Improve the safety, economic viability, and aesthetics of neighborhood business corridors in Orange County. (Added 11/12, Ord. 2012-20)**

OBJ N6.1 **The County shall develop programs and services to attract and facilitate redevelopment in commercial corridors that serve local neighborhoods. (Added 11/12, Ord. 2012-20)**

The goal and objective were added to the element in 2012 to implement programs and strategies to rejuvenate commercial corridors within neighborhoods.

POLICIES

N6.1.1 The County shall designate target areas for specific programs and services. (Added 11/12, Ord. 2012-20)

N6.1.2 The County shall facilitate the organization of businesses in neighborhood corridors and actively engage such organizations and other stakeholders to determine appropriate programs and services. (Added 11/12, Ord. 2012-20)

N6.1.3 ~~The Neighborhood Services Preservation and Revitalization Division~~ will collaborate with other County divisions to identify and implement incentives which encourage neighborhood business investment. (Added 11/12, Ord. 2012-20)

N6.1.4 The County shall market grant programs to improve the physical appearance of businesses in older neighborhoods. (Added 11/12, Ord. 2012-20)

N6.1.5 All strategies to facilitate successful infill and redevelopment will be pursued. Such strategies include, but are not limited to, policies that prioritize infrastructure projects in redevelopment areas, road diets, neighborhood area plans, and public investment in catalyst projects. (Added 11/12, Ord. 2012-20)

N6.1.6 ~~Neighborhood Services Division Preservation and Revitalization~~ shall seek opportunities to partner with other divisions and the public/private sector to leverage funding for projects that support redevelopment. (Added 11/12, Ord. 2012-20)

N6.1.7 The County shall seek to increase the number of businesses participating in the neighborhood business corridor grant program.

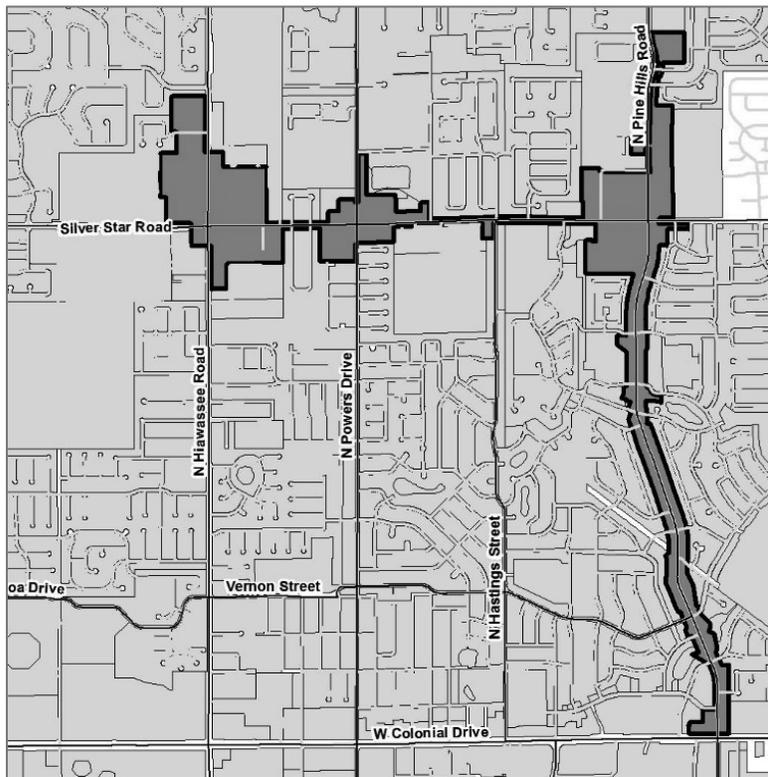
Staff recommends moving the policy from N5.1.3 to Objective OBJ N6.1. and to use a non-specific program name.

OBJ N6.2 The County shall designate target areas, known as Urban Infill and Redevelopment Areas (UIRAs), for specific programs and services to foster redevelopment in these areas as described in Florida Statutes. (Added 8/15, Ord. 2015-16)

The objective and the supporting policies are required for implementation of the program by Florida Statutes. Staff recommends including a map of the Pine Hills Neighborhood Improvement District, and any future districts, so the reader can quickly locate the area.

N6.2.1 The following districts are designated as Urban Infill and Redevelopment Areas. The boundaries are shown on the Future Land Use Map and the map below:

1. Pine Hills Neighborhood Improvement District (Added 8/15, Ord. 2015-16)



Map N1 Pine Hills Neighborhood Improvement District

N6.2.2 Each Urban Infill and Redevelopment District shall develop a plan consistent with Florida Statutes 163.2517 for the purpose of targeting economic development, job creation, housing, transportation, crime prevention, neighborhood revitalization and preservation, and land use incentives to encourage urban infill and redevelopment within the urban core. (Added 8/15, Ord. 2015-16)

N6.2.3 The County hereby incorporates by reference the adopted Pine Hills Neighborhood Improvement Plan as the safe neighborhood plan for the Pine Hills Neighborhood Improvement District established by local ordinance 2011-21. The Pine Hills Neighborhood Improvement Plan is designated as the urban infill and redevelopment plan for the area of the same name. (Added 8/15, Ord. 2015-16)

N6.2.4 Orange County may offer incentives to encourage development within an Urban Infill and Redevelopment Area including, but not limited to: waiver of license and permit fees, expedited permitting, lower transportation impact fees for development, prioritization of infrastructure spending, local government absorption of developers' concurrency costs, exemption of sales made from local option sales surtaxes imposed pursuant to s. 212.055, and waiver of delinquent local taxes or fees to promote the return of property to productive use. (Added 8/15, Ord. 2015-16)

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The following pages reflect the Neighborhood Element should the proposed changes be adopted.

Neighborhood Element – Text if Adopted

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Neighborhood Element

Goals, Objectives and Policies

GOAL N1 **Maintain the residential character of neighborhoods through land use regulations.**

OBJ N1.1 **Orange County shall ensure that future land use changes are compatible with or do not adversely impact existing or proposed neighborhoods.**

POLICIES

N.1.1.1 The County shall ensure that the Land Development Code establishes screening requirements for a visual buffer between neighborhoods and businesses where outside storage of equipment or materials is permitted.

N1.1.2 The County shall ensure that industrial uses that produce or emit loud noises, significant vibrations, or noxious/hazardous waste/fumes are not approved if they have adverse impacts to nearby residential areas, consistent with Future Land Use Policy FLU1.4.24.

OBJ N1.2 **RESERVED**

POLICIES

N1.2.1 RESERVED

N1.2.2 RESERVED

GOAL N2 **Improve public safety in neighborhoods to provide a secure environment for residents.**

OBJ N2.1 **The County shall support Crime Prevention Programs.**

POLICIES

- N2.1.1 The County shall coordinate with the Sheriff’s Office for projects in Safe Neighborhood Target Areas.
- N2.1.2 Residents and neighborhood organizations shall be encouraged to participate in the Neighborhood Crime Watch and Citizens on Patrol Programs by publicizing the program through various neighborhood initiatives.
- N2.1.3 Ongoing public education programs shall be supported for all interested neighborhoods.
- N2.1.4 Community policing and off duty patrols shall be advocated for high crime areas.
- N2.1.5 Designated County and Sheriff’s Office staff shall meet at least quarterly to explore whether opportunities exist to assist one another through existing programs or procedures.

OBJ N2.2 The County shall investigate methods of implementing Crime Prevention Through Environmental Design (CPTED). The continuance of Safe Neighborhood Improvement Districts shall be encouraged.

POLICIES

- N2.2.1 The County shall invite local experts in Crime Prevention Through Environmental Design (CPTED) to work with staff and neighborhood leaders to determine how CPTED can be implemented in Orange County.
- N2.2.2 The County shall seek opportunities to form citizen committees to recommend infrastructure improvements that increase the safety of neighborhoods.
- N2.2.3 The County shall educate those County departments that initiate Capital Improvement Projects regarding Crime Prevention Through Environmental Design (CPTED) principles to ensure that they are included in the project design.
- N2.2.4 The County shall support initiatives that ensure that abandoned houses are boarded up or demolished to prevent illegal use of the property.
- N2.2.5 The County shall encourage adequate street lighting in neighborhoods to maintain the safety of the community through Municipal Service Taxing Units (MSTUs).

OBJ N2.3 Safety on neighborhood streets shall be encouraged to protect pedestrians, cyclists, and motorists.

POLICIES

- N2.3.1 Traffic-calming strategies shall be identified and implemented, when feasible, to reduce speeding and to discourage trucks and cut-through traffic on residential streets.
- N2.3.2 Appropriate law enforcement agencies shall be encouraged to enforce speed limits within the neighborhoods and respond to citizens' requests in a timely manner.
- N2.3.3 Appropriate law enforcement agencies shall be encouraged to enforce parking violations within neighborhoods in a timely and consistent manner.

GOAL N3 **Improve the quality and appearance of existing and new neighborhoods.**
OBJ N3.1 **The integrity of neighborhoods shall be protected through the enforcement of County codes.**

POLICIES

- N3.1.1 The County shall continue to work with homeowners through programs regarding code enforcement issues.
- N3.1.2 The County shall consistently implement strict code enforcement for all property owners, including absentee landlords.
- N3.1.3 The County's neighborhood code enforcement efforts shall focus on issues that have been chronic problems for neighborhoods.
- N3.1.4 The County shall meet with business and neighborhood representatives to explore options by which shopping carts can be removed from neighborhoods in a timely manner.
- N3.1.5 The County shall continue to offer and promote a code violators hotline.
- N3.1.6 The County shall investigate increasing the number of code enforcement officers in chronically troubled areas.
- N3.1.7 RESERVED
- N3.1.8 The County shall investigate all incidents of illegal dumping in neighborhoods and will coordinate with appropriate law enforcement agencies to prevent such illegal activities.

OBJ N3.2 The County shall continue to provide park facilities that meet the recreation needs of the residents in the surrounding neighborhoods.

POLICIES

- N3.2.1 The County shall continue to work with citizens regarding the location, timing, and design of new park facilities.
- N3.2.2 The County shall seek to build additional bicycle and pedestrian trails to connect neighborhoods to each other and to other parks, such as the West Orange Trail and the Little Econ Greenway.
- N3.2.3 The County shall coordinate bicycle path planning with the development of roads, consistent with Policy T3.6.5.
- N3.2.4 The County shall investigate whether vacant, reserved school sites can be used for public recreation.
- N3.2.5 The County shall investigate opportunities to include more recreational and social activities for youth and families in park facilities and programs.

OBJ N3.3 The County shall continue to promote neighborhood revitalization through urban design.

POLICIES

- N3.3.1 The County shall encourage neighborhoods to participate in a neighborhood signage program.
- N3.3.2 The County shall investigate the feasibility of expanding its existing residential tree planting programs.
- N3.3.3 RESERVED
- N3.3.4 The County shall encourage municipalities to respect the identity of existing neighborhoods by not dividing them when annexing additional land.
- N3.3.5 The County shall maintain a database and GIS layer of Neighborhood Organizations registered with Orange County that can be accessed via the County's InfoMap system.
- N3.3.6 The County shall encourage citizens to participate in the preparation of small area studies to ensure they reflect neighborhood concerns.
- N3.3.7 The County shall continue to notify residents in a timely manner of land use issues affecting their neighborhoods and shall be provided opportunities for public input through neighborhood meetings.
- N3.3.8 The County shall prepare a study that reviews how other communities minimize displacement of neighborhoods due to development or redevelopment and that makes recommendations regarding how such techniques could be applied in Orange County.

OBJ N3.4 The County shall support and develop programs that empower citizens to make physical improvements in their neighborhoods and become engaged in their communities.

POLICIES

- N3.4.1 The County shall use Orange TV and the Orange County website and e-mail to enhance routine communications with residents.
- N3.4.2 The County shall promote beautification and other grants to assist neighborhoods through mailings, e-mail, Internet, Orange TV, public meetings, and other efforts.
- N3.4.3 The County shall promote ongoing programs through which physical improvements can be made to neighborhoods.
- N3.4.4 The County shall coordinate community clean-up days with homeowners associations and community groups to enhance the community.

OBJ N3.5 The County shall strive to ensure that housing and public infrastructure are adequate for all residents within the community.

POLICIES

- N3.5.1 The County shall maintain adequate public infrastructure (i.e. sidewalks, drainage, roads, etc.) as appropriate.
- N3.5.2 The County shall aggressively and consistently enforce its zoning codes through targeted code enforcement blitzes to rebuild communities that are deteriorating and to improve the physical features of such neighborhoods.
- N3.5.3 The County shall continue to promote increased awareness among property owners and residents of the importance of property maintenance to long-term housing quality.
- N3.5.4 The County shall continue to educate citizens of the housing and rehabilitation funds that are available to renovate their houses.
- N3.5.5 The County shall continue to support and encourage the development of affordable housing throughout Orange County by both supporting the use of public/private programs, and by educating citizens on housing issues and opportunities with a periodic Affordable Housing Summit.

GOAL N4 Seek out and respond to citizen input regarding neighborhood issues.

OBJ N4.1 The County shall provide residents with information regarding existing County programs, procedures, and services.

POLICIES

- N4.1.1 The County shall continue to produce and regularly update publications regarding County services, events, and programs (i.e. The Source, the Neighborhood Organization Directory, etc.).
- N4.1.2 The County shall regularly communicate with residents through mailings, Orange TV, brochures, Internet, and other media.
- N4.1.3 The County shall continue to conduct special events and conferences, such as the annual Community Conference and the Citizens Planner Academy, to give citizens the opportunity to learn more about county government.
- N4.1.4 The County shall provide opportunities for residents to meet with elected officials and department representatives on a regular basis through community meetings.
- N4.1.5 The County shall investigate using additional methods to inform citizens of proposed new developments.
- N4.1.6 The County shall regularly expand the Video Library Series to ensure that it addresses topics of current concern to residents.

OBJ N4.2 The County shall continue to provide services and programs that cause positive change in neighborhoods.

POLICIES

- N4.2.1 The County shall implement the 2008 Infill Master Plan Strategy to identify target areas with vacant and underused parcels, and to recommend incentives to spur private development in these areas.
- N4.2.2 The County shall periodically conduct a survey of all registered homeowner associations to determine their primary issues of concern in order to better focus County activities.
- N4.2.3 The County shall offer opportunities for leaders of neighborhood organizations and homeowners association to develop leadership and community building skills through monthly workshops, special seminars/academies, and an annual Community Conference.
- N4.2.4 The County shall continue to hold community meetings to inform citizens of new County road projects at the design stage to ensure their input at the beginning of the process.
- N4.2.5 The County shall investigate opportunities to expand its affordable housing programs.
- N4.2.6 The County shall continue to improve services to neighborhoods.
- N4.2.7 The County shall encourage all neighborhood associations and community groups to join the Orange County Homeowners Association.
- N4.2.8 The County shall investigate opportunities to increase the services provided to the communities at Community Centers.
- N4.2.9 The County shall support the use of community centers and schools by neighborhood groups for meeting sites.
- N4.2.10 The County shall consider creating multi-departmental task forces to address the needs and concerns of specific neighborhoods.

GOAL N5 **Create partnerships with public and private agencies to build sustainable neighborhoods.**

OBJ N5.1 **The County shall encourage the business community to become involved in neighborhood issues and concerns.**

POLICIES

N5.1.1 The County Planning Division shall investigate how other communities have partnered with private businesses in neighborhood revitalization and economic development initiatives, and create recommendations regarding how such partnerships can be formed in Orange County.

N5.1.2 The County shall consider appointing a private sector task force to advise the County in its efforts to form partnerships with the business community for neighborhood revitalization and economic development.

N5.1.3 RESERVED

N5.1.4 The County shall investigate the feasibility of creating an "Adopt a Neighborhood" program whereby businesses adopt a neighborhood and provide funding for projects that are needed for revitalization.

N5.1.5 The County shall create a "Businesses for Neighborhoods" honor list, which will provides public recognition (i.e. banners in public buildings, Orange TV, etc.) for businesses that provide financial assistance for community-building and neighborhood revitalization efforts.

OBJ 5.2 The County shall coordinate its planning efforts with the Orange County School Board to provide better services to neighborhoods and residents.

POLICIES

- N5.2.1 The County shall encourage the location of parks, libraries, and museums contiguous to school sites to provide for maximum reciprocal use by both students and the general public.
- N5.2.2 The County and School Board staffs (and private developers when applicable) shall meet regularly to coordinate school siting and shall promptly advise affected neighborhoods of any major changes to the proposed location of school sites.
- N5.2.3 RESERVED
- N5.2.4 The County shall encourage the School Board to continue to make its facilities available for community events and meetings.
- N5.2.5 The County shall recognize that schools are the planning cornerstone of all neighborhoods (as elaborated in the Public School Facilities Element) and shall implement this philosophy in its entire neighborhood planning approach.
- N5.2.6 RESERVED

GOAL N6 **Improve the safety, economic viability, and aesthetics of neighborhood business corridors in Orange County. (Added 11/12, Ord. 2012-20)**

OBJ N6.1 **The County shall develop programs and services to attract and facilitate redevelopment in commercial corridors that serve local neighborhoods. (Added 11/12, Ord. 2012-20)**

POLICIES

N6.1.1 The County shall designate target areas for specific programs and services. (Added 11/12, Ord. 2012-20)

N6.1.2 The County shall facilitate the organization of businesses in neighborhood corridors and actively engage such organizations and other stakeholders to determine appropriate programs and services. (Added 11/12, Ord. 2012-20)

N6.1.3 The Neighborhood Services Division will collaborate with other County divisions to identify and implement incentives which encourage neighborhood business investment. (Added 11/12, Ord. 2012-20)

N6.1.4 The County shall market grant programs to improve the physical appearance of businesses in older neighborhoods. (Added 11/12, Ord. 2012-20)

N6.1.5 All strategies to facilitate successful infill and redevelopment will be pursued. Such strategies include, but are not limited to, policies that prioritize infrastructure projects in redevelopment areas, road diets, neighborhood area plans, and public investment in catalyst projects. (Added 11/12, Ord. 2012-20)

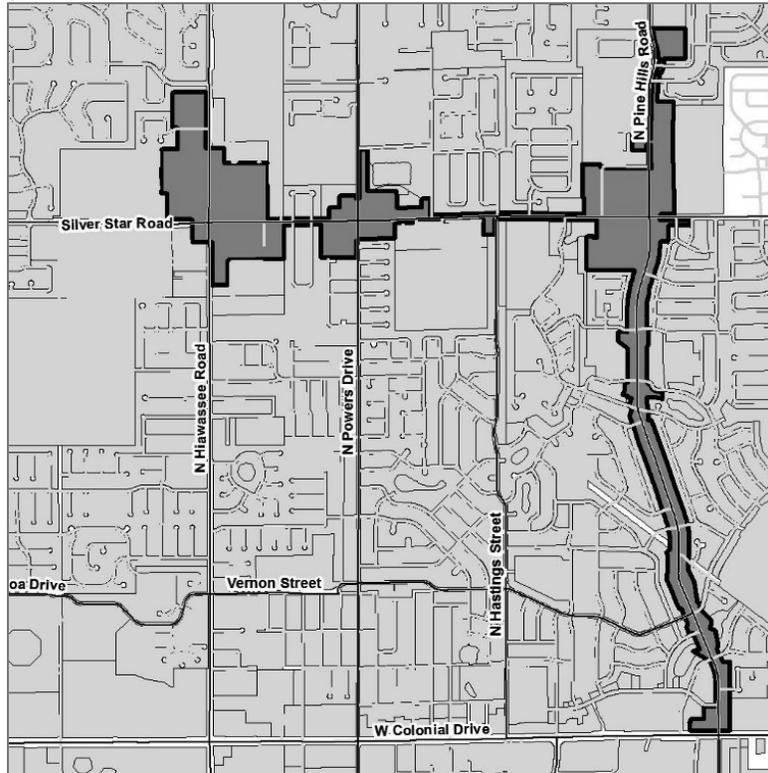
N6.1.6 Neighborhood Services shall seek opportunities to partner with other divisions and the public/private sector to leverage funding for projects that support redevelopment. (Added 11/12, Ord. 2012-20)

N6.1.7 The County shall seek to increase the number of businesses participating in the neighborhood business corridor grant program.

OBJ N6.2 The County shall designate target areas, known as Urban Infill and Redevelopment Areas (UIRAs), for specific programs and services to foster redevelopment in these areas as described in Florida Statutes. (Added 8/15, Ord. 2015-16)

N6.2.1 The following districts are designated as Urban Infill and Redevelopment Areas. The boundaries are shown on the Future Land Use Map and the map below:

2. Pine Hills Neighborhood Improvement District
(Added 8/15, Ord. 2015-16)



Map N2 Pine Hills Neighborhood Improvement District

N6.2.2 Each Urban Infill and Redevelopment District shall develop a plan consistent with Florida Statutes 163.2517 for the purpose of targeting economic development, job creation, housing, transportation, crime prevention, neighborhood revitalization and preservation, and land use incentives to encourage urban infill and redevelopment within the urban core. (Added 8/15, Ord. 2015-16)

N6.2.3 The County hereby incorporates by reference the adopted Pine Hills Neighborhood Improvement Plan as the safe neighborhood plan for the Pine Hills Neighborhood Improvement District established by local ordinance 2011-21. The Pine Hills Neighborhood Improvement Plan is designated as the urban infill and redevelopment plan for the area of the same name. (Added 8/15, Ord. 2015-16)

N6.2.4 Orange County may offer incentives to encourage development within an Urban Infill and Redevelopment Area including, but not limited to: waiver of license and permit fees, expedited permitting, lower transportation impact fees for development, prioritization of infrastructure spending, local government absorption of developers' concurrency costs, exemption of sales made from local option sales surtaxes imposed pursuant to s. 212.055, and waiver of delinquent local taxes or fees to promote the return of property to productive use. (Added 8/15, Ord. 2015-16)

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ECONOMIC ELEMENT

2020-2-C-CP-5

Background Information

The Economic Element is an optional element of the Comprehensive Plan. It was adopted in 1994 as the culmination of a process that began in October 1992 with Orange County Board of County Commissioners Chairman Linda Chapin's State of the County address where she identified deficiencies in the County's ability to attract and retain businesses. Consulting firms were retained by the County to analyze the area's strengths and weaknesses and to identify the industries that offered the best economic opportunities. The Orange County Economic Initiative included over two hundred local business leaders and County staff. This Initiative targeted six industries, including film and TV, health care, high technology, international business, sports, and tourism.

The element was designed to make the County a more cooperative and competitive community for economic development. Much of the element is based on the Initiative, but it does not serve the same purpose. The Initiative detailed the economic development role which was played by numerous groups throughout the County, whereas the Economic element addressed Orange County government's role in economic development.

The original element was comprised of six goals, implemented by thirteen objectives. The Goals addressed the general areas of education, business regulation, infrastructure, business retention and expansion programs, broad marketing and incentives, and increased participation by minority and women-owned businesses.

Past Evaluation and Appraisals

As part of the 2006 Evaluation and Appraisal Report (July 11, 2006) Orange County identified nine major issues facing the County. One of these issues was economic development. There was a need to increase economic diversification and to improve the jobs-housing balance in areas of Orange County. As growth occurred, the demand for housing and commercial real estate had caused land and housing to escalate in price. The issue facing the county was that the employment mix was dominated by the service and retail sectors, and wages had not kept up with housing costs. The demand for and supply of affordable workforce housing resulted in increasing commuting times and costs for employees as they moved away from employment centers to areas that provided affordable housing. Both job growth and the housing supply have increased, but employment centers and residential areas have become increasingly separated.

From the high land and housing costs, and low wage jobs, came the need for more affordable workforce housing within the

The following meetings and hearings have been held for this proposal:

| Report/Public Hearing | Outcome |
|---|------------------------------|
| ✓ Staff Report | Recommend Transmittal |
| ✓ LPA Transmittal September 17, 2020 | Recommend Transmittal (8-0) |
| ✓ BCC Transmittal October 13, 2020 | Transmit (7-0) |
| ✓ Agency Comments January 2021 | No Comments |
| ✓ LPA Adoption December 17, 2020 | Continue to January 21, 2021 |
| ✓ LPA Adoption January 21, 2021 | Recommend Adoption (6-0) |
| BCC Adoption | February 23, 2021 |

County. The report evaluated policies within the Comprehensive Plan and all of the elements as they addressed the provision of workforce housing. The key issue was addressing how the Comprehensive Plan deals with the physical separation between housing and employment and how can the Comprehensive Plan be improved to help assure that new employment and service centers, and adequate workforce housing can be located near to, and support each other.

No changes were made to the Economic Element as part of the 2009 Comprehensive Plan update. The data and analysis section of this element provides useful historic data to the conditions in the County as of the 2009 EAR. There is value in retaining this section as a comparison to where the County was in 2009 to today, and where it plans to be in the future. For example, this analysis includes reference to the eight major regional activity centers: International Drive, Central Florida Research Park (UCF/Alafaya Corridor), Orlando International Airport, Downtown Orlando, Maitland Center, Horizon West, Innovation Way, and Orlando Central Park. Additionally, it provides support and reference to the adopted goals, objectives, and policies. This information often provides the support and reasoning behind a policy.

Summary of Proposed Changes

Staff from the Economic Division and the Planning Division collaborated on the review and proposed amendments to the Economic Element policies.

The Economic Element contains five goals, twelve objectives, and twenty-six policies,

Since the policies largely promote the inclusion of sound economic thinking in decision making, the intent of these policies might be included in all policies of the Plan, just as sustainability considerations should be. This approach should be considered when reorganizing the Comprehensive Plan.

The following includes a redline copy of the proposed changes. As part of the redline changes there are notes in the column explaining the reason for the proposed change. Following the redline version is a “**clean**” version of the proposed changes, reflecting how the element would read if the changes are adopted.

Economic Element Goals, Objectives and Policies

GOAL E1 **Orange County shall develop and retain a globally competitive workforce that supports the needs of both present and ~~nascent~~emerging industries.**

Changes are recommended to improve readability.

OBJ E1.1 **Orange County shall promote educational opportunities in the sciences at elementary and middle school levels.**

POLICIES

E1.1.1 Promote the creation of science summer camps and other experiences that could spur interest in scientific endeavors in school-aged children.

E1.1.2 ~~RESERVED Work with the Orange County School Board to create science-based curricula at the middle school level.~~

Staff recommends deleting the policy and combining it with the objective.

OBJ E1.2 **Orange County shall promote continuing education efforts to foster a workforce ~~containing with the~~ latest skills.**

Changes recommended to improve readability.

POLICIES

E1.2.1 ~~Promote~~The County shall promote employer activities that increase English language literacy for the local workforce.

E1.2.2 The County shall ~~Supplement support~~ existing higher education programs with more non-degree training and continuing education.

Recommend revising the policy to "support" instead of "supplement".

OBJ E1.3 **Orange County shall work to retain post-graduate science students in Orange County or the region.**

POLICIES

E1.3.1 ~~Promote~~The County shall promote the creation of post-doctoral fellowships and internships within the private sector.

E1.3.2 ~~Support~~The County shall support the expansion of research centers that focus on technology commercialization and entrepreneurship.

| | | |
|-----------------|--|---|
| GOAL E2 | RESERVED Orange County shall promote a stronger connection between land use policies and economic decisions. | Recommend deleting because this goal is addressed in the Future Land Use Element. |
| OBJ E2.1 | RESERVED Orange County shall promote the use and protection of industrial land. | Recommend deleting because the objective is addressed in the Future Land Use Element. |
| POLICIES | | |
| E2.1.1 | RESERVED The Future Land Use Map shall reflect appropriate locations for industrial use. Potentially incompatible land use designations, such as residential or neighborhood commercial, shall not be established adjacent to industrial land use designations. Proposed land use changes from industrial to residential or commercial shall be evaluated in the context of potential impacts to long-term viability of surrounding industrial uses. Proposed industrial land use changes shall be evaluated relative to the need to maintain adequate industrial sites to serve the projected market demand and corresponding needs for job creation and economic development, consistent with FLU1.4.16 (Amended 10/10, Ord. 2010-13) | Recommend deleting because this policy is covered in Future Land Use Element, Policy FLU1.4.16. |
| E2.1.2 | RESERVED Orange County seeks to retain an adequate supply of Industrial lands, especially larger tracts that support new research and/or industrial parks and employment centers, during the 2030 planning horizon, consistent with the findings of the County's most current Industrial Capacity Analysis and the desire to maintain a positive jobs to housing balance within the County. Further, amendments to DRIs or PDs that have the effect of reducing industrial lands in these submarkets should be discouraged, consistent with FLU1.4.17. (Amended 10/10, Ord. 2010-13). | Recommend deleting because this policy is covered in Future Land Use Element, Policy FLU1.4.17. |
| E2.1.3 | RESERVED The Future Land Use Map shall reflect a distribution of industrial areas throughout the Urban Service Area to reduce the journey to work, create more of a jobs/housing balance, avoid large concentrations of industrial traffic, provide adequate and sufficient locations for industrial uses particularly in existing corridors and areas in proximity to Activity Centers — and provide a variety of locations with different transportation accessibility opportunities (such as arterials and highways, airports and railroads), consistent with FLU1.4.18. (Amended 10/10, Ord. 2010-13) | Recommend deleting because this policy is covered in Future Land Use Element, Policy FLU1.4.18. |

| | | |
|-----------------|---|--|
| E2.1.4 | RESERVED Orange County will continue to work with METROPLAN ORLANDO to evaluate the freight village concept and potential locations in the metropolitan area that are consistent and compatible with the County's Comprehensive Plan, based on needs identified in the METROPLAN ORLANDO <i>Freight, Goods, and Services Mobility Study</i> , consistent with FLU1.4.20. (Added 10/10, Ord. 2010-13) | Recommend deleting because this policy is covered in Future Land Use Element, Policies FLU1.4.16 - FLU1.4.18. |
| E2.1.5 | RESERVED Orange County shall not approve industrial uses that produce or emit noises, significant vibrations or noxious/hazardous wastes/fumes resulting in adverse impacts to adjacent residential uses, unless such impacts are mitigated, consistent with FLU1.4.24. (Added 10/10, Ord. 2010-13) | Recommend deleting because this policy is redundant to Future Land Use Element, Policy FLU1.4.24. |
| OBJ E2.2 | RESERVED Orange County shall protect and promote the vitality of the nursery industry in Northwest Orange County. | Recommend deleting because the nursery industry is covered under agriculture related policies of Future Land Use Element Goal 6. |
| POLICIES | | |
| E2.2.1 | RESERVED Use Enterprise Zone incentives to promote the nursery business in Orange County. | Recommend deleting because the Enterprise Zone sunsetted in 2015 and was not renewed. |
| E2.2.2 | RESERVED Discourage the expansion of utilities in this area to prevent suburbanization. | Recommend deleting because of similarities to policies in the Future Land Use Element that address public services in rural areas. |
| E2.2.3 | RESERVED Discuss with the Metro Orlando EDC the possibility of expanding the agri-technology district to include northwest Orange County. | Recommend deleting, this is a dated policy with a limited scope pertaining to a district that is not in use. |

OBJ E2.3 ~~**RESERVED** Orange County shall use the Activity Center concept to promote the efficient use of land.~~

Recommend deleting because the County did not develop Activity Centers as a specific planning tool.

POLICIES

E2.3.1 ~~RESERVED Promote infill development in distressed areas of the County.~~

Recommend deleting, infill is addressed in Goal FLU2 and elsewhere in the Future Land Use Element.

E2.3.2 ~~RESERVED Promote changes to land use and zoning to address the economic development needs of the County.~~

Recommend deleting because this is addressed in the Future Land Use Element.

GOAL E3 **Orange County shall support housing and transportation policies that support the local workforce.**

Recommend updating to reflect the recent efforts of the Regional Affordable Housing Initiative.

OBJ E3.1 **Orange County shall continue to support the efforts of the ~~Workforce Housing Task Force~~ 2018 Regional Affordable Housing Initiative.**

Recommend revising to support the efforts of the 2018 Regional Affordable Housing Initiative.

POLICIES

E3.1.1 ~~Promote~~ The County shall promote the development of ~~workforce-affordable~~ housing close to transportation centers.

Recommend deleting because the focus has shifted.

E3.1.2 ~~Promote~~ The County shall promote the development of affordable housing on brownfield and greyfield sites.

E3.1.3 RESERVED ~~Promote initiatives of major employers to fund housing developments for employees near worksites.~~

OBJ E3.2 **~~Promote~~ The County shall promote mobility in Orange County by continuing to fund public transportation.**

POLICIES

E3.2.1 ~~Support~~ The County shall support the expansion of commuter rail stations to major employment centers such as ~~OIA~~ Orlando International Airport, International Drive, and Central Florida Research Park.

E3.2.2 ~~Work~~ The County shall work with Lynx to promote the use of express routes between major employment and living centers.

GOAL E4 **Orange County shall promote policies that support the quality of life of our workforce.**

OBJ E4.1 **Orange County recognizes the need for support services as important to employees' quality of life. Promote the development of family childcare facilities.**

Recommend revising the objective to recognize the need for support services as important to employees quality of life.

POLICIES

E4.1.1 Orange County shall will facilitate the development of childcare facilities. Facilitate the development of childcare facilities within the County, including employer based child care childcare centers.

Staff recommends revising the policy to provide clarity.

~~E4.2.14.1.2~~ Orange County willshall support the development of accessory housing in Orange County.

OBJ E4.2 **RESERVED Promote the development of accessory housing in Orange County.**

Previously listed under Objective OBJ E4.2.

POLICIES

E4.2.1 RESERVED Allow accessory housing as of right in residential districts to permit people to take care of family members.

Recommend moving this objective under Objective E4.1.

Recommend moving the policy under OBJ E4.1 and revising the policy to support accessory housing development as it is allowed in residential districts.

GOAL E5 **Orange County will promote economic diversification and the strengthening of industry specializations. (Added 10/10, Ord. 2010-13)**

OBJ E5.1 **Orange County shall promote the economic diversification of the County's economic base by attracting and expanding new industries. (Added 10/10, Ord. 2010-13)**

POLICIES

E5.1.1 Orange County shall support the attraction and expansion of industries in cutting-edge fields important to the County's economic diversification, as determined by economic research and industry studies commissioned by the Board of County Commissioners from time to time. (Added 10/10, Ord. 2010-13)

~~E5.2.15.1.2~~ Orange County shall promote the competitiveness of industries that comprise Orange County's economic base, such as tourism and hospitality; photonics, lasers, and electro optics; nursery and foliage; modeling, simulation, and training; and life and medical sciences. (Added 10/10, Ord. 2010-13; revised 2018)

~~E5.2.25.1.3~~ Orange County shall support the creation and expansion of economic clusters within economic base industries by attracting suppliers and other related industries. (Added 10/10, Ord. 2010-13)

Staff recommends deleting Objective OBJ E5.2 and moving the policies (E5.2.1 and E5.2.2) under OBJ E5.1

OBJ E5.2 ~~RESERVED Orange County shall promote the competitiveness of industries that comprise Orange County's economic base. (Added 10/10, Ord. 2010-13)~~

Recommend deleting the objective because it is similar to Objective E5.1

POLICIES

E5.2.1 ~~RESERVED Orange County shall support the growth of the industries that comprise Orange County's economic base, such as tourism and hospitality; photonics, lasers, and electro-optics; nursery and foliage; modeling, simulation, and training; and life and medical sciences. (Added 10/10, Ord. 2010-13)~~

Recommend moving the policy under Objective E5.1 as it supports that objective.

E5.2.2 ~~RESERVED Orange County shall support the creation and expansion of economic clusters within economic base industries by attracting suppliers and other related industries. (Added 10/10, Ord. 2010-13)~~

Recommend moving the policy under Objective E5.1 as it supports that objective.

The following pages reflect how the Economic Element would read should the proposed changes be adopted.

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Economic Element Goals, Objectives and Policies

GOAL E1 **Orange County shall develop and retain a globally competitive workforce that supports the needs of both present and emerging industries.**

OBJ E1.1 **Orange County shall promote educational opportunities in the sciences at elementary and middle school levels.**

POLICIES

E1.1.1 Promote the creation of science summer camps and other experiences that could spur interest in scientific endeavors in school-aged children.

E1 1.2 RESERVED

OBJ E1.2 **Orange County shall promote continuing education efforts to foster a workforce with the latest skills.**

POLICIES

E1.2.1 The County shall promote employer activities that increase English language literacy for the local workforce.

E1.2.2 The County shall support existing higher education programs with more non-degree training and continuing education.

OBJ E1.3 **Orange County shall work to retain post-graduate science students in Orange County or the region.**

POLICIES

E1.3.1 The County shall promote the creation of post-doctoral fellowships and internships within the private sector.

E1.3.2 The County shall support the expansion of research centers that focus on technology commercialization and entrepreneurship.

GOAL E2 RESERVED

OBJ E2.1 RESERVED

POLICIES

E2.1.1 RESERVED

E2.1.2 RESERVED

E2.1.3 RESERVED

E2.1.4 RESERVED

E2.1.5 RESERVED

OBJ E2.2 RESERVED

POLICIES

E2.2.1 RESERVED

E2.2.2 RESERVED

E2.2.3 RESERVED

OBJ E2.3 RESERVED

POLICIES

E2.3.1 RESERVED

E2.3.2 RESERVED

GOAL E3 Orange County shall support housing and transportation policies that support the local workforce.

OBJ E3.1 Orange County shall continue to support the efforts of the 2018 Regional Affordable Housing Initiative.

POLICIES

E3.1.1 The County shall promote the development of affordable housing close to transportation centers.

E3.1.2 The County shall promote the development of affordable housing on brownfield and greyfield sites.

E3.1.3 RESERVED

OBJ E3.2 The County shall promote mobility in Orange County by continuing to fund public transportation.

POLICIES

E3.2.1 The County shall support the expansion of commuter rail stations to major employment centers such as Orlando International Airport, International Drive, and Central Florida Research Park.

E3.2.2 The County shall work with Lynx to promote the use of express routes between major employment and living centers.

GOAL E4 Orange County shall promote policies that support the quality of life of our workforce.

OBJ E4.1 Orange County recognizes the need for support services as important to employees' quality of life.

POLICIES

E4.1.1 Orange County shall facilitate the development of childcare facilities within the County, including employer based childcare centers.

E4.1.2 Orange County shall support the development of accessory housing in Orange County.

OBJ E4.2 RESERVED

POLICIES

E4.2.1 RESERVED

GOAL E5 Orange County will promote economic diversification and the strengthening of industry specializations. (Added 10/10, Ord. 2010-13)

OBJ E5.1 Orange County shall promote the economic diversification of the County's economic base by attracting and expanding new industries. (Added 10/10, Ord. 2010-13)

POLICIES

E5.1.1 Orange County shall support the attraction and expansion of industries in cutting-edge fields important to the County's economic diversification, as determined by economic research and industry studies commissioned by the Board of County Commissioners from time to time. (Added 10/10, Ord. 2010-13)

E5.1.2 Orange County shall promote the competitiveness of industries that comprise Orange County's economic base, such as tourism and hospitality; photonics, lasers, and electro optics; nursery and foliage; modeling, simulation, and training; and life and medical sciences. (Added 10/10, Ord. 2010-13; revised 2018)

E5.1.3 Orange County shall support the creation and expansion of economic clusters within economic base industries by attracting suppliers and other related industries. (Added 10/10, Ord. 2010-13)

OBJ E5.2 RESERVED

POLICIES

E5.2.1 RESERVED

E5.2.2 RESERVED

CONSERVATION ELEMENT

2019-2-C-CP-2

Background Information

The Conservation Element is one of the required elements of the Comprehensive Plan as per the State of Florida Statutes 163.3177. This element was included in the 1980 and 1985 Growth Management Plan which became the 1990 Comprehensive Plan.

The purpose of this element has been and continues to be:

“to guide efforts to protect and preserve Orange County’s natural resources. *These resources will face increasing development pressures and need greater protection as urban expansion continues.*”

The natural resources that are described and analyzed include: surface water, floodplains, groundwater, vegetative communities (upland and wetland), soils, endangered wildlife and plants, and air.

The 1990 Plan included the acreage of upland and wetland vegetative communities. It noted that these communities are inextricably linked, each natural resource is interdependent with other resources. The aim of the goals, objectives, and policies of the element is to recognize these linkages and to ensure that these diverse resources are retained and enhanced for enjoyment by the County’s existing and future residents.

The original Conservation Element contained two goals, fourteen objectives, and 90 policies. The original goals were:

Goal 1 Orange County shall conserve, protect, and enhance the County’s natural resources including air, surface water, groundwater, vegetative communities,

wildlife listed as threatened, endangered, or species of special concern, soils, floodplains, recharge areas, wetlands, and energy resources to ensure that these resources are preserved for the benefit of present and future generations.

Goal 2 Orange County’s goal is to protect, enhance and maintain the unique and irreplaceable values, functions, diversity and benefit of the natural resources within the Econlockhatchee River Basin and Wekiva River Protection Area.

Past Evaluation and Appraisals

The 2000 Evaluation and Appraisal Update to the 1991 Comprehensive Plan revised the element. These revisions included removing objectives and policies directing the County to adopt regulations in the Land Development Code. This update added an objective (Obj. 2.4) under Goal 2 to address

| The following meetings and hearings have been held for this proposal: | | |
|---|---------------------------------------|--|
| Report/Public Hearing | Outcome | |
| ✓ Staff Report | Recommend Adoption | |
| ✓ LPA Transmittal November 21, 2019 | Recommend Transmittal (9-0) | |
| ✓ BCC Transmittal December 17, 2019 | Continue to January 14, 2020 (7-0) | |
| ✓ BCC Transmittal January 14, 2020 | Recommend Transmittal (6-0) | |
| ✓ DEO Comments February 2020 | No Comments | |
| ✓ LPA Adoption December 17, 2020 | Continue to January 21, 2021 | |
| ✓ LPA Adoption January 21, 2021 | Recommend Adoption (6-0) | |
| BCC Adoption | February 23, 2021 | |

the pollution in the Lake Apopka Drainage Basin.

The 2006 Evaluation and Appraisal Report (July 11, 2006) listed environmental protection as one of the nine major issues in Orange County. It stated that as the County's development proceeds toward build-out, additional pressures are being placed on natural resources throughout the County, especially within developable areas of the Urban Service Area and on areas adjacent to environmentally sensitive lands and public conservation areas. The report made 59 recommendations to various elements related to environmental protection. It concluded that the County's natural resources are diverse and still plentiful, but are subject to increasing development pressure.

The 2009 Comprehensive Plan Update included an updated data and analysis section with updates to data, current programs, and information about the Wekiva Protection Area. As in past Comprehensive Plan reviews, this update addressed upland communities and wetland communities. New to the 2009 update was climate change and sustainability.

Summary of Proposed Changes

Staff from the Environmental Protection Division and the Planning Division collaborated on the review and proposed amendments to the Conservation Element policies.

The Conservation Element contains three goals, seventeen objectives, and one hundred twenty-eight policies.

The reason for policy deletion is the policy is either repeated elsewhere in the Comprehensive Plan or the policy objective has been met.

The following includes a redline copy of the proposed changes. As part of the redline changes there are notes in the column explaining the reason for the proposed change. Following the redline version is a "**clean**" version of the proposed changes, reflecting how the element would read if the changes are adopted.

Conservation Element Goals, Objectives and Policies

GOAL C1 Orange County shall conserve, protect, and enhance the County's natural resources including air, surface water, groundwater, vegetative communities, ~~wildlife listed as threatened, endangered, or species of special concern~~ imperiled species, soils, floodplains, recharge areas, wetlands, and energy resources to ensure that these resources are preserved for the benefit of present and future generations. Lands located within the Wekiva Study Area (WSA) shall be considered high priority for protection. All development within the WSA shall meet the requirements of the Wekiva River Protection Act and the Wekiva Parkway and Protection Act or future Acts, as applicable, so as to provide, promote, and maintain a level of environmental quality to ensure natural resources are preserved for the benefit of current and future generations. (Amended 12/07, Ord. 2007-20)

Suggest revision to reflect changes in nomenclature. Also suggest additional language to provide support Wekiva River and Wekiva Parkway and Protection Act.

OBJ C1.1 Orange County shall continue to ~~implement State and Federal mandated programs to maintain or improve air quality, continue to monitor and protect air quality, and ensure that the County continues to meet or exceed all applicable air quality standards~~ maintain and improve air quality in the County to meet all National Ambient Air Quality standards for regulated air pollutants and in order to ensure a healthy environment for all citizens and visitors.

Recommend revising the objective to reflect current programs and practices.

POLICIES

C1.1.1 Orange County shall ~~continue its current comprehensive monitoring, compliance, permitting, and enforcement programs, in order to protect and maintain air quality.~~ implement and maintain State and Federal mandated programs, including meeting the objectives of its existing, approved local air program in accordance with Florida Statutes and interagency agreements with the State of Florida Department of Environmental Protection and the United States Environmental Protection Agency. The County shall also administer state and federal agreements and work plans, integrating any new rules and regulations into existing County programs.

Staff recommends revising the policy to reflect current adopted Code practices and to ensure compliance with State and Federal requirements.

C1.1.2 The Orange County Environmental Protection Division shall continue to implement an air monitoring program and follow the air quality guidelines of the Florida Department of Environmental Protection and Orange County Ordinances. (Amend. 12/00, Ord. 00-25)

C1.1.3 ~~Orange County shall promote and educate the public, through public seminars, dissemination of information and media presentations, about mass transit, carpooling, bikeways, park n ride lots, and other alternative transportation modes. The use of hybrid and alternative fuel vehicles as well as electric vehicles should be promoted as the market develops for these options. The use of low sulfur diesel fuel for both on road and off road diesel equipment should be used. This will be done in order to reduce automobile emission pollution, as proposed in the Traffic Circulation and Mass Transit Elements~~
Orange County will continue to promote alternative transportation modes and air quality awareness through public education and outreach programs. The County shall increase awareness of air quality issues through the development of educational programs for the regulated community, residents, schools, local businesses, and municipalities.

The first part of the policy is original to the 1990 Comprehensive Plan, and the second part was added in 2007. Changes are proposed to focus the policy on promoting alternative transportation modes and air quality awareness through education.

C1.1.4 ~~Orange County shall regulate businesses and industries that have an impact on air quality and ensure that proper pollution control devices are used and maintained. This policy shall be achieved through Interlocal Agreements with the Department of Environmental Protection. (Added 12/00, Ord. 00-25)~~
Orange County shall continue to maintain the air compliance, inspection, and enforcement programs to effectively meet/fulfill the terms of the interagency agreements with the Florida Department of Environmental Protection and the United States Environmental Protection Agency.

Recommend revising to clarify scope and agencies involved in air quality programs.

C1.1.5 ~~Orange County shall continue to enforce regulations regarding open burning, and other practices such as land clearing that have an adverse impact on air quality in Orange County~~
Orange County shall continue to enforce regulations regarding activities such as land clearing, open burning, or other activities to eliminate or reduce air pollution.

Recommend revising to clarify the activities that can affect air pollution.

C1.1.6 Orange County shall investigate and continue to promote, through incentives and education, the use of alternatives to open burning such as mulching, composting, leaving the existing vegetation where possible, air curtain incinerators, and best available control technology.

C1.1.7 Orange County's standards for the placement of transit facilities shall ~~be designed to continue to, at a minimum, address minimize adverse impacts to natural resources. water quality; wildlife (flora and fauna) listed as threatened, endangered, or species of special concern; scenic rivers; rare upland vegetative communities; noise; air pollution; and waste disposal.~~ (Added 12/00, Ord. 00-25, Policy 1.1.9)

Recommend revising to reflect the efforts of Orange County in the consideration of the placement of transit facilities.

OBJ C1.2 **Orange County shall protect and improve ~~continue to identify important sources of surface waters by identifying sources of pollution~~ pollution in Orange County and coordinate ~~coordinating the development and implementation of pollution abatement devices, methods and programs with local governments, State, and Federal agencies.~~ (Added 12/00, Ord. 00-25)**

Recommend clarifying Orange County's ongoing effort to identify and improve sources of water pollution.

POLICIES

C1.2.1 Orange County shall maintain acceptable water quality standards for surface water bodies, ensuring an aquatic environment that meets or exceeds Orange County, State and Federal standards. (Added 12/00, Ord. 00-25)

C1.2.2 Orange County shall continue to enforce water quality standards by identifying all point and significant non-point sources of water pollution, and expand programs to reduce the harmful impacts of these pollutants on the natural environment. Orange County shall implement projects to reduce pollutant loads as required by the County's Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit and Basin Management Action Plans (BMAP) through the Florida Department of Environmental Protection Total Maximum Daily Load (FDEP's TMDL) program. (Amended 6/10, Ord. 10-07)

Recommend updating the policy to clarify the programs that oversee water quality standards.

C1.2.3 RESERVED.

This policy was deleted as part of the 2000 update to the Comprehensive Plan.

C1.2.4 Orange County shall protect lakes and streams, ~~and~~ continue to maintain a surface water monitoring program and follow the water quality guidelines of the Florida Department of Environmental Protection (FDEP) and Orange County Ordinances. (Added 12/00, Ord. 00-25, Policy 1.2.4; Amended 6/10, Ord. 10-07)

C1.2.5 Orange County shall continue to protect shoreline vegetation by restricting the removal of desirable native vegetation through implementation of the Land Development Code and the Lakeshore Protection Ordinance requirements. (Added 12/00, Ord. 00-25, Policy 1.2.5-r; Amended 6/10, Ord. 10-07)

- C1.2.6 Orange County shall continue to improve design standards, monitoring, construction, and maintenance requirements for stormwater retention/detention systems, and shall ensure compliance of these requirements to prevent degradation of the receiving surface water bodies. These requirements shall be included in the Land Development Code and shall apply to all new projects. (Added 12/00, Ord. 00-25, Policy 1.2.6-r)
- C1.2.7 Orange County shall continue to implement the approved Wekiva River Protection Ordinance, the Econlockhatchee River Protection Ordinance, and the requirements of the Wekiva Parkway and Protection Act by continuing to adopt regulations in the Land Development Code and through the acquisition of Environmentally Sensitive Lands within these basins to protect these river resources and other Outstanding Florida Waters and Outstanding National Resource Waters. These regulations and acquisitions shall ensure protection and maintenance of water quality, water quantity, aesthetics, open space, historical/archaeological resources, rare upland habitat, wildlife habitat, and floodplains ~~and~~ and nature-based recreational values. (Added 12/00, Ord. 00-25, Policy 1.2.7-r; Amended 12/07, Ord. 2007-20; Amended 6/10, Ord. 10-07)
- C1.2.8 Orange County shall continue to develop, prioritize, and implement feasible and specific criteria for water quality when applicable in accordance with the State's Class III water quality standards for all surface waters, lakes, and rivers. (Added 12/00, Ord. 00-25, Policy 1.2.8-r)
- C1.2.9 Orange County shall on an ongoing basis identify and prioritize lakes that are in need of restoration, through the analysis of specific water quality parameters and following the water quality guidelines of the Florida Department of Environmental Protection (FDEP) and Orange County Ordinances. (Added 12/00, Ord. 00-25, Policy 1.2.11-r)
- C1.2.10 Orange County, in conjunction with the Water Management Districts and other State agencies, shall on an ongoing basis, seek funding and implementation of lake management plans for those water bodies in greatest need of restoration. (Added 12/00, Ord. 00-25, Policy 1.2.12)

- C1.2.11 Orange County shall prohibit the direct or indirect discharge of hazardous, toxic, chemical, petroleum, nuclear waste, heated water discharges, or liquid sludge pollutants into surface waters or wetlands systems. (Policy 1.2.14; Amended 6/10, Ord. 10-07)
- C1.2.12 Orange County shall prohibit the location of petroleum businesses where they will negatively affect the quality of surface waters, the surficial Aquifer or the Floridan Aquifers. (Added 6/95, Ord. 95-13, Policy 1.2.15-r; Amended 6/10, Ord. 10-07)
- C1.2.13 Where appropriate Orange County shall control non-native invasive aquatic plants in its waterways to promote good water quality and positive recreational benefits to its citizens and visitors. (Added 12/00, Ord. 00-25, Policy 1.2.16-r)
- C1.2.14 Orange County will reduce pollutants to the "maximum extent practicable" through implementation of pollution control measures, including developing nonpoint source control plans and compliance inspections of private and public facilities, for point and non-point discharges in accordance with County Code Chapter 15 Article II, Section 15-39; NPDES MS4 Permit FLS000011; FAC 62-624; 40 CFR 122.26; and Section 402(p)(3)(b) of the Federal Clean Water Act. (Added 12/00, Ord. 00-25, Policy 1.11.8)
- C1.2.15 Orange County shall identify areas within the County that are susceptible to impacts associated with nutrient loadings from specific activities including lawn and turf fertilizer application and reclaimed water irrigation. These susceptible areas shall include but are not limited to: Total Maximum Daily Load (TMDL) impaired waterbodies, Outstanding Florida Waters, Outstanding National Resource Waters, and waterbodies with declining water quality associated with nutrient loads and areas adjacent to surface water conveyance systems that drains to a waterbody of special interest. The County will make efforts to reduce the potential impacts from these specific activities. The identified areas will also be used for planning and future use considerations. (Amended 6/10. Ord. 10-07)

C1.2.16

Orange County shall develop a street sweeping plan that addresses the routine collection and disposal of nutrient laden leaf litter, sediment, trash and other debris within Orange County. When applicable the street sweeping plan shall take into account any Total Maximum Daily Load, Basin Management Action Plan (BMAP), or National Pollution Discharge Elimination System (NPDES) requirements. (Added 2/12, Amended 1/12, Ord 11-16).

OBJ C1.3 **Orange County shall protect the natural functions of floodplains and flood zone areas to maintain flood-carrying and flood-storage capacities, and to protect life and property, and Orange County shall to continue to maintain its eligibility in the National Flood Insurance Program by implementing the following policies.**

POLICIES

- C1.3.1 Orange County shall continue to improve and enforce the Orange County Floodplain Management Ordinance by requiring compensatory storage for encroachment in floodplains, restricting encroachment in floodways, and requiring habitable structures to be flood proofed. (Added 12/00, Ord. 00-25)
- C1.3.2 Orange County shall continue to identify and recommend, to the State and the Water Management Districts, floodplains that would warrant acquisition under the Conservation and Recreation Lands Program, Florida Forever Program, and the Save Our Rivers Program. (Amended 6/10, Ord. 10-07)
- C1.3.3 Orange County shall strengthen floodplain protection requirements for riverine systems by adopting regulations prohibiting floodplain encroachment without compensating storage. (Added 12/00, Ord. 00-25)
- C1.3.4 Orange County shall, on an ongoing basis, in conjunction with other appropriate agencies such as the Water Management Districts, identify and prioritize problem floodplain areas in need of corrective measures. (Added 12/00, Ord. 00-25)

OBJ C1.4 Orange County shall protect identified wetland areas and existing native wildlife (flora and fauna) habitats by implementing the following policies.

POLICIES

C1.4.0 For the purposes of this Comprehensive Plan, Environmentally Sensitive Lands shall ~~mean~~include at a minimum ~~Class I~~ conservation areas as defined in Chapter 15, Article X Orange County Code ~~Conservation Policy C1.4.1~~, and their adjacent uplands, rare upland habitat including but not limited to sandhill and scrub, and those wetland and upland systems that support ~~any~~imperiled species. ~~Threatened, Endangered Species, or Species of Special Concern.~~ (Added 8/92, Ord. 92-24; Amended 06/17; Ord. 2017-12)

Recommend changes to reflect current actions of the County and changes in nomenclature. Staff recommends moving to the Open Space Element. This move will be part of the Adoption hearings.

C1.4.1 Orange County shall continue to adopt and enforce regulations that protect and conserve wetlands and surface waters as defined in Orange County Code. Such regulations shall include criteria for identifying the ~~significance~~functional habitat value of wetlands or surface waters.

Recommend changes to reflect policy being adopted into the Land Development Code. Additional changes include changing conservation area to wetland or surface waters. Chapter 15, Article X, Orange County Code define wetlands and surface waters.

~~Class I conservation areas shall mean those wetland areas that meet at least one of the following criteria:~~

- ~~A. Any wetland of any size that has a hydrological connection to natural surface water bodies or Floridan aquifer; or~~
- ~~B. Any wetland of any size that is within a lake littoral zone; or~~
- ~~C. Any large isolated uninterrupted wetlands forty (40) acres or larger; or~~
- ~~D. Any wetland of any size that provides critical habitat for federal and/or state listed threatened or endangered species.~~

~~Class II conservation areas shall mean those wetland areas that meet any of the following criteria:~~

- ~~A. Consist of isolated wetlands or formerly isolated wetlands that by way of man's activities have been directly connected to other surface water drainage; and are greater than or equal to five (5) acres; or~~
- ~~B. Are less than 40 acres and do not otherwise qualify as a Class I conservation area.~~

~~Class III conservation areas shall mean those wetland areas that meet all of the following criteria:~~

~~A. Isolated wetlands less than five (5) acres; and do not otherwise qualify as a Class I or Class II conservation area. Stormwater ponds are not considered conservation areas.~~

~~The removal, alteration or encroachment within a Class I Conservation Area shall be allowed only in cases where no other feasible or practical alternatives exist that will permit a reasonable use of the land or where there is an overriding public benefit. The protection, preservation and continuing viability of Class I conservation areas shall be the prime objective of the basis for review of all proposed alterations, modifications, or removal of these areas.~~

~~Removal, encroachment or alteration for Class II conservation areas should be presumed to be allowed unless removal, encroachment or alteration is contrary to the public interest. Removal, encroachment or alteration may be allowed in Class III conservation areas.~~

~~When encroachment, alteration, or removal of a wetland or surface water conservation area is permitted, habitat compensation or mitigation as a condition of development approval shall be required. The basis for mitigation shall be determined by using Uniform Mitigation Assessment Method (UMAM) as the sole basis for evaluation, integrating any new rules and regulations into existing County programs. In the case where a mitigation bank has not been awarded credits using UMAM, the mitigation shall be no less than the following:~~

~~Class I conservation areas: case by case basis, but not less stringent than the mitigation requirements for Class II conservation areas.~~

~~Class II conservation areas:~~

~~A. Freshwater marshes and wet prairies—1.5:1.~~

~~B. Cypress wetlands—2.0:1.~~

~~C. Hydric hammocks, bayheads, and mixed hardwood swamps—2.5:1.~~

~~Class III conservation areas: 1:1.~~

~~For off-site, unlike, or other mitigation proposals, ratios shall be determined on a case-by-case basis. The regulation shall stipulate that the following types of mitigation shall be given priority:~~

- ~~A.—Restoration of non-functional wetlands;~~
- ~~B.—Off-site preservation of wetland and upland systems;~~
- ~~C.—Creation of type for type mitigation areas adjacent to preserved Class I Conservation Areas or that connect Class I, II and/or III conservation areas; and,~~
- ~~D.—Creation of type for type mitigation areas. (Added 8/92, Ord. 92-24; Amended 12/00 Ord. 00-25)~~

C1.4.2 Orange County shall coordinate with the United States Army Corps of Engineers, the Florida Department of Environmental Protection, and the St. Johns River and South Florida water management districts to identify and regulate wetland areas under their jurisdiction.

C1.4.3 ~~By 2011,~~ Orange County shall establish regulations in the Land Development Code concerning upland buffer areas adjacent to wetlands, major riverine systems and Outstanding Florida Waters, and Outstanding National Resource Waters, in order to protect water quality, preserve natural wetland or surface water functions, and preserve wildlife and plant species listed ~~as as imperiled species~~ species threatened, endangered, or species of special concern. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)

Recommend updating to reflect changes in nomenclature.

C1.4.4 The future land use designation of **Preservation** shall be established to recognize publicly or privately owned lands of significant environmental importance for the purposes of environmental protection. Publicly owned lands designated Preservation shall be lands owned by federal, state, or local governments acquired for environmental preservation, rehabilitation, or management. Privately owned lands such as wetland mitigation banks, Regional Offsite Mitigation Areas, and environmentally sensitive properties owned by the Florida Audubon Society, Nature Conservancy or similar types of non-profit entities, may be designated as Preservation so long as formal consent is provided.

Compatible very-low impact nature-based recreational or educational uses, such as hiking, non-motorized boating, ~~bird watching~~wildlife viewing, horseback riding, fishing, primitive camping, and nature study, that use natural amenities of the site for public benefit are allowable uses in the Preservation designation, so long as these uses avoid development encroachment into warranted, environmentally-sensitive areas. All other uses are prohibited. Furthermore, development within areas designated Preservation cannot exceed a 0.1 Floor Area Ratio. (Deleted 12/00, Ord. 00-25; Added 05/03, Ord. 03-03, Policy 1.4.4-r; Amended 6/10, Ord. 10-07)

C1.4.5 The **Conservation/Wetlands** designation on the Future Land Use Map shall serve as a conceptual indicator of conservation and wetland areas. The precise delineation of these areas shall be determined through site specific studies and field determinations that assess the extent of wetland vegetation, consistent with Conservation Policy C1.4.1. If an area designated as Conservation/Wetlands on the Future Land Use Map is determined to be a developable area, the underlying Future Land Use Map designation shall ~~be as shown~~control. (Added 12/00, Ord. 00-25)

C1.4.6 All attempts should be made to mitigate wetland or surface water impacts within the County. Off-site mitigation or out of County mitigation for all ~~Classes of wetlands (i.e. I, II, and III)~~ or surface waters will be considered only when, 1) the mitigation site is deemed as appropriate (i.e. functional equal or like for like) mitigation to offset any direct or secondary impacts and, 2) is located within the same hydrologic basin as the impact or 3) the applicant can demonstrate that mitigation area will have spillover benefits to the basin where the impact is to occur. This includes Orange County Capital Improvement Projects. Orange County may approve out-of-County mitigation areas ~~on a case-by-case basis~~under limited circumstances; this includes mitigation banks, which benefit the County's wetland resources. (Added 6/95, Ord. 95-13; Amended 12/00, Ord. 00-25; Amended 10/10, Ord. 2010-13)

C1.4.7 Orange County shall protect identified wetland and surface water areas and existing wildlife (flora or fauna) habitat through the control and maintenance of invasive non-native (exotic) plants and animal species on County owned Environmentally Sensitive Lands. The Orange County Environmental Protection Division has adopted an internal Standard Operational Procedure for the identification and tracking of invasive/exotic Plant Species that is applicable for all Green PLACE properties. Maintenance and control of invasive/exotic plant and animal species is conducted by contractual and in-house resources. Orange County shall continue to identify funding sources and grants to assist in the maintenance and control activities. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)

C1.4.8 Orange County shall continue to seek out innovative partnerships and opportunities to preserve and conserve its natural resources in a balanced approach that ensures multiple and compatible uses of those lands while providing just compensation to the landowner. (Added 12/00, Ord. 00-25)

C1.4.9 An upland buffer of a minimum of 25 feet is recommended, unless otherwise stated elsewhere in Orange County Code or in the Orange County Comprehensive Plan for all ~~Class I, II, and III~~ wetland systems unless scientific data dictate a larger or smaller buffer based on wetland function or local conditions. This shall be incorporated into Chapter 15 of the Orange County ~~Code by July 2011~~. (Amended 6/10, Ord. 10-07, Amended 10/10, Ord. 2010-13)

Recommend adding language to indicate the buffer requirement has been adopted into the Land Development Code.

OBJ C1.5

Orange County shall require proper soil management practices, to avoid erosion as outlined in the County's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer (MS4) permit. This objective shall be made measurable by implementing the following policies appropriate best management practices, and use of technology technologies be implemented to prevent pollution from impacting the County's Municipal Separate Storm Sewer (MS4) and Surface Waters as outlined in the County's MS4 National Pollutant Discharge Elimination System (NPDES) permit.

Recommend revising the objective to include best management practices and technologies be implemented.

POLICIES

C1.5.1

~~RESERVED. Orange County shall continue to work with the Natural Resource Conservation Service to rate and classify Orange County's soils according to their development potential.~~

Recommend deleting because the policy is no longer relevant.

C1.5.2

~~Orange County shall on an ongoing basis, assist the Natural Resource Conservation Service with those activities directed at implement policies and practice that minimize soil erosion and sedimentation., including the adoption and enforcement of Best Management Practices for agriculture and urban development. (Added 12/00, Ord. 00-25; Amended 10/10, 2010-13)~~

Recommend updating the policy to reflect current practices.

C1.5.3

~~RESERVED. Orange County shall assist the Water Management Districts, Florida Department of Environmental Protection and other applicable agencies to improve soil management adjacent to Orange County surface water bodies. This assistance may include, but not be limited to, protection and planting of desirable native species of vegetation and erosion control measures. (Amended 6/10, Ord. 10-07)~~

Recommend deleting from the Conservation Element because this policy is included in the Intergovernmental Coordination Element and referring the reader to ICE1.8.7.

C1.5.4

Orange County shall incorporate regulations into the Land Development Code concerning soils and their suitability for future development. These regulations shall include restricting development in areas with hydric soils, preservation of groundwater recharge areas, and controlling the location of individual on-site sewage disposal systems. (Amended 6/10, Ord. 10-07)

C1.5.5

Orange County shall continue to require and enforce State ~~recommended~~ required minimum Best Management Practices to protect soils during development activities. (Added 12/00, Ord. 00-25)

Recommend changes to clarify that State BMPs are required.

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| C1.5.6 | <p>Orange County shall provide information regarding training opportunities that instruct private entities and County Staff on erosion control and best management practices <u>as required by the National Pollutant Discharge Elimination System (NPDES) permit</u>. Training of inspectors is available through the Florida Stormwater, Erosion and Sediment Control Training and Certification Course.</p> | <p>Recommend deleting information about inspector training as it is not needed in a Comprehensive Plan Policy.</p> |
| C1.5.7 | <p>Orange County shall require <u>proposed</u> development in, on, or near contaminated soils to properly address the contamination prior to any approvals allowing disturbance of the contaminated soils with land clearing, mass grading, and/or construction. (Added 6/10, Ord. 10-07)</p> | <p>Recommend revising the policy to clarify the policy applies to proposed development.</p> |
| C1.5.8 | <p>Development on any soils in which buried waste is found shall comply with the guidelines established in the most recent version of the "Guidance for Disturbance and Use of Old Closed Landfills or Waste Disposal Areas in Florida," published by the Florida Department of Environmental Protection. (Added 6/10, Ord. 10-07)</p> | |

OBJ C1.6 **Orange County shall require that mining be regulated to prevent adverse impacts to air, groundwater, surface water, and other natural resources by implementing the following policies. (Added 12/00, Ord. 00-25)**

POLICIES

- C1.6.1 Orange County shall regulate any proposed mining activities to ensure such uses are compatible with their surroundings and are environmentally acceptable.
- C1.6.2 Orange County shall prohibit mining activities that adversely impact prime water recharge areas and/or lower groundwater potentiometric surface elevations.
- C1.6.3 ~~By July 2011,~~ Orange County shall develop maintain landscape and grading standards for mine reclamation that provide for the restoration of previously mined land. ~~Such standards shall be included~~ in the Land Development Code. (Amended 10/10, Ord. 2010-13)
- C1.6.4 Orange County shall require that a reclamation plan and proof of financial responsibility has been provided by mining operators as a condition of permit approval. Such requirements ~~are~~ shall be included in the Land Development Code.
- C1.6.5 Orange County shall require and enforce erosion control practices during mining activities and shall require State recommended Best Management Practices to protect: soils, receiving waters, and open drainage facilities as well as to prevent fugitive air emissions through site management, engineering controls and with dust control techniques. (Added 6/10, Ord. 10-07)

OBJ C1.7 **Orange County shall manage and protect plant and wildlife species designated as imperiled ~~threatened, endangered or species of special concern~~ through programmatic and planning approaches for ecosystem analysis and through adoption of land development regulations. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)**

Recommend updating to reflect change in nomenclature.

POLICIES

C1.7.1 Orange County shall assist in the application of, and compliance with, all State and Federal regulations that pertain to imperiled species, plants and wildlife listed as threatened, endangered, or species of special concern.

Recommend updating to reflect change in nomenclature.

C1.7.2 ~~In addition to consulting with the appropriate State agencies, Orange County shall~~ coordinate with Federal and State agencies that require management plans for land use permits that would result in harm to any wildlife or plants listed as ~~imperiled threatened, endangered, or species of special concern~~ found on site or determined to use the site. ~~Such requirements shall be included in the Land Development Code and, at a minimum, shall require~~ An applicant may be required to provide a habitat survey and management plan approved by or otherwise satisfactory to and in full compliance with the regulations promulgated by the Florida Fish and Wildlife Conservation Commission, the County, and any other state or federal agency with jurisdiction. ~~(Added 8/92, Ord. 92-24; Amended 12/00, Ord. 00-25, Policy 1.7.2-r; Amended 6/10, Ord. 10-07)~~

Recommend updating the policy because the Environmental Protection Division cannot regulate imperiled species, the Florida Wildlife Commissions is the agency that regulates management plans for imperiled species.

C1.7.3 Orange County must establish on an ongoing basis, an education and incentive program to encourage private landowners to use environmental management practices that protect habitat for plants and wildlife listed as ~~imperiled, threatened, endangered, or species of special concern.~~ (Added 12/00, Ord. 00-25)

Recommend updating to reflect change in nomenclature.

C1.7.4 Land containing plants and wildlife listed as ~~imperiled threatened, endangered, or species of special concern~~, or that is part of a riverine corridor system shall be given priority for environmentally sensitive land acquisition and protection by Orange County.

Recommend updating to reflect change in nomenclature.

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| C1.7.5 | <p>Orange County shall, through conservation easement and fee simple land acquisition, discourage fragmentation and encourage the creation of wildlife/open space corridors, that are to be identified in the Open Space Element as referenced in Open Space policies OS1.1.5 and OS1.1.6. A priority for wildlife/open space corridors shall be given to land located within the Wekiva Study Area to connect the Wekiva River area to the Ocala National Forest. Wherever possible, public and private open space areas shall be connected together to establish corridors for wildlife movement. (Added 8/92, Ord. 92-24; Amended 12/00, Ord. 00-25, Policy 1.7.5-r; Amended 12/07, Ord. 2007-20; Amended 6/10, Ord. 10-07, 10/10, Ord. 2010-13)</p> | <p>Recommend omitting the cross reference to Open Space Element as wildlife/open space corridors are not identified in the Open Space Element. T</p> |
| C1.7.6 | <p>Orange County shall, through the County's Legislative Delegation's actions, continue to implement the provisions of the Florida Blue Belt amendment as a means for preserving rare uplands and recharge areas, recognizing that uplands in Orange County are rare ecosystems that contain both high recharge areas and habitat for endangered, threatened and imperiled species, of special concern. The County will encourage citizens to take advantage of this new legislation through public education initiatives. (Added 12/00, Ord. 00-25)</p> | <p>Staff recommends revising the policy. The County used this legislation for one property and it has since expired.</p> |
| C1.7.7 | <p>Orange County shall amend <u>implement</u> the Orange County tree ordinance and associated land development regulations, in order to require preservation of valuable tree species that provide valuable habitat for animals, prohibit indiscriminate clearing, and require replacement and maintenance measures. These regulations shall be included in the Land Development Code. (Added 12/00, Ord. 00-25)</p> | |

- C1.7.8 Orange County shall continue to protect ~~land such as rare upland habitats, as identified by Florida Natural Areas Inventory (FNAI), that provide habitat for plants and wildlife listed as imperiled threatened, endangered, or species of special concern~~ through land use planning requiring buffers, open space, management plans, and/or clustering. Orange County's process of development review ensures that rare upland ~~areas~~ habitats are inventoried for any possible ~~endangered-imperiled~~ species that may necessitate habitat protection. Orange County shall also consider incentive programs such as density bonuses, acquisition or purchase of development rights as a means of preserving these areas. ~~Critical-Rare upland habitats including Longleaf Pine-Turkey Oak, vegetation communities ("s Sandhill"), Xeric Oak Scrub, Sand Pine Scrub, Pine Flatwoods and areas of Type A soils located within the Wekiva Study Area shall be considered high priority for protection efforts. All areas that are to be set aside as protected open space shall be identified as such on development plans. (Added 12/00, Ord. 00-25; Amended 12/07, Ord. 2007-20; 10/09, Ord. 2009-28)~~
- Recommend omitting the consideration of incentives as the County does not offer incentive programs for protections of uplands.
- C1.7.9 Orange County shall, on a continuous basis, identify and recommend to the State and other appropriate agencies rare uplands that would warrant acquisition under appropriate land acquisition programs. Orange County shall pursue long-term revenue sources for purchases of rare upland habitat that warrants acquisition. (Added 12/00, Ord. 00-25)
- C1.7.10 Orange County shall use the Conservation Trust Fund, Florida Forever and other available funding sources to acquire rare upland and wetland vegetative communities and identified wildlife corridors. (Added 12/00, Ord. 00-25)
- C1.7.11 Orange County shall consult the natural habitat evaluations prepared by the Florida Natural Areas Inventory (FNAI) ~~The Florida Natural Areas Inventory completed a natural habitat evaluation. The final results of the evaluation and other evaluations shall be used by Orange County to prioritize land for acquisition based on its ability to provide the following: habitat corridors, high ranking vegetative cover, species diversity, hydrologic function, ecological integrity and aquifer recharge potential. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07, Amended 10/10, Ord. 2010-13)~~
- Staff recommends revising the policy to consult the natural habitat evaluations because the natural habitat evaluation was not completed.

C1.7.12 Orange County shall continue to seek long term revenue sources and partnerships for open-space acquisition and maintenance that will serve to balance habitat related goals with those for improved passive recreation areas and citizen education programs. (Added 12/00, Ord. 00-25)

OBJ1.8 RESERVED

As part of the 2000 Comprehensive Plan update, Objective 1.8 and supporting policies were incorporated into Objective 1.7.

OBJ C1.9 **Orange County shall require the protection of natural resources by minimizing adverse impacts from adjacent developments. This objective shall be made measurable by implementing the following policies:**

POLICIES

- C1.9.1 Orange County shall cooperate with the Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission and the Florida Division of Forestry to improve the management of Wekiva Springs State Park, Rock Springs Run State Reserve, Tosohatchee State Reserve, Seminole Ranch Wildlife Management Area, Neighborhood Lakes, Joshua Creek Conservation Area, Hal Scott Preserve and Split Oak Forest Preserve. (Amended 6/10, Ord. 10-07)

- C1.9.2 Orange County shall continue to require compatible land uses and enhanced protective mechanisms, such as, but not limited to, Notices of Proximity, buffers, vegetative buffers, setbacks, density restrictions, easements, physical barriers, pollution abatement swales, erosion control techniques, treatment of stormwater runoff, and fire management that will permit continued habitat management practices in areas adjacent to major managed natural resources. This is necessary in order to minimize adverse impacts from development and allow continuation of management activities for these areas. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)

- C1.9.3 Orange County shall continue to establish Interlocal Agreements with adjacent counties and municipalities to protect rare upland vegetative communities and all wetland vegetative communities that are located in more than one jurisdiction. (Added 12/00, Ord. 00-25)

OBJ C1.10 Orange County shall conserve energy resources for future generations. ~~This objective shall be made measurable by implementing the following policies.~~

POLICIES

C1.10.1 Orange County shall continue to ~~implement~~ develop an energy conservation programs that requires new developments to incorporate energy efficient buildings and site design techniques to the extent practical and feasible. Preliminary Subdivision Plans and Development Plans and all commercial plans shall include a list of the energy efficient measures that will be incorporated into the buildings and used in the site design techniques. ~~If the a~~ developer can show that a 15% higher energy performance will be achieved (on an annual basis) over the existing code required building practices then the comprehensive plan goal cited above, "to the extent practical and feasible," will be met. Refer to the ~~Florida Green Commercial Building Standard~~ green buildings standards such as Florida Green Commercial Building Standards and the Leadership in Energy and Environmental Design (LEED) Green Building Rating System standards for guidance. Another option to comply with this policy is to achieve an energy certification from one of the organizations listed above that is at least equivalent to the 15% goal stated above. (Added 12/00, Ord. 00-25-r)

C1.10.2 Orange County shall continue to pursue the reduction of greenhouse gases through increased fuel efficiency and diversification of the County fleet through the use of hybrid vehicles including electric vehicles and alternative fuel vehicles. ~~the use of diversify the County fleet through the use of hybrid vehicles and alternative fuel vehicles as they become available on the market. The County shall continue to closely monitor vehicle manufacturers alternate fuel programs and consider such vehicles when purchasing new fleet vehicles. It is anticipated that plug-in electric hybrid cars will be made available on the market and they will be incorporated into the fleet as appropriate. The County will continue to participate with manufacturer testing of hydrogen-powered buses and fueling facilities. The County will promote the use of all these vehicles by the general public by encouraging the construction of the necessary infrastructure such as charging stations.~~ (Added 8/92, Ord. 92-24, Policy 1.10.2-r; Amended 6/10, Ord. 10-07)

Staff recommends changes to the policy to reflect the continuing effort of Orange County to conserve energy through the use of fuel efficient and alternative fuel vehicles.

- C1.10.3 Orange County shall investigate and implement alternative means of reducing the County's solid waste and dependency on fossil fuels.
- C1.10.4 Orange County shall investigate and implement ways of reducing ~~Styrofoam expanded polystyrene consumption use~~ throughout Orange County including its own facilities, ~~in the interest of reducing harmful chlorofluorocarbon (CFC) discharge to the atmosphere.~~
- C1.10.5 Orange County shall investigate and implement ways to increase the use of recycled paper products. ~~reduce its new paper products consumption by such means as using recycled paper products.~~
- C1.10.6 Orange County, shall continue to implement ways of reducing fossil fuel consumption in new County facilities by such means as including solar panels, solar water heaters, double or triple pane windows, wide roof eaves to maximize exterior wall shading, passive solar design concepts, and higher insulation values. Orange County shall ~~offer~~ investigate and consider incentives to property owners and builders/developers who demonstrate energy conservation in building design to include options that supplement existing utilities. Such incentives shall be included in the energy conservation program referenced in Conservation Policy C1.10.1. (Added 12/00, Ord. 00-25)
- Staff recommends deleting the interest of reducing CFC discharge because CFCs are not used in the production of expanded polystyrene.

OBJ C1.11 Orange County shall protect and conserve groundwater quantity and quality by implementing the following policies.

POLICIES

- C1.11.1 Orange County's Environmental Protection Division shall continue to implement its monitoring program and procedures to mitigate adverse impacts, if detected, of private businesses in the unincorporated area that use, generate, or produce any material characterized or listed on the Resource Conservation and Recovery Act's or the Environmental Protection Agency's hazardous waste lists as required in the Aquifer/Wellfield Protection regulations. (Added 12/00, Ord. 00-25, Policy 2.1.5r)
- C1.11.2 Orange County shall coordinate and cooperate with the St. Johns River Water Management District and South Florida Water Management District in the enforcement of the provisions of their emergency water shortage plans, and in the implementation of the appropriate groundwater conservation and protection programs outlined in the Regional Water Supply Plans of the St. Johns River Water Management District and the South Florida Water Management District.
- C1.11.3 Orange County, a designated Primary Water Resource Caution Area, will draft and include incentives in the update of the Land Development Code to encourage water conservation measures and water wise landscaping principles, and the use of native vegetation or other drought resistant species, in order to reduce the irrigation demand for potable water in new developments or redevelopment. (Added 12/00, Ord. 00-25)
- C1.11.4 Orange County shall use the water quality and quantity protection, preservation, and conservation measures as designated in the objectives and policies of the *Potable Water, Wastewater and Reclaimed Water* and the *Aquifer Recharge* Elements, to protect groundwater quality and quantity.

- C1.11.5 ~~RESERVED. Orange County shall develop regulations supporting the use of stormwater runoff for irrigation of agricultural areas, open space and landscaped areas to facilitate aquifer recharge and reduce potable water demands, in accordance with the SJRWMD's "District Water Supply 2020 Plan 2005." Such regulations shall be included in the Land Development Code. (Added 12/00, Ord. 00-25, Policy 1.11.5 r)~~ Staff recommends deleting the policy as it is covered in the Stormwater Management Element Policy SM1.6.6.
- C1.11.6 ~~RESERVED. Aquifer recharge areas typically comprise Hydrologic Soil Group Type "A," as indicated on the Soil Survey Map for the County prepared by the Natural Resources USDA Soil Conservation Service. Regulations shall be adopted as part of the Land Development Code that require a detailed soils report prepared by a geotechnical engineer to be submitted to the County prior to site development plan approval if such soils exist on-site. If the site is determined to be within a high recharge area, retention of the total run-off generated by a 25-year frequency, 24-hour duration storm event from the developed site will be required. (Added 8/92, Ord. 92-24; Amended 12/00, Ord. 00-25, Policy 1.11.6 r)~~ Staff recommends deleting the policy as it is covered in the Stormwater Management Element Policy SM1.6.6.
- C1.11.7 Orange County shall identify and take action to combat sources of pollution that could threaten groundwater quality such as malfunctioning drainwells, improperly installed or failing septic tanks, and improper disposal of hazardous waste areas. For areas inside the urban service area, with failing septic tanks Orange County shall investigate and prioritize the provision of Wastewater and Water utilities to these areas. This will be done through the MSTU (Municipal Services Taxing Unit) or MSBU (Municipal Service Benefit Unit) that can help provide the costs attributed to retrofitting those areas that require infrastructure improvements for wastewater and stormwater. (Added 12/00, Ord. 00-25, Policy 1.11.7)
- C1.11.8 Orange County will reduce pollutants to the maximum extent practicable through implementation of pollution control measures, and developing nonpoint source control plans, in accordance with Section 402(p)(3)(b) of the Clean Water Act, 40 CFR 122.26 and existing state regulations. (Added 12/00, Ord. 00-25, Policy 1.11.8)

C1.11.9

The County shall protect the Wekiva Study Area through the establishment of three protection zones based upon the aquifer vulnerability data provided in the Florida Geological Survey Report of Investigation 104: Wekiva Aquifer Vulnerability Assessment (WAVA). The three Protection Zones as determined by the WAVA report are depicted in Figure WSA-5. The Primary Protection Zone is comprised of those areas expected to most directly affect the water quality surfacing at the springs within the WSA [time of travel and reduced natural attenuation]. The Secondary Protection Zone still contributes water to the springs, but over a longer period of time and allowing for somewhat greater natural treatment and reduction of the nitrogen.

The Tertiary Protection Zone covers all other areas in the WSA, where the flow to the springs is minimal or nonexistent. As part of its analysis, the County shall determine whether certain land uses with the potential to contaminate or harm the aquifer shall be limited or prohibited within portions of the WSA. The evaluation will need to address monitoring mechanisms as well as the costs of implementation and enforcement of protection zones and land use limitations. ~~By January 1, 2007,~~ Orange County will continue to revise the Land Development Code ~~will be revised~~ to include protection zones and appropriate standards for development within them, including stormwater runoff. (Added 12/07, Ord. 07-20, Policy 1.11.9)

C1.11.10

Orange County shall adopt and maintain a Water Supply Facilities Work Plan (Work Plan) which will assess existing and projected water sources and needs for at least a 10-year planning period considering the Regional Water Supply Plans of the St. Johns River Water Management District and South Florida Water Management District. The Work Plan will identify feasible traditional and alternative water supply sources, including water conservation efforts, which the County may use to reduce or satisfy existing and projected water demands.

C1.11.11

Orange County will continue to implement the water conservation efforts identified in the Work Plan. These efforts include:

- Continued staffing of the County's water conservation program and extensive public education program;
- Continued enforcement of ordinances and policies that limit irrigation days and hours, encourage Florida Friendly landscaping, and use of smart irrigation technology, require the use of ultra-low volume fixtures, and require rain sensor devices;
- Continued water conservation practices, such as participation in Florida Friendly Landscape workshops, water use audits, toilet retrofit program, showerhead exchange program, efficient irrigation nozzle replacement program, distribution system leak program, presentation and events, and participation in public awareness campaigns; (Amended 05/17, Ord. 2017-10)
- Continued use of a tiered inclined block water conservation rate structure, including rate increases;
- Further assessment of existing water conservation program effectiveness and development of new program initiatives; and,
- Periodic review and update of existing water conservation and landscaping ordinances to promote additional improvements in water conservation.

Staff recommends adding landscaping and use of smart irrigation technology to reflect Orange County's ongoing efforts at water conservation.

OBJ C1.12 Orange County shall protect, preserve and enhance its vegetative resources, including, but not limited to, tree species, emergent and submerged aquatic vegetation. This shall be accomplished through the implementation of the following policies. (Added 12/00, Ord. 00-25)

POLICIES

C1.12.1 Orange County shall augment its protection of vegetated natural resources ~~in urban areas~~, including but not limited to the tree protection ordinance. This action would ensure that high quality trees would receive greater protection in the development review process, require preservation of valuable tree species, prohibit indiscriminate clearing, require replacement, and maintenance measures, and establish ratios for replacement if removal is unavoidable. The County shall ~~update~~ maintain the existing Tree Protection Ordinance ~~by 2009~~. (Added 12/00, Ord. 00-25)

C1.12.2 Orange County shall encourage the planting of native trees and vegetation along the roadways, through inclusion of landscaping and buffering requirements in the Land Development Code, Activity Center development guidelines, Arbor Day promotions, and expansion of the Urban Forestry Program, in order to reduce the level of carbon dioxide in the air, dilute air pollutants, and reduce noise impacts, to enhance the aesthetic quality, design, and quality of life in Orange County. (Added 12/00, Ord. 00-25, Policy 1.12.2-r)

C1.12.3 Orange County shall develop incentive programs for the conservation of existing, wetland and upland vegetative communities.

C1.12.4 Orange County shall continue to implement invasive/exotic plant species control on Orange County Green PLACE properties, ~~continue to~~ conduct ~~prescribed fire~~ controlled burn events, and ~~restore~~ restoration of degraded habitats with native vegetation. (Amended 6/10, Ord. 10-07)

GOAL C2 **Orange County's goal is to protect, enhance and maintain the unique and irreplaceable values, functions, diversity and benefit of the natural resources within the Econlockhatchee River Basin, Wekiva Protection Area, Wekiva River Basin -and the Lake Apopka Drainage Basin. (Amend. 12/00, Ord. 00-25, Goal 2)**

Staff recommends adding Wekiva River Basin as this is included in the scope of the goal.

OBJ C2.1 **All new development within the Wekiva Protection Area shall be residential at very low densities, agricultural or low intensity recreational in character.**

POLICIES

C2.1.1 The Future Land Use Map shall establish the permitted land use, densities and intensities for the Wekiva River Protection Area and the Wekiva River Study Area.

Recommend deleting the policy as the Future Land Use Map establishes land use, density for the Wekiva River.

C2.1.2 Within the Wekiva River Protection Area, development that is not residential, agricultural or low intensity recreational in character shall be prohibited. Amendments to the Future Land Use Map that would allow a residential density greater than 1 DU/5 Acres shall be denied.

OBJ C2.2 ~~_____The natural resources of the Wekiva River shall be protected. This objective shall be made measurable by implementing the following policies.~~

POLICIES

C2.2.1 A buffer zone is hereby established five hundred and fifty (550) feet from the landward limit of waters of the State (FAC § 62-340), or edge of the Wekiva River, or from the landward edge of the wetlands associated with the Wekiva River, whichever is the greater. In no case shall development activities be permitted closer than five hundred fifty (550) feet from the river's edge except for created forested or herbaceous wetlands, and passive recreation when it is clearly demonstrated by the applicant that the areas shall not adversely affect aquatic and wetland-dependent wildlife, water quality, groundwater table or surface water levels.

An upland buffer a minimum of 25 feet and an average of 50 feet shall be required for all Class I, Class II or Class III wetland systems/-conservation areas, that are not associated with the Wekiva River, that occur within the Wekiva Study Area. Larger buffers can be applied if scientific data on wetland function or local conditions dictates it. ~~This shall be incorporated into Chapter 15 of the Orange County Code by 2012. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)~~

~~C2.2.2 In order to protect the Wekiva River, parcels shall not be subdivided so as to interfere with the buffer zone established in Conservation Policy C2.2.1.~~

C2.2.3 In order to preserve native vegetation to the maximum extent possible, clustering of development or submission as a Planned Development (PD) shall be encouraged within the Wekiva River Protection Area.

Staff recommends deleting the last sentence of the policy because this has been adopted as part of the Land Development Code.

Staff recommends moving Policy C2.2.11 here because it relates to C2.2.1. Policy C2.2.2 was omitted from the Comprehensive Plan. It was related to the Orange County Conservation Ordinance which restricted and regulated development in wetland areas

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| C2.2.4 | Where endangered, threatened imperiled species <u>of plants and animals or species of special concern</u> are known to be present, or are likely to be present, the developer of any subdivision, or planned development, shall be required as part of the development review process to liaise with the Florida Fish and Wildlife Conservation Commission in order to protect the above plants and animals within the Wekiva River Protection Area. This requirement shall be included in the Land Development Code. | Recommend revision to reflect changes in nomenclature. |
| C2.2.5 | Within the 100 Year Floodplain of the Wekiva River, developments shall be required to minimize the clearance of native vegetation. Prior to construction plan submittal, a vegetation clearing plan shall be submitted to the County for review and approval. Clearing of vegetation will only be permitted, where necessary, in order to complete the development. Such requirements shall be included in the Land Development Code. (Amended 6/10, Ord. 10-07) | Recommend deleting the last sentence of the policy because this has been adopted in the Land Development Code. |
| C2.2.6 | The County shall continue to monitor surface water quality within the <u>Wekiva</u> Study Area in order to identify potential pollutant sources and track long term trends in quality. The County shall follow the requirements of any Basin Management Action Plan (BMAP) developed under the Total Maximum Daily Load (TMDL) Program. (Added 12/00, Ord. 00-25) | |
| C2.2.7 | Pre-development and post-development stormwater run-off rates shall be equal. (Added 12/00, Ord. 00-25) | |
| C2.2.8 | Developments that have the potential to degrade groundwater quality shall be prohibited. | |
| C2.2.9 | Within the 100 Year Floodplain of the Wekiva River, septic tank use shall be discouraged. Where public utilities are available, new development will be required to hook-up to these facilities. In order to obtain a Septic Tank Permit within the Floodplain, the applicant must demonstrate that there will be no detriment to water quality. Such requirements shall be included in the septic tank regulations of the Land Development Code. | |
| C2.2.10 | In order to protect the water quality of the Wekiva River, and to protect the River's rural character, the density or intensity of development permitted on parcels adjacent to the River shall be concentrated/clustered on the portion of the parcel furthest from the River. | |

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| C2.2.11 | In order to protect the Wekiva River, parcels shall not be subdivided so as to interfere with the buffer zone established in Conservation Policy C2.2.1. | Staff recommends moving this policy to Policy C2.2.2. |
| C2.2.12 | Orange County shall coordinate with the St. Johns River Water Management District to monitor and manage the quantity of groundwater withdrawals, in order to prevent saltwater contamination due to a decline in potentiometric surface. | Staff recommends moving this policy to the Potable Water Element because saltwater concern should be under that element. |
| C2.2.13 | Orange County shall coordinate with the City of Apopka concerning implementation of the required provisions of the Wekiva River Protection Act through meetings on an as needed basis. | |

OBJ C2.3 **Orange County shall protect and preserve the surface water quality and quantity, wildlife populations and habitat, aesthetics, open space, historical and archaeological resources, floodplains, wetland areas, native upland areas and recreation lands of the Econlockhatchee (Econ) River Basin by implementing the following policies.**

POLICIES

- C2.3.1 The Land Development Code shall provide for the protection of the Econ River Basin through mechanisms such as upland buffers, specific restrictions within a 2,200 foot total width protection zone, requiring habitat and historical/archaeological resource assessments and protection, allowing for mitigation, open space or density credits, requiring landscaping to include use of native plant species, utilization of wetland areas as part of drainage facility systems, requiring ~~State or Federal listed species protection~~ imperiled species protection, clustering of development, restricting floodplain encroachment, and limiting forested habitat fragmentation. (Added 12/00, Ord. 00-25)

- C2.3.2 Orange County shall coordinate, through provision of information and technical assistance, with the St. Johns River Water Management District and adjacent counties for the development of consistent regulations protecting the Econ River Basin.

- C2.3.3 Orange County shall support educational programs promoting the scenic and natural values of the Econ River Basin through provision of information and technical assistance, ~~and attendance at appropriate meetings.~~

- C2.3.4 Orange County shall continue to monitor surface water quality in the Econ River Basin in order to identify potential pollutant sources and track long term trends in quality. The County shall follow the requirements of any Basin Management Action Plan (BMAP) developed under the Total Maximum Daily Load (TMDL) Program. (Amended 6/10, Ord. 10-07)

Recommend revision to reflect changes in nomenclature.

OBJ C2.4 **Orange County shall help restore, protect and preserve the surface populations and habitat, aesthetics, open space, historical and archaeological resources, floodplains, wetland areas, native upland areas and recreation lands of the Lake Apopka River Basin by implementing the following policies.**

POLICIES

C2.4.1 Orange County shall support, through the provision of information, technical assistance, planning, land acquisition, land use designations, and intergovernmental coordination the restoration of Lake Apopka through the Lake Apopka Surface Water Improvement and Management (SWIM) Program, the Lake Apopka Planning Initiative and the efforts of the Lake Apopka Restoration Council. Orange County shall also support the South Florida Water Management District's Lake Butler SWIM Program. (Added 12/00, Ord. 00-25)

C2.4.2 Orange County shall continue to monitor surface water quality in the Lake Apopka Basin in order to identify potential pollutant sources and track long term trends in quality. The County shall follow the requirements of any Basin Management Action Plan (BMAP) developed under the Total Maximum Daily Load (TMDL) Program. (Amended 6/10, Ord. 10-07)

GOAL C3 Orange County's goal is to reduce the County's green-house gases (GHG) emissions to prevent global warming and to set the pace for a livable sustainable community.

OBJ C3.1 ~~Green-Hhouse Gas (GHG) emissions generated by County actions shall be reduced to prevent-mitigate global warming. The reductions, based on 2005-GHG emissions, shall be as follow: 15% by the year 2010; 28% by the year 2015; 40% by the year 2020. It is Orange County's goal to be GHG neutral by 2040.~~

Recommend revising the policy to reflect current objective of becoming GHG neutral by 2040.

POLICIES

C3.1.1 ~~By the year 2012,~~ To reach the objective of being greenhouse gas neutral, 60% of all County owned vehicles should be either hybrids, electric vehicles, or ~~use~~ alternative fuel, as vehicles are replaced. (Amended 6/10, Ord. 10-07, Amended 10/10, Ord. 2010-13)

C3.1.2 The County shall reduce vehicle miles traveled by using mobile technology in vehicles such as computer connections to office.

C3.1.3 ~~By the year 2010, the~~The County shall reduce petroleum consumption by 20%, using the year 2005 as the base. The County shall reduce petroleum consumption to assist in becoming greenhouse gas neutral by 2040.

C3.1.4 The County shall support mass transit and multimodal transportation centers.

C3.1.5 The County shall increase, as feasible, the number of miles of bicycle trails and roadside bicycle lanes.

C3.1.6 The County shall ~~make all possible~~continue supporting efforts to ~~participate in a pilot program for~~ promote the use of plug-in hybrid alternative fuel vehicles.

Recommend revising the policy to continue Orange County's support of reducing greenhouse gases.

C3.1.7 The County shall continue to support hydrogen projects as feasible. (Amended 10/10, Ord. 2010-13)

C3.1.8 The County shall continue supporting the methane recovery at the Orange County Landfill and ensure that all new cells recover methane gas rather than flaring.

C3.1.9 The County shall recover methane gas at County wastewater treatment plants or use other technologies to reduce GHG emissions.

C3.1.10 ~~RESERVED. The County shall identify jurisdictions on a regional and even worldwide basis to partner in formal agreements to reduce GHG emissions. Encourage local municipalities to develop local climate action plans to work together on this issue. Consider establishing a "sister" city in the United Kingdom to share ideas and plans.~~

Recommend deleting from the Conservation element because this policy is included in the Intergovernmental Coordination Element.

C3.1.11 ~~RESERVED. The County shall partner with various agencies that have the ability to support the Orange County Climate Change Sustainability Plan and can assist in reducing GHG emissions. Explore partnerships with Central Florida Orlando Orange County Expressway Authority to encourage the use of alternative fuel vehicles and/or car pooling.~~

Recommend deleting from the Conservation element because this policy is included in the Intergovernmental Coordination Element ICE1.8.18.

OBJ C3.2 Orange County shall set the pace to become a livable sustainable community.

POLICIES

- C3.2.1 The County shall continue applying for grants and committing funds for ~~projects like the solar photovoltaic (PV) projects. panels at the Orange County Convention Center (OCCC). This, up to 1- megawatt, system will help the OCCC reduce their energy consumption from fossil fuel.~~
Recommend deleting the 1 megawatt system that is mentioned in the policy as it is overly specific.
- C3.2.2 The County shall partner with electric utilities to develop green power programs, and also sell renewable energy credits (RECs) from the Orange County Convention Center (OCCC) project to generate more alternative energy on County owned buildings.
- C3.2.3 The County shall retrofit County buildings with renewable energy systems consistent with the Sustainable Orange County Plan. This supports hurricane mitigation efforts to have decentralized energy available. ~~Efforts shall be made to have 15% of power supplied to all County owned buildings from alternative energy sources within 15 years.~~
Staff recommends revision to provide support to the policy as this is consistent with the Sustainable Orange County Plan.
- C3.2.4 The County shall develop a program to encourage Clean Tech or green businesses within the County.
- C3.2.5 The County shall support new technologies for generation of energy from solid waste, including garbage. Set up and encourage pilot programs when feasible.
- C3.2.6 All new County buildings shall at least meet the minimum points for Leadership in Energy and Environmental Design (LEED) recognition for certification. (Amended 6/10, Ord. 10-07)
- C3.2.7 The County shall create incentives to support green building and green development, ~~for within the private sector~~ such as reduced fees, and expedited permit review.
- C3.2.8 The County shall encourage all county sponsored or financially supported projects to build green.
- C3.2.9 The County shall support revision of the building code and/or energy code to support greater efficiencies. The County shall support state effort and consider adopting local ordinance as needed.
- C3.2.10 The County shall develop a program to reward water conservation. This could include creating water conservation credits when a new permit demonstrates less water will be used.

C3.2.11 The County shall make efforts to ~~establish~~ continue to support an incentive program to increase solar hot water heaters and PV panels on residential homes and businesses within the County.

Recommend revision to continue Orange County's support of use of solar power.

C3.2.12 The County shall encourage redevelopment of properties ~~thru~~ through the State Brownfield Program.

C3.2.13 ~~Redevelopment of former solid waste disposal facilities (landfills), including any property where regulated solid waste remains onsite, shall comply with Orange as defined by the State and "brownfield development" standards shall comply with County's Planned Development process, §38-1201, OCC. The proponent for redevelopment of a former landfill shall enter into a developer's agreement with the County delineating specific procedures and/or conditions to deal with any environmental issues before redevelopment. (Added 6/10, Ord. 10-07)~~

This policy was part of C3.2.12. Recommend creating a new policy to differentiate this from Policy C3.2.12.

The following pages reflect the Conservation Element should the proposed changes be adopted.

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Conservation Element Goals, Objectives and Policies

GOAL C1 Orange County shall conserve, protect, and enhance the County's natural resources including air, surface water, groundwater, vegetative communities, imperiled species, soils, floodplains, recharge areas, wetlands, and energy resources to ensure that these resources are preserved for the benefit of present and future generations. Lands located within the Wekiva Study Area (WSA) shall be considered high priority for protection. All development within the WSA shall meet the requirements of the Wekiva River Protection Act and the Wekiva Parkway and Protection Act or future Acts, as applicable, so as to provide, promote, and maintain a level of environmental quality to ensure natural resources are preserved for the benefit of current and future generations. (Amended 12/07, Ord. 2007-20)

OBJ C1.1 Orange County shall continue to maintain and improve air quality in the County to meet all National Ambient Air Quality standards for regulated air pollutants and in order to ensure a healthy environment for all citizens and visitors.

POLICIES

- C1.1.1 Orange County shall implement and maintain State and Federal mandated programs, including meeting the objectives of its existing, approved local air program in accordance with Florida Statutes and interagency agreements with the State of Florida Department of Environmental Protection and the United States Environmental Protection Agency. The County shall also administer state and federal agreements and work plans, integrating any new rules and regulations into existing County programs.
- C1.1.2 The Orange County Environmental Protection Division shall continue to implement an air monitoring program and follow the air quality guidelines of the Florida Department of Environmental Protection and Orange County Ordinances. (Amend. 12/00, Ord. 00-25)
- C1.1.3 Orange County will continue to promote alternative transportation modes and air quality awareness through public education and outreach programs. The County shall increase awareness of air quality issues through the development of educational programs for the regulated community, residents, schools, local businesses, and municipalities.
- C1.1.4 Orange County shall continue to maintain the air compliance, inspection, and enforcement programs to fulfill the terms of the interagency agreement with the Florida Department of Environmental Protection.
- C1.1.5 Orange County shall continue to enforce regulations regarding activities such as land clearing, open burning, or other activities to eliminate or reduce air pollution.
- C1.1.6 Orange County shall investigate and continue to promote, through incentives and education, the use of alternatives to open burning such as mulching, composting, leaving the existing vegetation where possible, air curtain incinerators, and best available control technology.
- C1.1.7 Orange County's standards for the placement of transit facilities shall be designed to minimize adverse impacts to natural resources. (Amended 12/00, Ord. 00-25, Policy 1.1.9)

OBJ C1.2 Orange County shall protect and improve surface waters by identifying sources of pollution and coordinating the development and implementation of pollution abatement devices, methods and programs with local governments, State, and Federal agencies. (Added 12/00, Ord. 00-25)

POLICIES

- C1.2.1 Orange County shall maintain acceptable water quality standards for surface water bodies, ensuring an aquatic environment that meets or exceeds Orange County, State and Federal standards. (Added 12/00, Ord. 00-25)
- C1.2.2 Orange County shall continue to enforce water quality standards by identifying all point and significant non-point sources of water pollution, and expand programs to reduce the harmful impacts of these pollutants on the natural environment. Orange County shall implement projects to reduce pollutant loads as required by the County's Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit and Basin Management Action Plans (BMAP) through the Florida Department of Environmental Protection Total Maximum Daily Load (FDEP's TMDL) program. (Amended 6/10, Ord. 10-07)
- C1.2.3 RESERVED
- C1.2.4 Orange County shall protect lakes and streams, continue to maintain a surface water monitoring program and follow the water quality guidelines of the Florida Department of Environmental Protection (FDEP) and Orange County Ordinances. (Amended 12/00, Ord. 00-25, Policy 1.2.4; Amended 6/10, Ord. 10-07)
- C1.2.5 Orange County shall continue to protect shoreline vegetation by restricting the removal of desirable native vegetation through implementation of the Land Development Code and the Lakeshore Protection Ordinance requirements. (Amended 12/00, Ord. 00-25, Policy 1.2.5-r; Amended 6/10, Ord. 10-07)
- C1.2.6 Orange County shall continue to improve design standards, monitoring, construction, and maintenance requirements for stormwater retention/detention systems, and shall ensure compliance of these requirements to prevent degradation of the receiving surface water bodies. These requirements shall be included in the Land Development Code and shall apply to all new projects. (Added 12/00, Ord. 00-25, Policy 1.2.6-r)
- C1.2.7 Orange County shall continue to implement the approved Wekiva River Protection Ordinance, the Econlockhatchee River Protection Ordinance, and the requirements of the Wekiva Parkway and Protection Act by continuing to adopt regulations in the Land Development Code and through the acquisition of Environmentally Sensitive Lands within these basins to protect these river resources and other Outstanding Florida Waters and Outstanding National Resource Waters. These regulations and acquisitions shall ensure protection and maintenance of water quality, water quantity, aesthetics, open space, historical/archaeological resources, rare upland habitat, wildlife habitat, and floodplains and nature-based recreational values. (Amended 12/00, Ord. 00-25, Policy 1.2.7-r; Amended 12/07, Ord. 2007-20; Amended 6/10, Ord. 10-07)
- C1.2.8 Orange County shall continue to develop, prioritize, and implement feasible and specific criteria for water quality when applicable in accordance with the State's Class III water quality standards for all surface waters, lakes, and rivers. (Amended 12/00, Ord. 00-25, Policy 1.2.8-r)
- C1.2.9 Orange County shall on an ongoing basis identify and prioritize lakes that are in need of restoration, through the analysis of specific water quality parameters and following the water quality guidelines of the Florida Department of Environmental Protection (FDEP) and Orange County Ordinances. (Amended 12/00, Ord. 00-25, Policy 1.2.11-r)

- C1.2.10 Orange County, in conjunction with the Water Management Districts and other State agencies, shall on an ongoing basis, seek funding and implementation of lake management plans for those water bodies in greatest need of restoration. (Amended 12/00, Ord. 00-25, Policy 1.2.12)
- C1.2.11 Orange County shall prohibit the direct or indirect discharge of hazardous, toxic, chemical, petroleum, nuclear waste, heated water discharges, or liquid sludge pollutants into surface waters or wetlands systems. (Policy 1.2.14; Amended 6/10, Ord. 10-07)
- C1.2.12 Orange County shall prohibit the location of petroleum businesses where they will negatively affect the quality of surface waters, the surficial Aquifer or the Floridan Aquifers. (Added 6/95, Ord. 95-13, Policy 1.2.15-r; Amended 6/10, Ord. 10-07)
- C1.2.13 Where appropriate Orange County shall control non-native invasive aquatic plants in its waterways to promote good water quality and positive recreational benefits to its citizens and visitors. (Added 12/00, Ord. 00-25, Policy 1.2.16-r)
- C1.2.14 Orange County will reduce pollutants to the "maximum extent practicable" through implementation of pollution control measures, including developing nonpoint source control plans and compliance inspections of private and public facilities, for point and non-point discharges in accordance with County Code Chapter 15 Article II, Section 15-39; NPDES MS4 Permit FLS000011; FAC 62-624; 40 CFR 122.26; and Section 402(p)(3)(b) of the Federal Clean Water Act. (Added 12/00, Ord. 00-25, Policy 1.11.8)
- C1.2.15 Orange County shall identify areas within the County that are susceptible to impacts associated with nutrient loadings from specific activities including lawn and turf fertilizer application and reclaimed water irrigation. These susceptible areas shall include but are not limited to: Total Maximum Daily Load (TMDL) impaired waterbodies, Outstanding Florida Waters, Outstanding National Resource Waters, waterbodies with declining water quality associated with nutrient loads and areas adjacent to surface water conveyance systems that drain to a waterbody of special interest. The County will make efforts to reduce the potential impacts from these specific activities. The identified areas will also be used for planning and future use considerations. (Amended 6/10, Ord. 10-07)
- C1.2.16 Orange County shall develop a street sweeping plan that addresses the routine collection and disposal of nutrient laden leaf litter, sediment, trash and other debris within Orange County. When applicable the street sweeping plan shall take into account any Total Maximum Daily Load, Basin Management Action Plan (BMAP), or National Pollution Discharge Elimination System (NPDES) requirements. (Added 2/12, Amended 1/12, Ord 11-16).

OBJ C1.3 Orange County shall protect the natural functions of floodplains and flood zone areas to maintain flood-carrying and flood-storage capacities and to protect life and property, and Orange County shall continue to maintain its eligibility in the National Flood Insurance Program.

POLICIES

C1.3.1 Orange County shall continue to improve and enforce the Orange County Floodplain Management Ordinance by requiring compensatory storage for encroachment in floodplains, restricting encroachment in floodways, and requiring habitable structures to be flood proofed.

C1.3.2 Orange County shall continue to identify and recommend, to the State and the Water Management Districts, floodplains that would warrant acquisition under the Conservation and Recreation Lands Program, Florida Forever Program, and the Save Our Rivers Program. (Amended 6/10, Ord. 10-07)

C1.3.3 Orange County shall strengthen floodplain protection requirements for riverine systems by adopting regulations prohibiting floodplain encroachment without compensating storage.

C1.3.4 Orange County shall, on an ongoing basis, in conjunction with other appropriate agencies such as the Water Management Districts, identify and prioritize problem floodplain areas in need of corrective measures.

OBJ C1.4 Orange County shall protect identified wetland areas and existing native wildlife (flora and fauna) habitats.

POLICIES

- C1.4.0 For the purposes of this Comprehensive Plan, Environmentally Sensitive Lands shall include conservation areas as defined in Chapter 15, Article X Orange County Code, and their adjacent uplands, rare upland habitat including but not limited to sandhill and scrub, and those wetland and upland systems that support imperiled species.. (Added 8/92, Ord. 92-24; Amended 06/17; Ord. 2017-12)
- C1.4.1 Orange County shall continue to adopt and enforce regulations that protect and conserve wetlands and surface waters as defined in Orange County Code. Such regulations shall include criteria for identifying the functional habitat value of wetlands or surface waters.
- When encroachment, alteration, or removal of a wetland or surface water is permitted, habitat compensation or mitigation as a condition of development approval shall be required. The basis for mitigation shall be determined by using Uniform Mitigation Assessment Method (UMAM) as the basis for evaluation, integrating any new rules and regulations into existing County programs.
- C1.4.2 Orange County shall coordinate with the United States Army Corps of Engineers, the Florida Department of Environmental Protection, and the St. Johns River and South Florida water management districts to identify and regulate wetland areas under their jurisdiction.
- C1.4.3 Orange County shall establish regulations in the Land Development Code concerning upland buffer areas adjacent to wetlands, major riverine systems and Outstanding Florida Waters, and Outstanding National Resource Waters, in order to protect water quality, preserve natural wetland or surface water functions, and preserve wildlife and plant species listed as imperiled species. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)
- C1.4.4 The future land use designation of **Preservation** shall be established to recognize publicly or privately owned lands of significant environmental importance for the purposes of environmental protection. Publicly owned lands designated Preservation shall be lands owned by federal, state, or local governments acquired for environmental preservation, rehabilitation, or management. Privately owned lands such as wetland mitigation banks, Regional Offsite Mitigation Areas, and environmentally sensitive properties owned by the Florida Audubon Society, Nature Conservancy or similar types of non-profit entities, may be designated as Preservation so long as formal consent is provided.
- Compatible very-low impact nature-based recreational or educational uses, such as hiking, non-motorized boating, wildlife viewing, horseback riding, fishing, primitive camping, and nature study, that use natural amenities of the site for public benefit are allowable uses in the Preservation designation, so long as these uses avoid development encroachment into warranted, environmentally-sensitive areas. All other uses are prohibited. Furthermore, development within areas designated Preservation cannot exceed a 0.1 Floor Area Ratio. (Deleted 12/00, Ord. 00-25; Added 05/03, Ord. 03-03, Policy 1.4.4-r; Amended 6/10, Ord. 10-07)
- C1.4.5 The **Conservation/Wetlands** designation on the Future Land Use Map shall serve as a conceptual indicator of conservation and wetland areas. The precise delineation of these areas shall be determined through site specific studies and field determinations that assess the extent of wetland vegetation, consistent with Conservation Policy C1.4.1. If an area designated as Conservation/Wetlands on the Future Land Use Map is determined to

be a developable area, the underlying Future Land Use Map designation shall control. (Added 12/00, Ord. 00-25)

- C1.4.6 All attempts should be made to mitigate wetland or surface water impacts within the County. Off-site mitigation or out of County mitigation for all wetlands or surface waters will be considered only when, 1) the mitigation site is deemed as appropriate (i.e. functional equal or like for like) mitigation to offset any direct or secondary impacts and, 2) is located within the same hydrologic basin as the impact or 3) the applicant can demonstrate that mitigation area will have spillover benefits to the basin where the impact is to occur. This includes Orange County Capital Improvement Projects. Orange County may approve out-of-County mitigation areas under limited circumstances; this includes mitigation banks, which benefit the County's wetland resources. (Added 6/95, Ord. 95-13; Amended 12/00, Ord. 00-25; Amended 10/10, Ord. 2010-13)
- C1.4.7 Orange County shall protect identified wetland and surface water areas and existing wildlife (flora or fauna) habitat through the control and maintenance of invasive non-native (exotic) plants and animal species on County owned Environmentally Sensitive Lands. The Orange County Environmental Protection Division has adopted an internal Standard Operational Procedure for the identification and tracking of invasive/exotic Plant Species that is applicable for all Green PLACE properties. Maintenance and control of invasive/exotic plant and animal species is conducted by contractual and in-house resources. Orange County shall continue to identify funding sources and grants to assist in the maintenance and control activities. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)
- C1.4.8 Orange County shall continue to seek out innovative partnerships and opportunities to preserve and conserve its natural resources in a balanced approach that ensures multiple and compatible uses of those lands while providing just compensation to the landowner. (Added 12/00, Ord. 00-25)
- C1.4.9 An upland buffer of a minimum of 25 feet is recommended, unless otherwise stated elsewhere in Orange County Code or in the Orange County Comprehensive Plan for all wetland systems unless scientific data dictate a larger or smaller buffer based on wetland function or local conditions. This shall be incorporated into Chapter 15 of the Orange County Code. (Amended 6/10, Ord. 10-07, Amended 10/10, Ord. 2010-13)

OBJ C1.5 Orange County shall require proper soil management practices, appropriate best management practices, and use of technology be implemented to prevent pollution from impacting the County's Municipal Separate Storm Sewer (MS4) and Surface Waters as outlined in the County's MS4 National Pollutant Discharge Elimination System (NPDES) permit.

POLICIES

- C1.5.1 RESERVED
- C1.5.2 Orange County shall implement policies and practice that minimize soil erosion and sedimentation. (Added 12/00, Ord. 00-25; Amended 10/10, 2010-13)
- C1.5.3 RESERVED
- C1.5.4 Orange County shall incorporate regulations into the Land Development Code concerning soils and their suitability for future development. These regulations shall include restricting development in areas with hydric soils, preservation of groundwater recharge areas, and controlling the location of individual on-site sewage disposal systems. (Amended 6/10, Ord. 10-07)
- C1.5.5 Orange County shall continue to require and enforce State required minimum Best Management Practices to protect soils during development activities. (Added 12/00, Ord. 00-25)
- C1.5.6 Orange County shall provide information regarding training opportunities that instruct private entities and County Staff on erosion control and best management practices as required by the National Pollutant Discharge Elimination System (NPDES) permit..
- C1.5.7 Orange County shall require proposed development in, on, or near contaminated soils to properly address the contamination prior to any approvals allowing disturbance of the contaminated soils with land clearing, mass grading, and/or construction. (Added 6/10, Ord. 10-07)
- C1.5.8 Development on any soils in which buried waste is found shall comply with the guidelines established in the most recent version of the "Guidance for Disturbance and Use of Old Closed Landfills or Waste Disposal Areas in Florida," published by the Florida Department of Environmental Protection. (Added 6/10, Ord. 10-07)

OBJ C1.6 Orange County shall require that mining be regulated to prevent adverse impacts to air, groundwater, surface water, and other natural resources. (Added 12/00, Ord. 00-25)

POLICIES

- C1.6.1 Orange County shall regulate any proposed mining activities to ensure such uses are compatible with their surroundings and are environmentally acceptable.
- C1.6.2 Orange County shall prohibit mining activities that adversely impact prime water recharge areas and/or lower groundwater potentiometric surface elevations.
- C1.6.3 Orange County shall maintain landscape and grading standards for mine reclamation that provide for the restoration of previously mined land in the Land Development Code. (Amended 10/10, Ord. 2010-13)
- C1.6.4 Orange County shall require that a reclamation plan and proof of financial responsibility has been provided by mining operators as a condition of permit approval. Such requirements are included in the Land Development Code.
- C1.6.5 Orange County shall require and enforce erosion control practices during mining activities and shall require State recommended Best Management Practices to protect: soils, receiving waters, and open drainage facilities as well as to prevent fugitive air emissions through site management, engineering controls and with dust control techniques. (Added 6/10, Ord. 10-07)

OBJ C1.7 Orange County shall manage and protect plant and wildlife species designated as imperiled through programmatic and planning approaches for ecosystem analysis and through adoption of land development regulations. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)

POLICIES

- C1.7.1 Orange County shall assist in the application of, and compliance with, all State and Federal regulations that pertain to imperiled species.
- C1.7.2 Orange County shall coordinate with Federal and State agencies that require management plans for land use permits that would result in harm to any wildlife or plants listed as imperiled found on site or determined to use the site. An applicant may be required to provide a habitat survey and management plan approved by or otherwise satisfactory to and in full compliance with the regulations promulgated by the Florida Fish and Wildlife Conservation Commission, the County, and any other state or federal agency with jurisdiction. (Amended 12/00, Ord. 00-25, Policy 1.7.2-r; Amended 6/10, Ord. 10-07)
- C1.7.3 Orange County must establish on an ongoing basis, an education and incentive program to encourage private landowners to use environmental management practices that protect habitat for plants and wildlife listed as imperiled. (Added 12/00, Ord. 00-25)
- C1.7.4 Land containing plants and wildlife listed as imperiled, or that is part of a riverine corridor system shall be given priority for environmentally sensitive land acquisition and protection by Orange County.
- C1.7.5 Orange County shall, through conservation easement and fee simple land acquisition, discourage fragmentation and encourage the creation of wildlife/open space corridors. A priority for wildlife/open space corridors shall be given to land located within the Wekiva Study Area to connect the Wekiva River area to the Ocala National Forest. Wherever possible, public and private open space areas shall be connected together to establish corridors for wildlife movement. (Added 8/92, Ord. 92-24; Amended 12/00, Ord. 00-25, Policy 1.7.5-r; Amended 12/07, Ord. 2007-20; Amended 6/10, Ord. 10-07, 10/10, Ord. 2010-13)
- C1.7.6 Orange County shall continue to implement the provisions of the Florida Blue Belt amendment as a means for preserving rare uplands and recharge areas, recognizing that uplands in Orange County are rare ecosystems that contain both high recharge areas and habitat for imperiled species. (Added 12/00, Ord. 00-25)
- C1.7.7 Orange County shall implement the Orange County tree ordinance and associated land development regulations, in order to require preservation of valuable tree species that provide valuable habitat for animals, prohibit indiscriminate clearing, and require replacement and maintenance measures. (Added 12/00, Ord. 00-25)
- C1.7.8 Orange County shall continue to protect rare upland habitats, as identified by Florida Natural Areas Inventory (FNAI), that provide habitat for plants and wildlife listed as imperiled through land use planning requiring buffers, open space, management plans, and/or clustering. Orange County's process of development review ensures that rare upland habitats are inventoried for any possible imperiled species that may necessitate habitat protection. Orange County shall also consider incentive programs such as density bonuses, acquisition or purchase of development rights as a means of preserving these areas. Rare upland habitats including Longleaf Pine-Turkey Oak, Sandhill, Xeric Oak Scrub, Sand Pine Scrub, Pine Flatwoods and areas of Type A soils located within the Wekiva Study Area shall be considered high priority for protection efforts. All areas that are to be set aside as protected open space shall be identified as such on development plans. (Added 12/00, Ord. 00-25; Amended 12/07, Ord. 2007-20; 10/09, Ord. 2009-28)

- C1.7.9 Orange County shall, on a continuous basis, identify and recommend to the State and other appropriate agencies rare uplands that would warrant acquisition under appropriate land acquisition programs. Orange County shall pursue long-term revenue sources for purchases of rare upland habitat that warrants acquisition. (Added 12/00, Ord. 00-25)
- C1.7.10 Orange County shall use the Conservation Trust Fund, Florida Forever and other available funding sources to acquire rare upland and wetland vegetative communities and identified wildlife corridors. (Added 12/00, Ord. 00-25)
- C1.7.11 Orange County shall consult the natural habitat evaluations prepared by the Florida Natural Areas Inventory (FNAI) to prioritize land for acquisition based on its ability to provide the following: habitat corridors, high ranking vegetative cover, species diversity, hydrologic function, ecological integrity and aquifer recharge potential. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07, Amended 10/10, Ord. 2010-13)
- C1.7.12 Orange County shall continue to seek long term revenue sources and partnerships for open-space acquisition and maintenance that will serve to balance habitat related goals with those for improved passive recreation areas and citizen education programs. (Added 12/00, Ord. 00-25)
- OBJ1.8 RESERVED

OBJ C1.9 Orange County shall require the protection of natural resources by minimizing adverse impacts from adjacent developments.

POLICIES

- C1.9.1 Orange County shall cooperate with the Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission and the Florida Division of Forestry to improve the management of Wekiva Springs State Park, Rock Springs Run State Reserve, Tosohatchee State Reserve, Seminole Ranch Wildlife Management Area, Neighborhood Lakes, Joshua Creek Conservation Area, Hal Scott Preserve and Split Oak Forest Preserve. (Amended 6/10, Ord. 10-07)

- C1.9.2 Orange County shall continue to require compatible land uses and enhanced protective mechanisms, such as, but not limited to, Notices of Proximity, buffers, vegetative buffers, setbacks, density restrictions, easements, physical barriers, pollution abatement swales, erosion control techniques, treatment of stormwater runoff, and fire management that will permit continued habitat management practices in areas adjacent to major managed natural resources. This is necessary in order to minimize adverse impacts from development and allow continuation of management activities for these areas. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)

- C1.9.3 Orange County shall continue to establish Interlocal Agreements with adjacent counties and municipalities to protect rare upland vegetative communities and all wetland vegetative communities that are located in more than one jurisdiction. (Added 12/00, Ord. 00-25)

OBJ C1.10 Orange County shall conserve energy resources for future generations.

POLICIES

- C1.10.1 Orange County shall continue to develop energy conservation programs that require new developments to incorporate energy efficient buildings and site design techniques to the extent practical and feasible. Preliminary Subdivision Plans and Development Plans and all commercial plans shall include a list of the energy efficient measures that will be incorporated into the buildings and used in the site design techniques. If a developer can show that a 15% higher energy performance will be achieved (on an annual basis) over the existing code required building practices then the comprehensive plan goal cited above, "to the extent practical and feasible," will be met. Refer to the green buildings standards such as Florida Green Commercial Building Standards and the Leadership in Energy and Environmental Design (LEED) Green Building Rating System standards for guidance. Another option to comply with this policy is to achieve an energy certification from one of the organizations listed above that is at least equivalent to the 15% goal stated above. (Added 12/00, Ord. 00-25-r)
- C1.10.2 Orange County shall continue to pursue the reduction of greenhouse gases through increased fuel efficiency and diversification of the County fleet through the use of hybrid vehicles including electric vehicles and alternative fuel vehicles. The County will promote the use of these vehicles by the general public by encouraging the construction of the necessary infrastructure such as charging stations. (Added 8/92, Ord. 92-24, Policy 1.10.2-r; Amended 6/10, Ord. 10-07)
- C1.10.3 Orange County shall investigate and implement alternative means of reducing the County's solid waste and dependency on fossil fuels.
- C1.10.4 Orange County shall investigate and implement ways of reducing expanded polystyrene use throughout Orange County including its own facilities.
- C1.10.5 Orange County shall investigate and implement ways to increase the use of recycled paper products.
- C1.10.6 Orange County, shall continue to implement ways of reducing fossil fuel consumption in new County facilities by such means as including solar panels, solar water heaters, double or triple pane windows, wide roof eaves to maximize exterior wall shading, passive solar design concepts, and higher insulation values. Orange County shall investigate and consider incentives to property owners and builders/developers who demonstrate energy conservation in building design to include options that supplement existing utilities. Such incentives shall be included in the energy conservation program referenced in Conservation Policy C1.10.1. (Added 12/00, Ord. 00-25)

OBJ C1.11 Orange County shall protect and conserve groundwater quantity and quality.
POLICIES

- C1.11.1 Orange County's Environmental Protection Division shall continue to implement its monitoring program and procedures to mitigate adverse impacts, of private businesses that use, generate, or produce any material characterized or listed on the Resource Conservation and Recovery Act's or the Environmental Protection Agency's hazardous waste lists. (Added 12/00, Ord. 00-25, Policy 2.1.5r)
- C1.11.2 Orange County shall coordinate and cooperate with the St. Johns River Water Management District and South Florida Water Management District in the enforcement of the provisions of their emergency water shortage plans, and in the implementation of the appropriate groundwater conservation and protection programs outlined in the Regional Water Supply Plans of the St. Johns River Water Management District and the South Florida Water Management District.
- C1.11.3 Orange County, a designated Primary Water Resource Caution Area, will draft and include incentives in the update of the Land Development Code to encourage water conservation measures and water wise landscaping principles, and the use of native vegetation or other drought resistant species, in order to reduce the irrigation demand for potable water in new developments or redevelopment. (Amended 12/00, Ord. 00-25)
- C1.11.4 Orange County shall use the water quality and quantity protection, preservation, and conservation measures as designated in the objectives and policies of the *Potable Water, Wastewater and Reclaimed Water* and the *Aquifer Recharge* Elements, to protect groundwater quality and quantity.
- C1.11.5 RESERVED.
- C1.11.6 RESERVED.
- C1.11.7 Orange County shall identify and take action to combat sources of pollution that could threaten groundwater quality such as malfunctioning drainwells, improperly installed or failing septic tanks, and improper disposal of hazardous waste areas. For areas inside the urban service area, with failing septic tanks Orange County shall investigate and prioritize the provision of Wastewater and Water utilities to these areas. This will be done through the MSTU (Municipal Services Taxing Unit) or MSBU (Municipal Service Benefit Unit) that can help provide the costs attributed to retrofitting those areas that require infrastructure improvements for wastewater and stormwater. (Added 12/00, Ord. 00-25, Policy 1.11.7)
- C1.11.8 Orange County will reduce pollutants to the maximum extent practicable through implementation of pollution control measures, and developing nonpoint source control plans, in accordance with Section 402(p)(3)(b) of the Clean Water Act, 40 CFR 122.26 and existing state regulations. (Added 12/00, Ord. 00-25, Policy 1.11.8)
- C1.11.9 The County shall protect the Wekiva Study Area through the establishment of three protection zones based upon the aquifer vulnerability data provided in the Florida Geological Survey Report of Investigation 104: Wekiva Aquifer Vulnerability Assessment (WAVA). The three Protection Zones as determined by the WAVA report are depicted in Figure WSA-5. The Primary Protection Zone is comprised of those areas expected to most directly affect the water quality surfacing at the springs within the WSA [time of travel and reduced natural attenuation]. The Secondary Protection Zone still contributes water to the springs, but over a longer period of time and allowing for somewhat greater natural treatment and reduction of the nitrogen.

The Tertiary Protection Zone covers all other areas in the WSA, where the flow to the springs is minimal or nonexistent. As part of its analysis, the County shall determine whether certain land uses with the potential to contaminate or harm the aquifer shall be

limited or prohibited within portions of the WSA. The evaluation will need to address monitoring mechanisms as well as the costs of implementation and enforcement of protection zones and land use limitations. Orange County will continue to revise the Land Development Code to include protection zones and appropriate standards for development within them, including stormwater runoff. (Added 12/07, Ord. 07-20, Policy 1.11.9)

C1.11.10 Orange County shall adopt and maintain a Water Supply Facilities Work Plan (Work Plan) which will assess existing and projected water sources and needs for at least a 10-year planning period considering the Regional Water Supply Plans of the St. Johns River Water Management District and South Florida Water Management District. The Work Plan will identify feasible traditional and alternative water supply sources, including water conservation efforts, which the County may use to reduce or satisfy existing and projected water demands.

C1.11.11 Orange County will continue to implement the water conservation efforts identified in the Work Plan. These efforts include:

- Continued staffing of the County's water conservation program and extensive public education program;
- Continued enforcement of ordinances and policies that limit irrigation days and hours, encourage Florida Friendly landscaping and use of smart irrigation technology, require the use of ultra-low volume fixtures, and require rain sensor devices;
- Continued water conservation practices, such as participation in Florida Friendly Landscape workshops, water use audits, toilet retrofit program, showerhead exchange program, efficient irrigation nozzle replacement program, distribution system leak program, presentation and events, and participation in public awareness campaigns; (Amended 05/17, Ord. 2017-10)
- Continued use of a tiered inclined block water conservation rate structure, including rate increases;
- Further assessment of existing water conservation program effectiveness and development of new program initiatives; and,
- Periodic review and update of existing water conservation and landscaping ordinances to promote additional improvements in water conservation.

OBJ C1.12 Orange County shall protect, preserve and enhance its vegetative resources, including, but not limited to, tree species, emergent and submerged aquatic vegetation. (Added 12/00, Ord. 00-25)

POLICIES

- C1.12.1 Orange County shall augment its protection of vegetated natural resources, including but not limited to the tree protection ordinance. This action would ensure that high quality trees would receive greater protection in the development review process, require preservation of valuable tree species, prohibit indiscriminate clearing, require replacement, and maintenance measures, and establish ratios for replacement if removal is unavoidable. The County shall maintain the existing Tree Protection Ordinance. (Added 12/00, Ord. 00-25)
- C1.12.2 Orange County shall encourage the planting of native trees and vegetation along the roadways, through inclusion of landscaping and buffering requirements in the Land Development Code, Activity Center development guidelines, Arbor Day promotions, and expansion of the Urban Forestry Program, in order to reduce the level of carbon dioxide in the air, dilute air pollutants, and reduce noise impacts, to enhance the aesthetic quality, design, and quality of life in Orange County. (Added 12/00, Ord. 00-25, Policy 1.12.2-r)
- C1.12.3 Orange County shall develop incentive programs for the conservation of existing, wetland and upland vegetative communities.
- C1.12.4 Orange County shall continue to implement invasive/exotic plant species control on Orange County Green PLACE properties, conduct controlled burn events, and restore degraded habitats with native vegetation. (Amended 6/10, Ord. 10-07)

GOAL C2 **Orange County's goal is to protect, enhance and maintain the unique and irreplaceable values, functions, diversity and benefit of the natural resources within the Econlockhatchee River Basin, Wekiva Protection Area, Wekiva River Basin and the Lake Apopka Drainage Basin. (Amend. 12/00, Ord. 00-25, Goal 2)**

OBJ C2.1 **All new development within the Wekiva Protection Area shall be residential at very low densities, agricultural or low intensity recreational in character.**

POLICIES

C2.1.1 The Future Land Use Map shall establish the permitted land use, densities and intensities for the Wekiva River Protection Area and the Wekiva River Study Area.

C2.1.2 Within the Wekiva River Protection Area, development that is not residential, agricultural or low intensity recreational in character shall be prohibited. Amendments to the Future Land Use Map that would allow a residential density greater than 1 DU/5 Acres shall be denied.

OBJ C2.2 The natural resources of the Wekiva River shall be protected.

POLICIES

- C2.2.1 A buffer zone is hereby established five hundred and fifty (550) feet from the landward limit of waters of the State (FAC § 62-340), or edge of the Wekiva River, or from the landward edge of the wetlands associated with the Wekiva River, whichever is the greater. In no case shall development activities be permitted closer than five hundred fifty (550) feet from the river's edge except for created forested or herbaceous wetlands, and passive recreation when it is clearly demonstrated by the applicant that the areas shall not adversely affect aquatic and wetland-dependent wildlife, water quality, groundwater table or surface water levels.
- An upland buffer a minimum of 25 feet and an average of 50 feet shall be required for all Class I, Class II or Class III wetland systems/conservation areas, that are not associated with the Wekiva River, that occur within the Wekiva Study Area. Larger buffers can be applied if scientific data on wetland function or local conditions dictates it. (Amended 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)
- C2.2.2 In order to protect the Wekiva River, parcels shall not be subdivided so as to interfere with the buffer zone established in Conservation Policy C2.2.1.
- C2.2.3 In order to preserve native vegetation to the maximum extent possible, clustering of development or submission as a Planned Development (PD) shall be encouraged within the Wekiva River Protection Area.
- C2.2.4 Where imperiled species of plants and animals or species of special concern are known to be present, or are likely to be present, the developer of any subdivision, or planned development, shall be required as part of the development review process to liaise with the Florida Fish and Wildlife Conservation Commission in order to protect the above plants and animals within the Wekiva River Protection Area.
- C2.2.5 Within the 100 Year Floodplain of the Wekiva River, developments shall be required to minimize the clearance of native vegetation. Prior to construction plan submittal, a vegetation clearing plan shall be submitted to the County for review and approval. Clearing of vegetation will only be permitted, where necessary, in order to complete the development. (Amended 6/10, Ord. 10-07)
- C2.2.6 The County shall continue to monitor surface water quality within the Wekiva Study Area in order to identify potential pollutant sources and track long term trends in quality. The County shall follow the requirements of any Basin Management Action Plan (BMAP) developed under the Total Maximum Daily Load (TMDL) Program. (Amended 12/00, Ord. 00-25)
- C2.2.7 Pre-development and post-development stormwater run-off rates shall be equal. (Amended 12/00, Ord. 00-25)
- C2.2.8 Developments that have the potential to degrade groundwater quality shall be prohibited.
- C2.2.9 Within the 100 Year Floodplain of the Wekiva River, septic tank use shall be discouraged. Where public utilities are available, new development will be required to hook-up to these facilities. In order to obtain a Septic Tank Permit within the Floodplain, the applicant must demonstrate that there will be no detriment to water quality. Such requirements shall be included in the septic tank regulations of the Land Development Code.

- C2.2.10 In order to protect the water quality of the Wekiva River, and to protect the River's rural character, the density or intensity of development permitted on parcels adjacent to the River shall be concentrated/clustered on the portion of the parcel furthest from the River.
- C2.2.11 In order to protect the Wekiva River, parcels shall not be subdivided so as to interfere with the buffer zone established in Conservation Policy C2.2.1.
- C2.2.12 Orange County shall coordinate with the St. Johns River Water Management District to monitor and manage the quantity of groundwater withdrawals, in order to prevent saltwater contamination due to a decline in potentiometric surface.
- C2.2.13 Orange County shall coordinate with the City of Apopka concerning implementation of the required provisions of the Wekiva River Protection Act through meetings on an as needed basis.

OBJ C2.3 **Orange County shall protect and preserve the surface water quality and quantity, wildlife populations and habitat, aesthetics, open space, historical and archaeological resources, floodplains, wetland areas, native upland areas and recreation lands of the Econlockhatchee (Econ) River Basin.**

POLICIES

- C2.3.1 The Land Development Code shall provide for the protection of the Econ River Basin through mechanisms such as upland buffers, specific restrictions within a 2,200 foot total width protection zone, requiring habitat and historical/archaeological resource assessments and protection, allowing for mitigation, open space or density credits, requiring landscaping to include use of native plant species, utilization of wetland areas as part of drainage facility systems, requiring imperiled species protection, clustering of development, restricting floodplain encroachment, and limiting forested habitat fragmentation. (Added 12/00, Ord. 00-25)
- C2.3.2 Orange County shall coordinate, through provision of information and technical assistance, with the St. Johns River Water Management District and adjacent counties for the development of consistent regulations protecting the Econ River Basin.
- C2.3.3 Orange County shall support educational programs promoting the scenic and natural values of the Econ River Basin through provision of information and technical assistance.
- C2.3.4 Orange County shall continue to monitor surface water quality in the Econ River Basin in order to identify potential pollutant sources and track long term trends in quality. The County shall follow the requirements of any Basin Management Action Plan (BMAP) developed under the Total Maximum Daily Load (TMDL) Program. (Amended 6/10, Ord. 10-07)

OBJ C2.4 **Orange County shall help restore, protect and preserve the surface populations and habitat, aesthetics, open space, historical and archaeological resources, floodplains, wetland areas, native upland areas and recreation lands of the Lake Apopka Basin.**

POLICIES

C2.4.1 Orange County shall support, through the provision of information, technical assistance, planning, land acquisition, land use designations, and intergovernmental coordination the restoration of Lake Apopka through the Lake Apopka Surface Water Improvement and Management (SWIM) Program, the Lake Apopka Planning Initiative and the efforts of the Lake Apopka Restoration Council. Orange County shall also support the South Florida Water Management District's Lake Butler SWIM Program. (Added 12/00, Ord. 00-25)

C2.4.2 Orange County shall continue to monitor surface water quality in the Lake Apopka Basin in order to identify potential pollutant sources and track long term trends in quality. The County shall follow the requirements of any Basin Management Action Plan (BMAP) developed under the Total Maximum Daily Load (TMDL) Program. (Amended 6/10, Ord. 10-07)

GOAL C3 **Orange County’s goal is to reduce the County’s greenhouse gas (GHG) emissions to prevent global warming and to set the pace for a livable sustainable community.**

OBJ C3.1 **Greenhouse Gas (GHG) emissions generated by County actions shall be reduced to mitigate global warming. It is Orange County’s goal to be GHG neutral by 2040.**

POLICIES

- C3.1.1 To reach the objective of being greenhouse gas neutral, 60% of all County owned vehicles should be either hybrids, electric vehicles, or alternative fuel, as vehicles are replaced. (Amended 6/10, Ord. 10-07, Amended 10/10, Ord. 2010-13)
- C3.1.2 The County shall reduce vehicle miles traveled by using mobile technology in vehicles such as computer connections to office.
- C3.1.3 The County shall reduce petroleum consumption by 20%, using the year 2005 as the base. The County shall reduce petroleum consumption to assist in becoming greenhouse gas neutral by 2040.
- C3.1.4 The County shall support mass transit and multimodal transportation centers.
- C3.1.5 The County shall increase, as feasible, the number of miles of bicycle trails and roadside bicycle lanes.
- C3.1.6 The County shall continue supporting efforts to promote the use of alternative fuel vehicles.
- C3.1.7 The County shall continue to support hydrogen projects as feasible. (Amended 10/10, Ord. 2010-13)
- C3.1.8 The County shall continue supporting the methane recovery at the Orange County Landfill and ensure that all new cells recover methane gas rather than flaring.
- C3.1.9 The County shall recover methane gas at County wastewater treatment plants or use other technologies to reduce GHG emissions.
- C3.1.10 RESERVED
- C3.1.11 RESERVED

OBJ C3.2 Orange County shall set the pace to become a livable sustainable community.

POLICIES

- C3.2.1 The County shall continue applying for grants and committing funds for photovoltaic (PV) projects.
- C3.2.2 The County shall partner with electric utilities to develop green power programs, and also sell renewable energy credits (RECs) from the Orange County Convention Center (OCCC) project to generate more alternative energy on County owned buildings.
- C3.2.3 The County shall retrofit County buildings with renewable energy systems consistent with the Sustainable Orange County Plan. This supports hurricane mitigation efforts to have decentralized energy available.
- C3.2.4 The County shall develop a program to encourage Clean Tech or green businesses within the County.
- C3.2.5 The County shall support new technologies for generation of energy from solid waste, including garbage. Set up and encourage pilot programs when feasible.
- C3.2.6 All new County buildings shall at least meet the minimum points for Leadership in Energy and Environmental Design (LEED) recognition for certification. (Amended 6/10, Ord. 10-07)
- C3.2.7 The County shall create incentives to support green building and green development, within the private sector such as reduced fees, and expedited permit review.
- C3.2.8 The County shall encourage all county sponsored or financially supported projects to build green.
- C3.2.9 The County shall support revision of the building code and/or energy code to support greater efficiencies. The County shall support state effort and consider adopting local ordinance as needed.
- C3.2.10 The County shall develop a program to reward water conservation. This could include creating water conservation credits when a new permit demonstrates less water will be used.
- C3.2.11 The County shall make efforts to continue to support an incentive program to increase solar hot water heaters and PV panels on residential homes and businesses within the County.
- C3.2.12 The County shall encourage redevelopment of properties through the State Brownfield Program.
- C3.2.13 Redevelopment of former solid waste disposal facilities (landfills), including any property where regulated solid waste remains onsite, shall comply with Orange County's Planned Development process. The proponent for redevelopment of a former landfill shall enter into a developer's agreement with the County delineating specific procedures and/or conditions to deal with any environmental issues before redevelopment. (Added 6/10, Ord. 10-07)

RECREATION ELEMENT

2019-2-C-CP-2

Background Information

The Recreation Element is one of the required elements of the Comprehensive Plan as per the State of Florida Statutes 163.3177. It has been part of the Plan since the 1980 Growth Management Plan.

The purpose of the element is to guide the provision of activity-based and resource-based park lands for the existing and future residents of Orange County and to meet their expected health, safety, and welfare needs.

The County classifies all of its recreation sites as either activity-based or resourced-based sites. Activity-based recreation sites are the areas containing facilities such as basketball courts, tennis courts, and playground equipment. Resource-based recreation sites typically contain minimum facilities and focus on the natural environment. These sites offer passive recreation activities such as hiking, fishing, swimming, and camping.

Past Evaluation and Appraisals

The 2000 update to the 1991 Comprehensive Plan included updates to target dates, Level of Service Standards, utilization of citizen surveys to ascertain community desires for recreational facilities, the utilization for the Parks and Recreation Master Plan and Bikeways, Trails and Greenways Master Plan to identify needed improvements.

Also included were revisions to the introduction and supporting text to reflect planning trends at the time of the update. Many of the current policies were adopted

into the Comprehensive Plan at this time. The Level of Service (LOS) Chart was also updated. Of note was the information regarding determining level of service for resource based parks. Orange County administers the Environmentally Sensitive Lands (ESL) Acquisition Program (now Green PLACE) to acquire natural undeveloped areas and accommodate level of service provisions for resource-based parks. The manner in which resource-based recreation acreage is derived from ESL acreage and delineated as open space acreage and/or conservation acreage is within the Conservation and Open Space Elements. During the 2000 EAR the LOS for activity based and resource based parks was updated for all park sites.

As part of the 2006 Evaluation and Appraisal Report (July 11, 2006) Orange County identified nine major issues facing

The following meetings and hearings have been held for this proposal:

| Report/Public Hearing | Outcome |
|--|---------------------------------------|
| ✓ Staff Report | Recommend Adoption |
| ✓ LPA Transmittal November 21, 2019 | Recommend Transmittal (9-0) |
| ✓ BCC Transmittal December 17, 2019 | Continue to January 14, 2020 (7-0) |
| ✓ BCC Transmittal January 14, 2020 | Recommend Transmittal (6-0) |
| ✓ DEO Comments February 2020 | No Comments |
| ✓ LPA Adoption December 17, 2020 | Continue to January 21, 2021 |
| ✓ LPA Adoption January 21, 2021 | Recommend Adoption (6-0) |
| BCC Adoption | February 23, 2021 |

the County. One of these issues was parks and recreation. The issue at hand was that vacant land was available to meet some of the level of service needs, but many of the properties were not conveniently located for residents and many children do not have any neighborhood parks within walking or bicycling distance. Recommendations were made which included adopting location criteria for parks and recreation facilities, recognizing the positive social and economic impacts of parks, incorporating the Bikeways, Trails, and Greenways Master Plan into the Recreation Element, more definition to the required upland preservation areas in the Open Space Element, and possibilities to expand parks in conjunction with mass transit terminal facilities through partnerships with merchants, shopping malls, and other types of development.

The Recreation Element provided an inventory of existing public activity-based and resource-based recreation sites available to Orange County residents. One of the noted recommendations was to update the data and analysis section of the element because it had been more than five-years since it was revised. Parks and Recreation Division anticipated that the vast majority of the tables and maps would be updated.

The 2009 update included updates to the population projections, the list of private parks, the actual level of service for activity-based recreation and parkland, and level of service for resource-based recreation sites. The Goals, Objectives, and Policies were not revised during the update.

Summary of Proposed Changes

Staff from the Parks and Recreation Division, Environmental Protection Division, and the Planning Division collaborated on the review and proposed amendments to the Recreation Element policies.

The reason for policy deletion is that the policy is either repeated elsewhere in the Comprehensive Plan or in the instance of Policy R1.2.4, an inventory is not provided to the Building Division to ensure the minimum level of service is maintained.

The following includes a redline copy of the proposed changes. As part of the redline changes there are notes in the column explaining the reason for the proposed change. Following the redline version is a “**clean**” version of the proposed changes, reflecting how the element would read if the changes are adopted.

Recreation Element Goals, Objectives and Policies

GOAL R1 **Orange County shall strive to provide the residents of unincorporated Orange County with sufficient resource based and activity based park land and recreation facilities to satisfy their health, safety, and welfare needs. (~~Added 12/00, Ord. 00-25~~)**

Staff recommends updating to include the two types of parks the County maintains to provide clarification to the user.

OBJ R1.1 **Orange County shall strive to achieve a level of service of 2.5 acres of publicly owned activity-based park land and trails per one thousand (1,000) residents of unincorporated Orange County by ~~2020~~2030, contingent upon adequate funding sources being in place. (~~Added~~ Updated 12/00, Ord. 00-25)**

Staff recommends revising to update the year.

POLICIES

R1.1.1 Orange County shall continue to maintain the adopted level of service of 1.5 acres of publicly owned activity-based parkland and trails per 1,000 residents of unincorporated Orange County. (Added 12/00, Ord. 00-25)

R1.1.2 RESERVED.

R1.1.3 RESERVED.

Policy R1.1.2 was deleted December 5, 2000 and Policy R1.1.3 was deleted, unknown date.

R1.1.4 Public park or recreation areas operated or maintained by Orange County shall not be converted to other uses, except by determination of the Board of County Commissioners that such conversion is in the public interest. Orange County shall seek appropriate compensation or replacement land if such land is taken. R1.1.5
Orange County's priority for acquisition of future public activity-based recreation sites shall be in areas identified in the Parks and Recreation and Trails Master Plans as lacking in the provision of activity-based parks. Particular importance shall be placed on those areas within the Urban Service Area; however, this should not preclude opportunities for park acquisition in the Rural Service Area. (Added 12/00, Ord. 00-25; Amended 11/13; Ord. 2013-22)

- R1.1.6 Orange County shall continue to identify additional sites for public activity-based park acquisition and funding mechanisms to acquire these sites in conjunction with the adopted Parks and Recreation and Trails Master Plans. (Added 12/00, Ord. 00-25; Amended 11/13; Ord. 2013-22)
- R1.1.6.1 Orange County shall continue to update the Parks and Recreation and the Trails Master Plans every seven years to accommodate the needs of our diverse and changing population. (Added 12/00, Ord. 00-25; Amended 11/13; Ord. 2013-22)
- R1.1.7 The Orange County Parks and Recreation Division shall maintain an up-to-date inventory of all Orange County maintained activity-based park and recreation facilities. ~~Orange County Planning Division shall maintain an inventory of other private facilities, which may count towards the County's Level of Service.~~ (Added 12/00, Ord. 00-25)
- R1.1.8 The Parks and Recreation Division shall provide the Planning Division with an up-to-date inventory of activity-based parks to ensure the minimum level of service is met. ~~This information will be provided to the Orange County Building Division to ensure that the minimum level of service is maintained.~~ (Added 12/00, Ord. 00-25)
- R1.1.9 The Orange County Land Development Code shall clearly address the provisions of public and private activity-based recreation space in developments. ~~The definition of activity-based recreation areas shall be consistent with activity-based park/recreation area definition contained in this element.~~ (Added 12/00, Ord. 00-25)
- R1.1.10 Orange County shall adopt a needs map as part of the Parks and Recreation Master Plan that will depict future recreation needs for the planning horizon. (Added 12/00, Ord. 00-25; Amended 11/13; Ord. 2013-22)
- R1.1.11 Orange County shall amend the Comprehensive Plan as necessary to include all pertinent information from the Parks and Recreation and the Trails Master Plans and their updates subsequent to adoption of the master plans. (Added 12/00, Ord. 00-25; Amended 11/13; Ord. 2013-22)
- Staff recommends revising because Orange County Planning does not maintain an inventory of private facilities which may count towards the level of service.
- Staff recommends revising the policy to delete the last sentence because the Parks and Recreation Division does not provide the Building Division an inventory.
- Staff recommends revising the policy to delete the reference to the definition of activity based recreation areas because it is not defined in the element. In the 2009 Plan it was defined on page 1 of the Recreation Element.

OBJ R1.2 Orange County shall ensure that resource-based park land is adequately and efficiently provided to meet the needs of the residents of unincorporated Orange County. (Added 12/00, Ord. 00-25)

POLICIES

R1.2.1 Orange County shall maintain the adopted level of service of 6.0 acres of publicly owned resource-based park land per 1,000 residents of unincorporated Orange County. This level of service shall not preclude opportunities to acquire resource-based parkland. (Added 12/00, Ord. 00-25)

R1.2.2 Orange County shall continue to investigate the acquisition of wetland, rare upland vegetative communities, and lands for wildlife and riverine corridors for incorporation into the environmentally sensitive lands program as resource-based parks.

R1.2.3 Orange County shall continue to investigate opportunities for the development of nature interpretive centers and programs to take advantage of unique natural resources and to provide educational experiences to residents. (Added 12/00, Ord. 00-25)

R1.2.4 The Orange County Parks and Recreation Division shall maintain an up-to-date inventory of all Orange County maintained public resource-based park facilities that count towards Orange County's level of service. ~~This information shall be provided to the Orange County Building Division to ensure that the minimum level of service is maintained.~~ (Added 12/00, Ord. 00-25)

Staff recommends revising the policy to delete the last sentence because the Parks and Recreation Division does not provide the Building Division an inventory to ensure the minimum level of service is maintained.

R1.2.5 The Orange County Land Development Code shall clearly address the provision of public and private resource-based recreation space in developments. ~~The definition of resource-based recreation shall be consistent with the definition contained in this element.~~ (Added 12/00, Ord. 00-25)

Staff recommends revising the policy to delete the reference to the definition of resource based recreation areas because it is not defined in the element. In the 2009 Plan it was defined on page 1 of the Recreation Element.

R1.2.6 Historic resources included within Orange County public parks shall be protected and maintained by using the guidelines of the Florida Department of State, Division of Historic and Archaeological Resources and local historic resource protection measures. (Added 12/00, Ord. 00-25)

R1.2.7 ~~RESERVED Orange County shall use resource-based parks to create open spaces to assist in establishing the county's urban form. (Added 12/00, Ord. 00-25)~~

Recommend deleting because the policy is found in Open Space Element Policy OS1.1.10.

OBJ R1.3 Orange County shall consider the feasibility of and then pursue all appropriate funding mechanisms for acquisition, development and maintenance of public park and recreation lands. (Added 12/00, Ord. 00-25)

POLICIES

- R1.3.1 Orange County shall continue to evaluate the feasibility of and need for the application of the Municipal Services Taxing Unit (MSTU) or Municipal Services Benefit Unit (MSBU) for acquisition, development and maintenance of publicly owned park and recreation lands. (Added 12/00, Ord. 00-25)
- R1.3.2 Orange County shall annually pursue all appropriate park and recreation grant programs to seek financial support for public parks and recreation lands.
- R1.3.3 Orange County shall encourage acquisition of public resource-based parkland through the Conservation Trust Fund (CTF) wherever possible. The use of the fund for activity-based parks is prohibited. (Added 12/00, Ord. 00-25)
- R1.3.4 Orange County shall continue to investigate other funding sources for public park land acquisition, facilities and maintenance.
- R1.3.5 Orange County shall preserve and maintain existing public parks and recreation facilities through the use of adequate operating budgets and proper management techniques.
- R1.3.6 Orange County shall assist ~~any~~ non-profit land trusts that ~~is~~ are established in Orange County for the purpose of receiving and managing public park and recreation lands through the provision of information and technical assistance.

OBJ R1.4 Orange County shall continue to pursue public access to existing and future Orange County parks shall be accomplished by year 2020 by developing programs consistent with the Parks and Recreation and Trails Master Plans and implementation of the Land Development Code. (Added 12/00, Ord. 00-25; Amended 11/13, Ord. 2013-22)

Staff recommends revising the policy to make it a directive and to remove the deadline.

POLICIES

- R1.4.1 Orange County public parks shall be designed and constructed with access ways that are compatible with the natural features and character of the individual park area.
- R1.4.2 Orange County shall ensure that sidewalks and/or bikeways are provided to link residential areas to park sites where feasible.
- R1.4.3 Orange County shall continue to promote the development of all-purpose trails, including biking, hiking, and equestrian trails, and to provide non-motorized vehicular linkage between park sites, as illustrated in the Trails Master Plan. (Added 12/00, Ord. 00-25; Amended 11/13, Ord. 2013-22)
- R1.4.4 The Parks and Recreation Master Plan shall identify look for appropriate sites for development of boat ramps/launches on and adjacent to public waterways and lakes and shall contain programs to promote the development of these sites. ~~As sites are recommended, Orange County shall consider incorporating them into this element over the course of the planning period.~~ (Added 12/00, Ord. 00-25; Amended 11/13, Ord. 2013-22)
- R1.4.5 Orange County shall ensure the provision of parking areas and bicycle racks, where appropriate, at recreation sites.
- R1.4.6 Orange County shall continue to ensure the provision of parking spaces, barrier free access, and park programs are accessible to and accommodate patrons with special needs. ~~ensure the provision of handicapped parking spaces and barrier free access to activity-based parks and facilities, where appropriate.~~
- R1.4.7 Orange County shall continue to coordinate with local transit providers for the provision of mass transit routes to public activity-based parks and facilities. (Added 12/00, Ord. 00-25)

Staff recommends removing the directive regarding site recommendation being incorporated into the Recreation Element. In 2000 this policy was amended to include the sentence that is being recommended for deletion.

Staff recommends revising the policy to reflect a similar policy in the Parks and Recreation Master Plan.

R1.4.8 The Orange County Parks and Recreation Division shall continue to distribute information in an appropriate manner to inform and educate the residents of Orange County about the public park and recreation system.

~~R1.4.9~~ Orange County shall continue to pursue a Countywide multi-use trails system through implementation of the Trails Master Plan.

~~R1.4.10~~~~R1.7.1~~ Orange County shall continue to pursue the acquisition of abandoned railroad rights-of-way for use as recreational and wildlife corridors.

Staff recommends moving Objective R1.7 and Policy R1.7.1 from Objective R1.7 under Objective R1.4 because this objective speaks to multi-use trails.

OBJ R1.5 To avoid duplication of services and promote efficient use of land and funding, Orange County shall continue to coordinate efforts with other local governments, agencies, and private development entities by ~~implementing the following policies.~~

POLICIES

- R1.5.1 ~~RESERVED. Orange County shall continue to cooperate with St. Johns River Water Management District, the Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission, and the Florida Division of Forestry in their management of programs for the Wekiva Springs State Park, Rock Springs Run, Tosohatchee State Game Preserve, and the Seminole Ranch Wildlife Management Areas, as well as with other governmental agencies on their management of programs for those parks that extend into the Orange County service area. (Added 12/00, Ord. 00-25)~~ Staff recommends deleting because this policy is repeated in Intergovernmental Coordination Element, Policy ICE1.7.7.
- R1.5.2 ~~RESERVED. Orange County shall continue to pursue joint agency funding for purchase of public parks. (Added 12/00, Ord. 00-25)~~ Staff recommends deleting because this policy is repeated in Intergovernmental Coordination Element, Policy ICE1.4.7.
- R1.5.3 Orange County shall continue to coordinate efforts with County and local utility agencies to identify sites for public recreation purposes, such as utilization of easements of power lines, drainage or gas lines for recreational trails or linear parks consistent with Florida Department of Environmental Protection, FDOT's Florida Department of Transportation, and FHWA's Federal Highway Administration guidelines for greenways and trails. (Added 12/00, Ord. 00-25; Amended 11/13, Ord. 2013-22)
- R1.5.3.1 (Policy deleted 11/13, Ord. 2013-22)
- R1.5.4 Orange County shall continue to coordinate with Orange County municipalities and adjacent counties for provision of public parks and recreation facilities through the use of interlocal agreements. In cases where the park acreage of another jurisdiction, whose service area extends into unincorporated Orange County area, that acreage shall be counted towards the level of service standard if an interlocal agreement exists. (Added 12/00, Ord. 00-25)

R1.5.5 Orange Country shall pursue joint use agreements with the Orange County School Board for the use of school recreation areas as public park facilities, or for use of public park facilities as school recreation areas. ~~Orange County shall continue to enter into joint use agreements to allow park facilities to be used by the Orange County School Board during regular school hours. (Added 12/00, Ord. 00-25)~~

R1.5.6 ~~RESERVED. Orange County shall consider accepting the donation of combined park and education facility sites. If such donation is accepted, upon request of the School Board, Orange County may lease these donated educational facility sites to the Orange County School System for education facilities in accordance with Section 235.055, Florida Statutes.~~

Staff recommends deleting the policy. Section 235.055 as repealed and is not in 1013.16.

R1.5.7 The Orange County Parks and Recreation Division shall continue to plan for public/private ventures of recreation facilities. (Added 12/00, Ord. 00-25)

R1.5.8 Orange County shall provide incentives in the Land Development Code to encourage private participation in providing public recreation sites, such as, but not limited to, density bonuses, tax reductions, impact fee waivers, joint funding, and public facilities priority. (Added 12/00, Ord. 00-25)

R1.5.9 Orange County shall look for incentives for developers to provide open space/neighborhood parks~~promote the development of private neighborhood parks by allowing density bonuses in appropriate zoning districts included in the Land Development Code.~~ The promotion of private neighborhood parks does not require Orange County to own, operate or maintain these facilities.

Staff recommends revising this policy. This policy was part of the Recreation element since 1990. Page 16 of the Recreation Element found in the 2009 plan explains the practice of developers providing parks. Chapter 38, Article VI, Division 13 (R-CE-Cluster District) Sec. 38-558. Chapter 38, Article VI, Division 15 (residential Low Density District) Sec. 38-607.

OBJ R1.6 ~~By implementing the following policies,~~
Orange County shall develop a public park and recreation system that includes a diversity of facilities and programs to serve effectively a population with varied characteristics, needs and interests.

POLICIES

R1.6.1 The Orange County Parks and Recreation Division shall conduct a citizen surveys in coordination with the seven-year updates of the Parks and Recreation and Trails Master Plans. Data collected from these surveys shall be used to determine what types of facilities Orange County residents desire to have in their public parks in an attempt to satisfy the diverse needs of Orange County residents. (Added 12/00, Ord. 00-25; Amended 11/13, Ord. 2013-22)

R1.6.2 The Parks and Recreation and Trails Master Plans shall identify improvements needed to correct existing facility deficiencies in Orange County public parks, the cost associated with the needs, and a schedule of improvements. (Added 12/00, Ord. 00-25; Amended 11/13, Ord. 2013-22)

OBJ R1.7 ~~**Reserved. Orange County shall continue to pursue a Countywide multi-use trails system through implementation of the Trails Master Plan. (Added 12/00, Ord. 00-25; Amended 11/13, Ord. 2013-22)**~~

Staff recommends moving this Objective under Objective 1.4 as it also concerns multi-use trails.

POLICIES

R1.7.1 ~~RESERVED Orange County shall continue to pursue the acquisition of abandoned railroad rights-of-way for use as recreational and wildlife corridors. (Added 12/00, Ord. 00-25)~~

Staff recommends moving this policy under Objective 1.4 as it concerns multi-use trails.

R1.7.2 ~~RESERVED Orange County shall coordinate efforts with County and local utility agencies to identify sites for public recreation purposes, such as utilization of easements of power lines, drainage, or gas lines and other lands for recreation trails or linear parks.~~

Staff recommends deleting as it is repeated in Recreation Element Policy R1.5.3.

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The following pages reflect the Recreation Element should the proposed changes be adopted.

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Recreation Element Goals, Objectives and Policies

GOAL R1 Orange County shall strive to provide the residents of unincorporated Orange County with sufficient resource based and activity based park land and recreation facilities to satisfy their health, safety, and welfare needs.

OBJ R1.1 Orange County shall strive to achieve a level of service of 2.5 acres of publicly owned activity-based park land and trails per one thousand (1,000) residents of unincorporated Orange County by 2030, contingent upon adequate funding sources being in place. (Updated 12/00, Ord. 00-25)

POLICIES

- R1.1.1 Orange County shall continue to maintain the adopted level of service of 1.5 acres of publicly owned activity-based parkland and trails per 1,000 residents of unincorporated Orange County. (Added 12/00, Ord. 00-25)
- R1.1.2 RESERVED
- R1.1.3 RESERVED
- R1.1.4 Public park or recreation areas operated or maintained by Orange County shall not be converted to other uses, except by determination of the Board of County Commissioners that such conversion is in the public interest. Orange County shall seek appropriate compensation or replacement land if such land is taken.
- R1.1.5 Orange County's priority for acquisition of future public activity-based recreation sites shall be in areas identified in the Parks and Recreation and Trails Master Plans as lacking in the provision of activity-based parks. Particular importance shall be placed on those areas within the Urban Service Area; however, this should not preclude opportunities for park acquisition in the Rural Service Area. (Amended 11/13; Ord. 2013-22)
- R1.1.6 Orange County shall continue to identify additional sites for public activity-based park acquisition and funding mechanisms to acquire these sites in conjunction with the adopted Parks and Recreation and Trails Master Plans. (Amended 12/00, Ord. 00-25; Amended 11/13; Ord. 2013-22)
- R1.1.6.1 Orange County shall continue to update the Parks and Recreation and the Trails Master Plans every seven years to accommodate the needs of our diverse and changing population. (Added 12/00, Ord. 00-25; Amended 11/13; Ord. 2013-22)
- R1.1.7 The Orange County Parks and Recreation Division shall maintain an up-to-date inventory of all Orange County maintained activity-based park and recreation facilities. (Amended 12/00, Ord. 00-25)
- R1.1.8 The Parks and Recreation Division shall provide the Planning Division with an up-to-date inventory of activity-based parks to ensure the minimum level of service is met. (Added 12/00, Ord. 00-25)
- R1.1.9 The Orange County Land Development Code shall clearly address the provisions of public and private activity-based recreation space in developments. (Amended 12/00, Ord. 00-25)
- R1.1.10 Orange County shall adopt a needs map as part of the Parks and Recreation Master Plan that will depict future recreation needs for the planning horizon. (Amended 11/13; Ord. 2013-22)

R1.1.11

Orange County shall amend the Comprehensive Plan as necessary to include all pertinent information from the Parks and Recreation and the Trails Master Plans and their updates subsequent to adoption of the master plans. (Amended 11/13; Ord. 2013-22)

OBJ R1.2 Orange County shall ensure that resource-based park land is adequately and efficiently provided to meet the needs of the residents of unincorporated Orange County. (Added 12/00, Ord. 00-25)

POLICIES

- R1.2.1 Orange County shall maintain the adopted level of service of 6.0 acres of publicly owned resource-based park land per 1,000 residents of unincorporated Orange County. This level of service shall not preclude opportunities to acquire resource-based parkland. (Added 12/00, Ord. 00-25)
- R1.2.2 Orange County shall continue to investigate the acquisition of wetland, rare upland vegetative communities, and lands for wildlife and riverine corridors for incorporation into the environmentally sensitive lands program as resource-based parks.
- R1.2.3 Orange County shall continue to investigate opportunities for the development of nature interpretive centers and programs to take advantage of unique natural resources and to provide educational experiences to residents. (Amended 12/00, Ord. 00-25)
- R1.2.4 The Orange County Parks and Recreation Division shall maintain an up-to-date inventory of all Orange County maintained public resource-based park facilities that count towards Orange County's level of service. (Amended 12/00, Ord. 00-25)
- R1.2.5 The Orange County Land Development Code shall clearly address the provision of public and private resource-based recreation space in developments. (Added 12/00, Ord. 00-25)
- R1.2.6 Historic resources included within Orange County public parks shall be protected and maintained by using the guidelines of the Florida Department of State, Division of Historic and Archaeological Resources and local historic resource protection measures. (Amended 12/00, Ord. 00-25)
- R1.2.7 RESERVED

OBJ R1.3 Orange County shall consider the feasibility of and then pursue all appropriate funding mechanisms for acquisition, development and maintenance of public park and recreation lands. (Amended 12/00, Ord. 00-25)

POLICIES

- R1.3.1 Orange County shall continue to evaluate the feasibility of and need for the application of the Municipal Services Taxing Unit (MSTU) or Municipal Services Benefit Unit (MSBU) for acquisition, development and maintenance of publicly owned park and recreation lands. (Amended 12/00, Ord. 00-25)
- R1.3.2 Orange County shall annually pursue all appropriate park and recreation grant programs to seek financial support for public parks and recreation lands.
- R1.3.3 Orange County shall encourage acquisition of public resource-based parkland through the Conservation Trust Fund (CTF) wherever possible. The use of the fund for activity-based parks is prohibited. (Added 12/00, Ord. 00-25)
- R1.3.4 Orange County shall continue to investigate other funding sources for public park land acquisition, facilities and maintenance.
- R1.3.5 Orange County shall preserve and maintain existing public parks and recreation facilities through the use of adequate operating budgets and proper management techniques.
- R1.3.6 Orange County shall assist non-profit land trusts that are established in Orange County for the purpose of receiving and managing public park and recreation lands through the provision of information and technical assistance.

OBJ R1.4 Orange County shall continue to pursue public access to existing and future Orange County parks by developing programs consistent with the Parks and Recreation and Trails Master Plans and implementation of the Land Development Code. (Amended 11/13, Ord. 2013-22)

POLICIES

- R1.4.1 Orange County public parks shall be designed and constructed with access ways that are compatible with the natural features and character of the individual park area.
- R1.4.2 Orange County shall ensure that sidewalks and/or bikeways are provided to link residential areas to park sites where feasible.
- R1.4.3 Orange County shall continue to promote the development of all-purpose trails, including biking, hiking, and equestrian trails, and to provide non-motorized vehicular linkage between park sites, as illustrated in the Trails Master Plan. (Amended 11/13, Ord. 2013-22)
- R1.4.4 The Parks and Recreation Master Plan shall look for appropriate sites for development of boat ramps/launches on and adjacent to public waterways and lakes and shall contain programs to promote the development of these sites. (Amended 11/13, Ord. 2013-22)
- R1.4.5 Orange County shall ensure the provision of parking areas and bicycle racks, where appropriate, at recreation sites.
- R1.4.6 Orange County shall continue to ensure the provision of parking spaces, barrier free access, and park programs are accessible to and accommodate patrons with special needs.
- R1.4.7 Orange County shall continue to coordinate with local transit providers for the provision of mass transit routes to public activity-based parks and facilities. (Added 12/00, Ord. 00-25)
- R1.4.8 The Orange County Parks and Recreation Division shall continue to distribute information to inform and educate the residents of Orange County about the public park and recreation system.
- R1.4.9 Orange County shall continue to pursue a Countywide multi-use trails system through implementation of the Trails Master Plan.
- R1.4.10 Orange County shall continue to pursue the acquisition of abandoned railroad rights-of-way for use as recreational and wildlife corridors.

OBJ R1.5 To avoid duplication of services and promote efficient use of land and funding, Orange County shall continue to coordinate efforts with other local governments, agencies, and private development entities.

POLICIES

R1.5.1 RESERVED

R1.5.2 RESERVED

R1.5.3 Orange County shall continue to coordinate efforts with County and local utility agencies to identify sites for public recreation purposes, such as utilization of easements of power lines, drainage or gas lines for recreational trails or linear parks consistent with Florida Department of Environmental Protection, Florida Department of Transportation, and Federal Highway Administration guidelines for greenways and trails. (Added 12/00, Ord. 00-25; Amended 11/13, Ord. 2013-22)

R1.5.3.1 (Policy deleted 11/13, Ord. 2013-22)

R1.5.4 Orange County shall continue to coordinate with Orange County municipalities and adjacent counties for provision of public parks and recreation facilities through the use of interlocal agreements. In cases where the park acreage of another jurisdiction, whose service area extends into unincorporated Orange County area, that acreage shall be counted towards the level of service standard if an interlocal agreement exists. (Added 12/00, Ord. 00-25)

R1.5.5 Orange Country shall pursue joint use agreements with the Orange County School Board for the use of school recreation areas as public park facilities, or for use of public park facilities as school recreation areas. (Added 12/00, Ord. 00-25)

R1.5.6 RESERVED

R1.5.7 The Orange County Parks and Recreation Division shall continue to plan for public/private ventures of recreation facilities. (Added 12/00, Ord. 00-25)

R1.5.8 Orange County shall provide incentives in the Land Development Code to encourage private participation in providing public recreation sites, such as, but not limited to, density bonuses, tax reductions, impact fee waivers, joint funding, and public facilities priority. (Added 12/00, Ord. 00-25)

R1.5.9 Orange County shall look for incentives for developers to provide open space/neighborhood parks. The promotion of private neighborhood parks does not require Orange County to own, operate or maintain these facilities.

OBJ R1.6 **Orange County shall develop a public park and recreation system that includes a diversity of facilities and programs to serve effectively a population with varied characteristics, needs and interests.**

POLICIES

R1.6.1 The Orange County Parks and Recreation Division shall conduct citizen surveys in coordination with the seven-year updates of the Parks and Recreation and Trails Master Plans. Data collected from these surveys shall be used to determine what types of facilities Orange County residents desire to have in their public parks in an attempt to satisfy the diverse needs of Orange County residents. (Added 12/00, Ord. 00-25; Amended 11/13, Ord. 2013-22)

R1.6.2 The Parks and Recreation and Trails Master Plans shall identify improvements needed to correct existing facility deficiencies in Orange County public parks, the cost associated with the needs, and a schedule of improvements. (Added 12/00, Ord. 00-25; Amended 11/13, Ord. 2013-22)

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|-----------------|-----------------|
| OBJ R1.7 | Reserved |
| POLICIES | |
| R1.7.1 | RESERVED |
| R1.7.2 | RESERVED |

OPEN SPACE ELEMENT

2019-2-C-CP-3

Background Information

The Open Space Element is one of the required elements of the Comprehensive Plan as per the State of Florida Statutes 163.3177. This element was included in the 1980 and 1985 Growth Management Plan which became the 1990 Comprehensive Plan.

The purpose of the Element is to identify the need for open space in Orange County and to identify mechanisms for open space preservation with an emphasis on the role of open space for recreation. The Comprehensive Plan recognizes three types of open space:

Conservation areas which can be characterized as areas set aside for protection of natural resources and areas unsuitable for development due to natural hazards;

Recreation areas include both activity-based and resource-based site;

Urban open space are areas set aside to enhance the urban landscape, such as buffer areas, landscaped areas, and stormwater retention areas designed as an amenity.

Past Evaluation and Appraisals

The 2000 Update to the 1991 Comprehensive Plan included revisions to specify that the Land Development Code will include open space requirements for public and private development. Policies were revised to specify protection of natural communities, open space level of service, and utilization of open space to create an urban form. Additional policies were revised to specify continuance of the MSTU and MSBU for the acquisition of open spaces; the application of all viable finding sources; funding opportunities of public/private partnership; utilization of open spaces to develop greenways and wildlife corridors.

As part of the 2006 Evaluation and Appraisal (July 11, 2006), Orange County identified nine major issues facing the County. One of these issues was environmental protection. There was

| The following meetings and hearings have been held for this proposal: | | |
|---|------------------------------------|--|
| Report/Public Hearing | Outcome | |
| ✓ Staff Report | Recommend Adoption | |
| ✓ LPA Transmittal November 21, 2019 | Recommend Transmittal (9-0) | |
| ✓ BCC Transmittal December 17, 2019 | Continue to January 14, 2020 (7-0) | |
| ✓ BCC Transmittal January 14, 2020 | Recommend Transmittal (6-0) | |
| ✓ DEO Comments February 2020 | No Comments | |
| ✓ LPA Adoption December 17, 2020 | Continue to January 21, 2021 | |
| ✓ LPA Adoption January 21, 2021 | Recommend Adoption (6-0) | |
| BCC Adoption | February 23, 2021 | |

concern that development as proceeded toward built-out, additional pressures were being placed on natural resources throughout the County, especially within developable areas of the Urban Service Area and on areas adjacent to environmentally sensitive lands and public conservation. The report recommended revising the Open Space Element to provide more definition to the required upland preservation areas. It is also noted that recent enforcement of 25-foot upland buffers to wetlands should be extended to 50-foot buffers that would focus more open space to wetland protection and wildlife safe zones.

In 2007 the policies regarding the protection of the Wekiva Springshed and its natural resources by preserving open space within the Wekiva Study Area were added to the Open Space Element.

No changes were made to the Open Space Element as part of the 2009 Comprehensive Plan update.

Summary of Proposed Changes

Staff from the Environmental Protection Division and the Planning Division collaborated on the review and proposed amendments to the Open Space Element policies.

Reasons for policy deletions and revisions can be found in the attached table that details staff analysis of the objectives and policies of this element.

The following includes a redline copy of the proposed changes. As part of the redline changes there are notes in the column explaining the reason for the proposed change. Following the redline version is a “**clean**” version of the proposed changes, reflecting how the element would read if the changes are adopted.

Open Space Element

Goals, Objectives and Policies

GOAL OS1 It is a goal of Orange County to protect and preserve valuable open space resources. (Goal 1)

OBJ OS1.1 The Land Development Code shall include open space requirements for both public and private development to enhance the urban environment. (Added 12/00, Ord. 00-25, Objective 1.1)

POLICIES

OS1.1.1 ~~RESERVED. Open space shall be clearly defined and be internally consistent in the Land Development Code. (Added 12/00, Ord. 00-25, Policy 1.1.2; Amended 06/17, Ord. 2017-12)~~

Staff recommends deleting. Open space is defined within the Land Development Code.

OS1.1.2 ~~RESERVED. Future development in Orange County shall meet the minimum tree requirement pursuant to Land Development Code, Chapter 15, Article VIII, or any subsequent revisions. (Added 12/00, Ord. 00-25, Policy 1.1.4; Amended 6/10, Ord. 10-07)~~

Staff recommends deleting. The policy is met, adopted in the Land Development Code, Chapter 15, Article VIII.

OS1.1.3 Tree removal shall be authorized consistent with provisions of the Orange County Land Development Code, Chapter 15, Article VIII, or any subsequent revisions. (Added 12/00, Ord. 00-25, Policy 1.1.4.1; Amended 6/10, Ord. 10-07; Amended 06/17, Ord. 2017-12)

OS1.1.4 Orange County shall continue to review use the existing tree protection ordinance for modifications and improvement opportunities. Land Development Code, Chapter 15, Article VIII, to require the following:

Staff recommends revising by deleting the items that are contained in the Land Development Code and requiring staff to review the ordinance for modification and improvement opportunities..

- ~~1. Hardwood tree protection and replacement;~~
 - ~~2. Conservation and natural resource protection (plant and animal species);~~
 - ~~3. Protection and enhancement of existing hardwood tree canopies;~~
 - ~~4. Development of hardwood tree canopy roads and corridors;~~
 - ~~5. Using trees to create sense of place and space;~~
- Enhancement of community appearance and value. (Added 12/00, Ord. 00-25, Policy 1.1.4.2-r; Amended 6/10, Ord. 10-07)

- | | | |
|----------|---|--|
| OS1.1.5 | RESERVED Orange County shall create a master plan for wildlife/open space corridors and incorporate applicable sections into the Conservation Element. (Added 12/00, Ord. 00-25, Policy 1.1.5 r) | Staff recommends combining Open Space Policies OS1.1.5 and 1.1.6. The Conservation Element discusses open space corridors in C1.7.5 which directs the reader to Open Space policies OS1.1.5 and 1.1.6. The master plan that is referenced was not created. |
| OS1.1.6 | Orange County shall encourage the creation of wildlife/open space corridors and investigate mechanisms and incentive programs to implement the corridors. The County shall develop mechanisms and incentive programs to implement programs to implement the master plan for wildlife/open space corridors. (Added 12/00, Ord. 00-25, Policy 1.1.6 r) | |
| OS1.1.7 | Orange County shall continue implementation of the Environmentally Sensitive Lands (ESL) Program, to assist in maintaining the resource-based park level of service (LOS) of 6.0 acres per thousand residents of unincorporated Orange County. (Added 12/00, Ord. 00-25, Policy 1.1.7) | Staff recommends revising the policy to reflect properties in the ESL Program are not considered resource based parks and do not contribute to the LOS. |
| OS1.1.8 | RESERVED Consistent with Urban Design Policy 1.1.4 and as a method to increase open space opportunities, Orange County shall attempt to establish interlocal agreements with the Orange County School Board to facilitate co-location of parks and open spaces with educational facilities. (Added 12/00, Ord. 00-25, Policy 1.1.8) | Staff recommends deleting this policy as it is repeated in the Public School Element and the Neighborhoods Element. |
| OS1.1.9 | Where environmentally sensitive open space areas contribute to public <u>nature-based</u> recreation, wetland function or wildlife habitat, exotic plants shall be controlled consistent with Conservation Policy C1.4.7. (Added 12/00, Ord. 00-25, Policy 1.1.9-r) | Staff recommends revising the policy to clarify the intent of using urban open space as areas set aside to enhance the urban landscape. |
| OS1.1.10 | Orange County shall assist in designing and creating urban <u>land patterns</u> form through <u>acquisition and management of Environmentally Sensitive Lands</u> passive land areas and resource-based parks. (Added 12/00, Ord. 00-25, Policy 1.1.10) | |

OBJ OS1.2 Orange County shall maintain the Environmentally Sensitive Lands Program (ESL) as a funding mechanism for acquisition and maintenance of environmentally sensitive lands throughout the planning horizon. (Added 12/00, Ord. 00-25, Objective 1.2; Amended 6/10, Ord. 10-07)

POLICIES

OS1.2.1 Orange County shall continually evaluate the feasibility of and need for the application of the Municipal Services Taxing Unit (MSTU) or Municipal Services Benefit Unit (MSBU) for the acquisition and maintenance of publicly owned lands. (Added 12/00, Ord. 00-25, Policy 1.2.1; Amended 6/10, Ord. 10-07)

OS1.2.2 Orange County will seek financial support for public lands by annually pursuing grant programs. (Added 12/00, Ord. 00-25, Policy 1.2.3; Amended 6/10, Ord. 10-07)

OS1.2.3 Orange County shall continually pursue public/private partnerships for funding land acquisition of environmentally sensitive lands and natural open spaces. (Added 12/00, Ord. 00-25, Policy 1.2.3.1)

OS1.2.4 Orange County shall consider acquiring natural undeveloped land areas via public/private ventures to address development impacts on wetlands, protecting wetland buffers and uplands with rare or sensitive habitat. Land areas acquired for these purposes shall accommodate the development of greenways and wildlife corridors in the County. ~~Such areas may also contribute to the resource-based park provision in the County.~~ (Added 12/00, Ord. 00-25, Policy 1.2.3.2; (Amended 6/10, Ord. 10-07)

Staff recommends revising the policy. Natural undeveloped land areas are not considered as part of the resource based parks program.

OS1.2.5 Orange County ~~may~~ shall provide technical assistance and information to non-profit land trusts established in the County. (Added 12/00, Ord. 00-25, Policy 1.2.4)

OBJ OS1.3 Orange County shall protect the Wekiva Springshed and its natural resources by maximizing preserved open space within the Wekiva Study Area. (Added 12/07, Ord. 07-20, Objective 1.3)

POLICIES

OS1.3.1 In addition to development or redevelopment of properties located within the Wekiva Study Area as specified in Future Land Use Element policies FLU6.6.8, FLU6.6.10 and FLU6.6.12, any proposed amendment to the Comprehensive Plan that proposes an increase in density or intensity of land use greater than that allowed for under the existing Future Land Use Map shall ensure protection of identified sensitive resources, including recharge areas, sensitive uplands as defined by FNAI, wetlands, and Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub vegetative communities. (Added 12/07; Ord. 07-20, Policy 1.3.1)

Staff recommends creating sub-policies to provide for ease of use and reading.

OS1.3.2 Open space within the Wekiva Study Area (WSA) and Wekiva River Protection Ordinance area shall be defined as the land area that remains undeveloped or minimally developed, such as trails and boardwalks, as part of a natural resource preserve or passive recreation area and shall include land preserved for conservation purposes. Within a development site, the County shall require that a minimum quantity of developable area remain preserved, which shall represent the minimum open space requirement.

- A. The minimum required open space shall exclude water bodies, wetlands, residential lots, street rights-of-way, parking lots, impervious surfaces, and active recreation areas.
- B. Minimum required open space may include permeable stormwater management areas using Best Management Practices.
- C. Golf courses shall be generally excluded with the exception that areas of a golf course outside of the regularly maintained fairways that are naturally vegetated and not subject to chemical application may be credited toward the minimum open space requirement.

D. The minimum required quantity of open space within a development site shall be calculated over the net developable area of a parcel, which is defined as the total area of a parcel less wetlands and natural water bodies. Non-developable areas, including wetlands and natural water bodies, are recognized as protected features but shall not be credited toward the minimum open space requirement. (Added 12/07, Ord. 07-20, Policy 1.3.2; Amended 6/10, Ord. 10-07)

OS1.3.3

The County shall incorporate land use strategies that will optimize open space and protect the health of the Wekiva River System, which may include but are not limited to:

- Conservation design subdivisions;
- Conservation easements and other less-than-fee acquisition strategies;
- Coordinated greenway plans;
- Land acquisition, including fee simple and less-than-fee;
- Density incentives and density credits;
- Transfers of development rights;
- Clustering of developments; and
- Low to very low density development. (Added 12/07, Ord. 07-20, Policy 1.3.3)

OS1.3.4

A. Development and redevelopment within the Wekiva Study Area shall provide as much open space as possible. All new residential subdivisions or developments that may be located entirely or partially within the Wekiva Study Area are required to cluster to the maximum extent feasible to preserve open space. Such clustering is intended to be density neutral, and lot sizes may be adjusted as needed to accommodate preserved open space. Priority for open space protection shall be given to the following resources required to be protected by the Wekiva Parkway and Protection Act:

1. the most effective recharge areas;
2. karst features; and
3. sensitive natural habitats including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub vegetative communities.

B. The purposes of "open space design" within a development are to minimize site disturbance, reduce land development costs, reduce infrastructure costs, provide more cost-effective and efficient site infrastructure, provide better management of facilities, and permanently protect open space while remaining density and intensity neutral. ~~By January 1, 2007, the~~ The Land Development Code shall include requirements and incentives for open space/conservation subdivision design including minimum open space requirements, maximum lot size and design standards. (Amended 6/10, Ord. 10-07)

Staff recommends creating subheadings because this is a lengthy policy. The reason is to create a policy that is easier to read and use.

C. Open space shall be primarily larger, contiguous parcels rather than in linear strips to encourage maintenance of rural views, lifestyles, and economies and shall be comprised mainly of existing undisturbed natural areas. To the extent possible, preserved open space shall be used to create corridors and larger parcels more suitable for ~~passive~~ nature-based recreation, low-intensity agriculture, silviculture, aquifer recharge protection, or wildlife and habitat management, so that remnant open space areas are not created that are unusable or function as private open space to only a small percentage of the development. If a project is located next to off-site open space whose primary function is conservation of natural resources, connection of open space with compatible functions is required. "Compatible" means similar or complementary such as uplands adjacent to wetlands or isolated wetlands within flatwoods or scrub areas. (Amended 6/10, Ord. 10-07)

D. Open space property shall be preserved through publicly recorded, permanent conservation easements or similar legal instruments to preclude future development or further subdivision of the land while ensuring maintenance of and appropriate access to the open space areas in perpetuity. Preserved areas shall be owned in common by a property owners' association, a public agency, a land trust, or another appropriate entity. This open space shall be used for conservation, aquifer recharge protection, passive recreation, low intensity agriculture, or silviculture. Agriculture and silviculture operations shall adhere to the appropriate BMPs as adopted by the Florida Department of Agriculture and Consumer Services.

E. Limited structures for common use or under common ownership may be allowed within the open space preserve areas, areas other than wetlands, conservation mitigation areas, conservation easements or wetland protective buffers. Homeowners' personal property and residential accessory structures shall be prohibited. Individual potable water wells shall be allowed in open space areas adjacent to homes if site conditions warrant and allow such. (Added 12/07, Ord. 07-20, Policy 1.3.5; Amended 6/10, Ord. 10-07)

OS1.3.6

For that portion of the Wekiva Study Area located within the Joint Planning Area of the City of Apopka, Orange County shall require compliance with minimum open space and density requirements described by the Joint Planning Area Agreement (JPA) with the City of Apopka adopted on October 26, 2004 and as may be amended. If a discrepancy exists between the City of Apopka and Orange County in terms of requirements, the most stringent shall apply. The County shall adopt Land Development Regulations ~~by January 1, 2007~~ for these areas to provide for a pattern of development that protects most effective recharge areas, karst features, and sensitive natural habitats. (Amended 6/10, Ord. 10-07)

All areas shown as High Recharge Areas identified in the Data and Analysis of this element on Map 4 (aka Figure WSA-3) shall be recognizable by the presence of Type "A" Hydrologic Soil Group identifying the most effective recharge areas. (Amended 6/10, Ord. 10-07)

During the site planning process, a soil analysis shall be performed by a qualified professional to determine the location of most effective recharge areas, considered Type "A" Hydrologic soils described by the NRCS Soil Survey maps. (Amended 6/10, Ord. 10-07).

To maximize open space and preserve the natural environment within the Wekiva Study Area, all development shall conform to the following requirements:-

An acceptable alternative plan to a configuration in which the required percentage of open space is located on site is a plan that ensures that the required percentage of open space is permanently preserved through the transfer of density credits, development rights, or property purchases (such off-site transfers shall be limited to property located within the Wekiva Springshed), and such open space shall be permanently protected through conservation easements or similar binding mechanisms. (Added 10/10, Ord. 2010-13)

The following ~~text~~ policies describes areas of Orange County that contain special criteria for open space. For these following areas, all open space shall be permanently protected and unless otherwise noted, the clustering of open space is required.

A. Residential land uses in the Rural Service Area.

Within all areas designated as Rural/Agricultural, the following standards shall apply:

- 1) Development with densities less than or equal to one unit per ten acres (1du/10ac) – open space shall be 50% or greater.

B. Residential land uses in existing Rural Settlements.

Within all areas in the Wekiva Study Area designated as Rural Settlement, minimum lot size shall be determined by the availability of water and sewer services. Within any such development, any sensitive resource elements shall be permanently protected. The following standards shall apply:

- 1) ~~Development~~ development with densities less than or equal to one unit per acre (1du/ac) – open space shall equal 50% or greater;
- 2) ~~Development~~ development with densities greater than one unit per acre (1du/ac) in a development with an overall size of less than or equal to 100 acres – open space shall be 60% or greater;
- 3) ~~Development~~ development with densities greater than one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 70% or greater.

C. Residential land uses in Rural Settlements expansions.

For any Rural Settlement expansions in the Wekiva Study Area, minimum lot size shall be determined by the availability of water and sewer services.

Within any such development, any sensitive resource elements shall be permanently protected. The following standards shall apply:

- 1) ~~Development-development~~ with densities less than or equal to one unit per acre (1du/ac) in a development with an overall size of less than or equal to 100 acres – open space shall equal 60% or greater;
- 2) ~~Development-development~~ with densities less than or equal to one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 70% or greater;
- 3) ~~Development-development~~ with densities greater than one unit per acre (1du/ac) in a development with an overall size less than or equal to 100 acres – open space shall be 70% or greater;
- 4) ~~Development-development~~ with densities greater than one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 80% or greater.

D. Residential land uses in Growth Centers.

Within Growth Centers in the Wekiva Study Area, any sensitive resource elements shall be permanently protected. Minimum open space shall be provided as follows.

- 1) ~~Development-development~~ with densities of less than or equal to one unit per acre (1du/ac) in a development with an overall size of less than or equal to 100 acres – open space shall be 40% or greater;
- 2) ~~Development-development~~ with densities of less than or equal to one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 50% or greater;
- 3) ~~Development-development~~ with densities greater than one unit per acre (1du/ac) in a development with an overall size of less than or equal to 100 acres – open space shall be 60% or greater.
- 4) ~~Development-development~~ with densities greater than one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 70% or greater. (Amended 6/10, Ord. 10-07)

E. Residential land uses in the Urban Service Area (not in a Rural Settlement).

Within the Urban Service Area in the Wekiva Study Area, any sensitive resource elements shall be permanently protected. Minimum open space shall be provided as follows:

- 1) ~~Development-development~~ with an overall size less than or equal to 100 acres – open space shall be 35% or greater;
- 2) ~~Development-development~~ with an overall size greater than 100 acres – open space shall be 50% or greater.

F. Vertical mixed-use in the Urban Service Area and Growth Center.

Vertical mixed-use (non-residential and residential land uses) within the Urban Service Area and Growth Centers in the Wekiva Study Area shall provide a minimum of 25% permanently protected open space. To minimize impervious surfaces, shared parking shall be required to the greatest extent practicable between adjacent non-residential uses. (Added 6/10, Ord. 10-07)

G. Non-residential land uses in the Rural Service Area and Rural Settlements.

New non-residential uses permitted in the Wekiva Study Area within the Rural Service Area (including Rural Settlements) generally shall be limited to neighborhood and community commercial uses including small offices, institutional uses, agricultural uses, public parks and public conservation lands. Land uses existing prior to adoption of this policy shall be recognized and allowed to develop according to the appropriate Land Development Code in place at the time of development permitting. Comprehensive plan map amendments may allow neighborhood or community commercial uses only at intersections of collector or arterial roadways, and such uses shall be restricted to neighborhood and low-intensity community commercial uses. Such commercial uses shall not be considered to be an impetus for increased residential densities in proximity to those commercial uses. Non-residential land uses within the Wekiva Study Area shall provide a minimum of 25% permanently protected open space. To minimize impervious surfaces, shared parking shall be required to the greatest extent practicable between adjacent non-residential uses. (Amended 6/10, Ord. 10-07)

H. Non-residential land uses in the Urban Service Area.

New non-residential uses permitted in the Wekiva Study Area within the Urban Service Area shall be consistent with Goals, Objectives and Policies of the Comprehensive Plan and specifically with the Policies FLU1.4.3 through FLU1.4.25. Non-residential land uses within the Wekiva Study Area shall provide a minimum of 25% permanently protected open space. (Added 6/10, Ord. 10-07; Amended 10/10, Ord. 2010-13)

Non-residential sites too small to accommodate the above requirements – generally existing lots of record – may apply for a waiver from some or all of these open space requirements, provided that competent and sufficient evidence is provided documenting that fulfilling these requirements either is not physically possible or would constitute an undue hardship rendering the property unusable under the land use designation in effect on July 1, 2006. (Added 12/07, Ord. 07-20, Policy 1.3.6-r; Amended 10-09, Ord. 2009-28)

The following pages reflect the updated Open Space Element should the proposed changes be adopted.

Open Space Element –Text if Adopted

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Open Space Element

Goals, Objectives and Policies

GOAL OS1 It is a goal of Orange County to protect and preserve valuable open space resources. (Goal 1)

OBJ OS1.1 The Land Development Code shall include open space requirements for both public and private development to enhance the urban environment. (Added 12/00, Ord. 00-25, Objective 1.1)

POLICIES

OS1.1.1 RESERVED.

OS1.1.2 RESERVED.

OS1.1.3 Tree removal shall be authorized consistent with provisions of the Orange County Land Development Code, Chapter 15, Article VIII, or any subsequent revisions. (Added 12/00, Ord. 00-25, Policy 1.1.4.1; Amended 6/10, Ord. 10-07; Amended 06/17, Ord. 2017-12)

OS1.1.4 Orange County shall continue to review the existing tree protection ordinance for modifications and improvement opportunities. (Added 12/00, Ord. 00-25, Policy

OS1.1.5 RESERVED.

OS1.1.6 Orange County shall encourage the creation of wildlife/open space corridors and investigate mechanisms and incentive programs to implement the corridors.

OS1.1.7 Orange County shall continue implementation of the Environmentally Sensitive Lands (ESL) Program. (Added 12/00, Ord. 00-25, Policy 1.1.7)

OS1.1.8 RESERVED.

OS1.1.9 Where environmentally sensitive open space areas contribute to public nature-based recreation, wetland function or wildlife habitat, exotic plants shall be controlled consistent with Conservation Policy C1.4.7. (Added 12/00, Ord. 00-25, Policy 1.1.9-r)

OS1.1.10 Orange County shall assist in designing and creating urban land patterns through acquisition and management of Environmentally Sensitive Lands and resource-based parks. (Added 12/00, Ord. 00-25, Policy 1.1.10)

OBJ OS1.2 Orange County shall maintain the Environmentally Sensitive Lands Program (ESL) as a funding mechanism for acquisition and maintenance of environmentally sensitive lands throughout the planning horizon. (Added 12/00, Ord. 00-25, Objective 1.2; Amended 6/10, Ord. 10-07)

POLICIES

- OS1.2.1 Orange County shall continually evaluate the feasibility of and need for the application of the Municipal Services Taxing Unit (MSTU) or Municipal Services Benefit Unit (MSBU) for the acquisition and maintenance of publicly owned lands. (Added 12/00, Ord. 00-25, Policy 1.2.1; Amended 6/10, Ord. 10-07)
- OS1.2.2 Orange County will seek financial support for public lands by annually pursuing grant programs. (Added 12/00, Ord. 00-25, Policy 1.2.3; Amended 6/10, Ord. 10-07)
- OS1.2.3 Orange County shall continually pursue public/private partnerships for funding land acquisition of environmentally sensitive lands and natural open spaces. (Added 12/00, Ord. 00-25, Policy 1.2.3.1)
- OS1.2.4 Orange County shall consider acquiring natural undeveloped land areas via public/private ventures to address development impacts on wetlands, protecting wetland buffers and uplands with rare or sensitive habitat. Land areas acquired for these purposes shall accommodate the development of greenways and wildlife corridors in the County. (Added 12/00, Ord. 00-25, Policy 1.2.3.2; Amended 6/10, Ord. 10-07)
- OS1.2.5 Orange County may provide technical assistance and information to non-profit land trusts established in the County. (Added 12/00, Ord. 00-25, Policy 1.2.4)

OBJ OS1.3 Orange County shall protect the Wekiva Springshed and its natural resources by maximizing preserved open space within the Wekiva Study Area. (Added 12/07, Ord. 07-20, Objective 1.3)

POLICIES

- OS1.3.1 In addition to development or redevelopment of properties located within the Wekiva Study Area as specified in Future Land Use Element policies FLU6.6.8, FLU6.6.10 and FLU6.6.12, any proposed amendment to the Comprehensive Plan that proposes an increase in density or intensity of land use greater than that allowed for under the existing Future Land Use Map shall ensure protection of identified sensitive resources, including recharge areas, sensitive uplands as defined by FNAI, wetlands, and Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub vegetative communities. (Added 12/07; Ord. 07-20, Policy 1.3.1)
- OS1.3.2 Open space within the Wekiva Study Area (WSA) and Wekiva River Protection Ordinance area shall be defined as the land area that remains undeveloped or minimally developed, such as trails and boardwalks, as part of a natural resource preserve or passive recreation area and shall include land preserved for conservation purposes. Within a development site, the County shall require that a minimum quantity of developable area remain preserved, which shall represent the minimum open space requirement.
- A. The minimum required open space shall exclude water bodies, wetlands, residential lots, street rights-of-way, parking lots, impervious surfaces, and active recreation areas.
 - B. Minimum required open space may include permeable stormwater management areas using Best Management Practices.
 - C. Golf courses shall be generally excluded with the exception that areas of a golf course outside of the regularly maintained fairways that are naturally vegetated and not subject to chemical application may be credited toward the minimum open space requirement.
 - D. The minimum required quantity of open space within a development site shall be calculated over the net developable area of a parcel, which is defined as the total area of a parcel less wetlands and natural water bodies. Non-developable areas, including wetlands and natural water bodies, are recognized as protected features but shall not be credited toward the minimum open space requirement. (Added 12/07, Ord. 07-20, Policy 1.3.2; Amended 6/10, Ord. 10-07)
- OS1.3.3 The County shall incorporate land use strategies that will optimize open space and protect the health of the Wekiva River System, which may include but are not limited to:
- Conservation design subdivisions;
 - Conservation easements and other less-than-fee acquisition strategies;
 - Coordinated greenway plans;
 - Land acquisition, including fee simple and less-than-fee;
 - Density incentives and density credits;
 - Transfers of development rights;
 - Clustering of developments; and
 - Low to very low density development. (Added 12/07, Ord. 07-20, Policy 1.3.3)

OS1.3.4

A. Development and redevelopment within the Wekiva Study Area shall provide as much open space as possible. All new residential subdivisions or developments that may be located entirely or partially within the Wekiva Study Area are required to cluster to the maximum extent feasible to preserve open space. Such clustering is intended to be density neutral, and lot sizes may be adjusted as needed to accommodate preserved open space. Priority for open space protection shall be given to the following resources required to be protected by the Wekiva Parkway and Protection Act:

1. the most effective recharge areas;
2. karst features; and
3. sensitive natural habitats including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub vegetative communities.

B. The purposes of "open space design" within a development are to minimize site disturbance, reduce land development costs, reduce infrastructure costs, provide more cost-effective and efficient site infrastructure, provide better management of facilities, and permanently protect open space while remaining density and intensity neutral. The Land Development Code shall include requirements and incentives for open space/conservation subdivision design including minimum open space requirements, maximum lot size and design standards. (Amended 6/10, Ord. 10-07)

C. Open space shall be primarily larger, contiguous parcels rather than in linear strips to encourage maintenance of rural views, lifestyles, and economies and shall be comprised mainly of existing undisturbed natural areas. To the extent possible, preserved open space shall be used to create corridors and larger parcels more suitable for nature-based recreation, low-intensity agriculture, silviculture, aquifer recharge protection, or wildlife and habitat management, so that remnant open space areas are not created that are unusable or function as private open space to only a small percentage of the development. If a project is located next to off-site open space whose primary function is conservation of natural resources, connection of open space with compatible functions is required. "Compatible" means similar or complementary such as uplands adjacent to wetlands or isolated wetlands within flatwoods or scrub areas. (Amended 6/10, Ord. 10-07)

D. Open space property shall be preserved through publicly recorded, permanent conservation easements or similar legal instruments to preclude future development or further subdivision of the land while ensuring maintenance of and appropriate access to the open space areas in perpetuity. Preserved areas shall be owned in common by a property owners' association, a public agency, a land trust, or another appropriate entity. This open space shall be used for conservation, aquifer recharge protection, passive recreation, low intensity agriculture, or silviculture. Agriculture and silviculture operations shall adhere to the appropriate BMPs as adopted by the Florida Department of Agriculture and Consumer Services.

E. Limited structures for common use or under common ownership may be allowed within the open space preserve areas, areas other than wetlands, conservation mitigation areas, conservation easements or wetland protective buffers. Homeowners' personal property and residential accessory structures shall be prohibited. Individual potable water wells shall be allowed in open space areas adjacent to homes if site conditions warrant and allow such. (Added 12/07, Ord. 07-20, Policy 1.3.5; Amended 6/10, Ord. 10-07)

OS1.3.6

For that portion of the Wekiva Study Area located within the Joint Planning Area of the City of Apopka, Orange County shall require compliance with minimum open space and density requirements described by the Joint Planning Area Agreement (JPA) with the City of Apopka adopted on October 26, 2004 and as may be amended. If a discrepancy exists between the City of Apopka and Orange County in terms of requirements, the most stringent shall apply. The County shall adopt Land Development Regulations for these areas to provide for a pattern of development that protects most effective recharge areas, karst features, and sensitive natural habitats. (Amended 6/10, Ord. 10-07)

All areas shown as High Recharge Areas identified in the Data and Analysis of this element on Map 4 (aka Figure WSA-3) shall be recognizable by the presence of Type "A" Hydrologic Soil Group identifying the most effective recharge areas. (Amended 6/10, Ord. 10-07)

During the site planning process, a soil analysis shall be performed by a qualified professional to determine the location of most effective recharge areas, considered Type "A" Hydrologic soils described by the NRCS Soil Survey maps. (Amended 6/10, Ord. 10-07).

o maximize open space and preserve the natural environment within the Wekiva Study Area, all development shall conform to the following requirements:

An acceptable alternative plan to a configuration in which the required percentage of open space is located on site is a plan that ensures that the required percentage of open space is permanently preserved through the transfer of density credits, development rights, or property purchases (such off-site transfers shall be limited to property located within the Wekiva Springshed), and such open space shall be permanently protected through conservation easements or similar binding mechanisms. (Added 10/10, Ord. 2010-13)

The following policies describe areas of Orange County that contain special criteria for open space. For these following areas, all open space shall be permanently protected and unless otherwise noted, the clustering of open space is required.

A. Residential land uses in the Rural Service Area.

Within all areas designated as Rural/Agricultural, the following standards shall apply:

- 1) Development with densities less than or equal to one unit per ten acres (1du/10ac) – open space shall be 50% or greater.

B. Residential land uses in existing Rural Settlements.

Within all areas in the Wekiva Study Area designated as Rural Settlement, minimum lot size shall be determined by the availability of water and sewer services. Within any such development, any sensitive resource elements shall be permanently protected. The following standards shall apply:

- 1) Development with densities less than or equal to one unit per acre (1du/ac) – open space shall equal 50% or greater;
- 2) Development with densities greater than one unit per acre (1du/ac) in a development with an overall size of less than or equal to 100 acres – open space shall be 60% or greater;
- 3) Development with densities greater than one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 70% or greater.

C. Residential land uses in Rural Settlements expansions.

For any Rural Settlement expansions in the Wekiva Study Area, minimum lot size shall be determined by the availability of water and sewer services. Within any such development, any sensitive resource elements shall be permanently protected. The following standards shall apply:

- 1) Development with densities less than or equal to one unit per acre (1du/ac) in a development with an overall size of less than or equal to 100 acres – open space shall equal 60% or greater;
- 2) Development with densities less than or equal to one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 70% or greater;
- 3) Development with densities greater than one unit per acre (1du/ac) in a development with an overall size less than or equal to 100 acres – open space shall be 70% or greater;
- 4) Development with densities greater than one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 80% or greater.

D. Residential land uses in Growth Centers.

Within Growth Centers in the Wekiva Study Area, any sensitive resource elements shall be permanently protected. Minimum open space shall be provided as follows.

- 1) Development with densities of less than or equal to one unit per acre (1du/ac) in a development with an overall size of less than or equal to 100 acres – open space shall be 40% or greater;
- 2) Development with densities of less than or equal to one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 50% or greater;
- 3) Development with densities greater than one unit per acre (1du/ac) in a development with an overall size of less than or equal to 100 acres – open space shall be 60% or greater.
- 4) Development with densities greater than one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 70% or greater. (Amended 6/10, Ord. 10-07)

E. Residential land uses in the Urban Service Area (not in a Rural Settlement).

Within the Urban Service Area in the Wekiva Study Area, any sensitive resource elements shall be permanently protected. Minimum open space shall be provided as follows:

- 1) Development with an overall size less than or equal to 100 acres – open space shall be 35% or greater;
- 2) Development with an overall size greater than 100 acres – open space shall be 50% or greater.

F. Vertical mixed-use in the Urban Service Area and Growth Center.

Vertical mixed-use (non-residential and residential land uses) within the Urban Service Area and Growth Centers in the Wekiva Study Area shall provide a minimum of 25% permanently protected open space. To minimize impervious surfaces, shared parking shall be required to the greatest extent practicable between adjacent non-residential uses. (Added 6/10, Ord. 10-07)

G. Non-residential land uses in the Rural Service Area and Rural Settlements.

New non-residential uses permitted in the Wekiva Study Area within the Rural Service Area (including Rural Settlements) generally shall be limited to neighborhood and community commercial uses including small offices, institutional uses, agricultural uses, public parks and public conservation lands. Land uses existing prior to adoption of this policy shall be recognized and allowed to develop according to the appropriate Land Development Code in place at the time of development permitting. Comprehensive plan map amendments may allow neighborhood or community commercial uses only at intersections of collector or arterial roadways, and such uses shall be restricted to neighborhood and low-intensity community commercial uses. Such commercial uses shall not be considered to be an impetus for increased residential densities in proximity to those commercial uses. Non-residential land uses within the Wekiva Study Area shall provide a minimum of 25% permanently protected open space. To minimize impervious surfaces, shared parking shall be required to the greatest extent practicable between adjacent non-residential uses. (Amended 6/10, Ord. 10-07)

H. Non-residential land uses in the Urban Service Area.

New non-residential uses permitted in the Wekiva Study Area within the Urban Service Area shall be consistent with Goals, Objectives and Policies of the Comprehensive Plan and specifically with the Policies FLU1.4.3 through FLU1.4.25. Non-residential land uses within the Wekiva Study Area shall provide a minimum of 25% permanently protected open space. (Added 6/10, Ord. 10-07; Amended 10/10, Ord. 2010-13)

Non-residential sites too small to accommodate the above requirements – generally existing lots of record – may apply for a waiver from some or all of these open space requirements, provided that competent and sufficient evidence is provided documenting that fulfilling these requirements either is not physically possible or would constitute an undue hardship rendering the property unusable under the land use designation in effect on July 1, 2006. (Added 12/07, Ord. 07-20, Policy 1.3.6-r; Amended 10-09, Ord. 2009-28)

POTABLE, WASTE, RECLAIMED WATER ELEMENT 2020-2-C-CP-4

Background Information

The Potable Water, Waste Water, and Reclaimed Water Element is a required element of the Comprehensive Plan. The primary purpose of the Element is to demonstrate the ability to provide an efficient and adequate level of potable water, wastewater, and reclaimed water service in a cost-effective manner. It also outlines the need to provide water service and facilities that are environmentally sound and promote water conservation and reuse of reclaimed water, while protecting the quality of the water supply. The Element is linked to the Water Supply Facilities Work Plan.

In the 1990 Comprehensive Plan, Potable Water and Wastewater were separate elements. The Reclaimed Water Element was not a part of the 1990 Plan.

The 1990 Potable Water Element had the goal to ensure the provision of potable water in a cost effective and environmentally sound manner, concurrent with development. The element identified the providers of potable water and identified the needs of the existing and future population. The element includes information about Orange County Public Utilities, private and municipal water systems, wellfields, and private wells. Also included are water quality regulations and a list of drinking water systems in unincorporated Orange County.

The source of potable water is the underlying aquifer. After groundwater is

pumped from the aquifer, it is purified either by utility companies, private treatment facilities, or individual users. Prior to 1980, utility companies and private treatment facilities could be located anywhere. To provide efficiency, the sprawl pattern had to be discouraged. This effort was aided by the adoption of the Growth Management Policy in 1980, which implemented the Urban Service Area concept.

The 1990 Potable Water Element contained two goals, eight objectives, and fifty goals.

The 1990 Wastewater Element addressed the management of wastewater treatment and disposal. Wastewater treatment service was provided by three methods: central sewer, package plants, and septic tanks. It was stated in the element that central sewer is the method of wastewater treatment desired for future

The following meetings and hearings have been held for this proposal:

| Report/Public Hearing | Outcome |
|--------------------------------------|---------------------------------|
| ✓ Staff Report | Recommend Transmittal |
| ✓ LPA Transmittal August 20, 2020 | Continued to September 17, 2020 |
| ✓ LPA Transmittal September 17, 2020 | Recommend Transmittal (8-0) |
| ✓ BCC Transmittal October 13, 2020 | Transmit |
| ✓ Agency Comments November 2020 | No comments |
| ✓ LPA Adoption December 17, 2020 | Continue to January 21, 2021 |
| ✓ LPA Adoption January 21, 2021 | Recommend Adoption (6-0) |
| BCC Adoption | February 23, 2021 |

Potable, Waste, Reclaimed Water Element - Introduction

development within the Urban Service Area. Septic tank systems would be permitted for wastewater treatment under certain conditions, as detailed in the Subdivision Regulations. The element also contained details about central wastewater disposal, septic tank systems, and package treatment plants. Also included was analysis by service area, east service area, northwest service area, and south service area including central facilities and septic tank and package plants.

The 1990 Wastewater Element contained two goals, seven objectives, and thirty-five goals.

Past Evaluation and Appraisals

At the time of the 2000 Evaluation and Appraisal Update, Potable Water and Wastewater were separate elements. Changes were made to each element to reflect changes in nomenclature, and changes to monitoring programs. New policies were introduced to the Wastewater Element to list the exceptions when wastewater facilities can be extended beyond the Urban Service Area boundary.

The 2006 Evaluation and Appraisal Report (July 11, 2006) assessed the Potable Water and Wastewater Element. The conclusion of the Wastewater review was the County is doing an excellent job in achieving safe, efficient delivery of wastewater services. No major changes are needed. The conclusion of the Potable Water element review was that the County was doing an excellent job in achieving safe, efficient delivery of wastewater services. No major changes were required.

The 2009 Comprehensive Plan update included Potable Water, Wastewater, and Reclaimed Water within the same element. Included in the element was a

history of utility systems in Orange County, potable, wastewater, and reclaimed water providers, relationship to the Urban Service Area, Orange County Utilities, and other service providers. Reclaimed water was introduced for the first time in the 2009 update.

Summary of Proposed Changes

Staff from the Environmental Protection Division and the Planning Division collaborated on the review and proposed amendments to the Potable Water, Wastewater, and Reclaimed Water Element policies.

Additionally, Orange County Utilities worked tirelessly to combine the policies in the element to eliminate duplicative language. The current element contains a section for Potable Water (PW) and a section for Wastewater (WW). The staff at Orange County Utilities are proposing to combine these policies, where feasible and create a new naming convention of WAT (Water). The unique nature of this does not allow for staff to track the number of items that are proposed for deletion as the result will be new goals, objectives, and policies.

Notes on the format:

Bold text is the proposed goal, objective, or policy.

The text that follows the proposed includes a track changes version and the original goal, objective, or policy.

Black text indicates the text is in both the PW and WW policy and in the proposed policy.

Blue text indicates it is text only from Potable Water.

Orange text indicated the language is from Waste Water.

Red underlined text is proposed language.

Strikethrough is shown only in the original policy because it is easier to see the changes.

For example:

GOAL WAT1 To provide an efficient and adequate level of water, wastewater, and reclaimed water service and facilities in a cost-effective manner to accommodate existing and future development.

GOAL WAT1 is the proposed new goal that is written as though all proposed changes are accepted.

TC To provide an efficient and adequate level of water, wastewater, and reclaimed water service and facilities in a cost-effective manner to accommodate existing and future development.

TC is the track changes version showing the shared text, text brought over from the water or wastewater policy, and proposed text.

~~GOAL PW 1 It is Orange County's goal to provide an efficient and adequate level of water service and facilities in a cost effective manner to accommodate existing and future development.~~

The original goal, objective, or policy. The text that is proposed for deletion is struck, while the text that is retained is shown in black if in both, blue if in potable water, or orange if only in waste water.

~~GOAL WW1 It is Orange County's goal to provide an efficient and adequate level of wastewater service in a cost effective manner to accommodate existing and future development.~~

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GOAL WAT1 To provide an efficient and adequate level of water, wastewater, and reclaimed water service and facilities in a cost-effective manner to accommodate existing and future development.

TC To provide an efficient and adequate level of water, wastewater, and reclaimed water service and facilities in a cost-effective manner to accommodate existing and future development.

~~GOAL PW.1 It is Orange County's goal to provide an efficient and adequate level of water service and facilities in a cost effective manner to accommodate existing and future development.~~

~~GOAL WW1 It is Orange County's goal to provide an efficient and adequate level of wastewater service in a cost effective manner to accommodate existing and future development.~~

OBJ WAT1.1 Orange County shall consistently monitor for water, wastewater, and reclaimed water system deficiencies. In the event system deficiencies are identified, Orange County shall provide for the correction of these system deficiencies by implementing the following policies.

TC Orange County shall consistently monitor for water, wastewater, and reclaimed water system deficiencies. In the event system deficiencies are identified, Orange County shall provide for the correction of these system deficiencies by implementing the following policies.

~~OBJ PW1.1 Orange County shall continue to provide for the correction of its existing water system deficiencies. This objective shall be made measurable by implementing the following policies.~~

~~OBJ WW1.1 Orange County shall consistently monitor for wastewater facility deficiencies. In the event system deficiencies are identified, Orange County shall provide for the correction of these wastewater system deficiencies, rehabilitation and improvements by implementing the following policies.~~

Notes: "Rehabilitation and improvements" are struck to make the objective clearer. The objective states that deficiencies will be corrected. The words that were removed did not add anything to the objective.

WAT1.1.1 **The Orange County Water, Wastewater and Reclaimed Water Master Plan documents (Master Plan) shall identify and provide for the correction of water, wastewater and reclaimed water system deficiencies.**

TC The Orange County Water, Wastewater and Reclaimed Water Master Plan documents (Master Plan) shall identify and provide for the correction of water, wastewater, and reclaimed water system deficiencies.

~~WW1.1.1~~ The Master Plan shall identify and provide for the correction of wastewater system deficiencies, ~~rehabilitation and improvements. The Master Plan (PBS&J/CH2M Joint Venture, 2002 Water, Wastewater, and Reclaimed Water Master Plan, September 2006)~~ and the Water Supply Facilities Work Plan (~~Orange County Water Supply Facilities Work Plan, 2008~~) are herein adopted by reference, as the data, analysis and supporting documentation for the element.

WAT1.1.2 Orange County shall review the Master Plan every five years, updating when necessary, and shall review and update the Water Supply Facilities Work Plan (Work Plan) within 18 months of the update to the Regional Water Supply Plans (last updated in November 2015) to identify system deficiencies and, if necessary, implement a plan for correction. The Work Plan (Orange County Water Supply Facilities Work Plan, Fiscal Year 2017/2018 to 2027/2028), prepared by the Orange County Utilities Department in conjunction with the Planning Division, is herein adopted, by reference, as data, analysis and supporting documentation for the element.

TC Orange County shall review the Master Plan every five years, updating when necessary, and shall review and update the Water Supply Facilities Work Plan (Work Plan) within 18 months of the update to the Regional Water Supply Plans (last updated in November 2015), to identify system deficiencies and, if necessary, implement a plan for correction. The Work Plan (Orange County Water Supply Facilities Work Plan, Fiscal Year 2017/2018 to 2027/2028), prepared by the Orange County Utilities Department in conjunction with the Planning Division, is herein adopted, by reference, as data, analysis and supporting documentation for the element.

~~PW1.1.1~~ Orange County shall review the Master Plan every five years and shall review and update the Water Supply Facilities Work Plan (Work Plan) within 18 months of the update to the Regional Water Supply Plans, ~~which are required to be updated at least every five years~~, to identify system deficiencies and, if necessary, implement a plan for correction. The Work Plan (Orange County Water Supply Facilities Work Plan, Fiscal Year 2017/2018 to 2027/2028), prepared by the Orange County Utilities Department in conjunction with the Planning Division, is herein adopted, by reference, as data, analysis and supporting documentation for the element. ~~(Added 12/00, Ord. 00-25; Amended 05/17, Ord. 2017-40)~~

~~WW1.1.1~~ The Master Plan shall identify and provide for the correction of wastewater system deficiencies, rehabilitation and improvements. The Master Plan (PBS&J/CH2M Joint Venture, 2002 Water, Wastewater, and Reclaimed Water Master Plan, September 2006) and the Water Supply Facilities Work Plan (Orange County Water Supply Facilities Work Plan, 2008) are herein adopted by reference, as the data, analysis and supporting documentation for the element.

~~WW1.1.2.1~~ Orange County shall review the Master Plan every five years and shall review and update the Work Plan within 18 months of the update to the Regional Water Supply Plans, ~~which are required to be updated at least every five years~~ to identify system deficiencies and, if necessary, implement a plan for correction.

Notes: The text requiring the Master Plan and the Work Plan to be updated at least every five years is struck because the work plan is reviewed, not updated, every five years.

WAT1.1.3 **A Capital Improvements Program, consistent with the Master Plan and Work Plan, shall be prepared annually in order to provide improvements and expansion to the existing Orange County Utilities water, wastewater, and reclaimed water systems to meet or exceed the adopted levels of service as defined in Policies WAT1.2.5 and WAT1.2.6.**

TC A Capital Improvements Program, consistent with the Master Plan and Work Plan, shall be prepared annually in order to provide improvements and expansion to the existing Orange County Utilities water, wastewater, and reclaimed water systems to meet or exceed the adopted levels of service as defined in Policies WAT1.2.5 and WAT1.2.6.

~~PW1.1.2~~ A Capital Improvements Program, consistent with the Master Plan and Work Plan, shall be prepared annually in order to provide improvements and expansion to the existing water system to meet or exceed the adopted level of service. ~~(Added 12/00, Ord. 00-25)~~

~~WW1.1.2~~ ~~High priority shall be given in the Capital Improvements Program to the maintenance and improvement of the existing wastewater system to meet or exceed the adopted level of service as defined in Policies ~~WW1.2.5 and WW1.2.5.1.~~ (Policy 1.1.2-r)~~

Notes: “Orange County Utilities” is added to the policy to clarify that the policy is to address OCU specifically.

WAT1.1.4 Owners of existing package treatment facilities in Orange County, not regulated by the Public Service Commission, are required to adopt a financial plan providing for connection to an area-wide wastewater system within five years after the date on which the system is available within one-quarter (1/4) mile.

TC Owners of existing package treatment facilities in Orange County, not regulated by the Public Service Commission, are required to adopt a financial plan providing for connection to an area-wide wastewater system within five years after the date on which the system is available within one-quarter (1/4) mile.

~~WW1.1.3~~ Owners of existing package treatment facilities, not regulated by the Public Service Commission, are required to adopt a financial plan providing for connection to an area wide wastewater system within five years after the date on which the system is available within one-quarter (1/4) mile. ~~(Added 12/00, Ord. 00-25)~~

WAT1.1.5 Orange County shall continue to implement the sewer assessment system, which monitors the quality of the gravity and pump functions of the Orange County Utilities wastewater system.

TC Orange County shall continue to implement the sewer assessment system, which monitors the quality of the gravity and pump functions of the Orange County Utilities wastewater system.

~~WW1.1.4~~ ~~The~~ County shall continue to implement the sewer assessment system, which monitors the quality of the gravity and pump functions of the County wastewater system. ~~(Added 12/00, Ord. 00-25)~~

WAT1.1.6 Wastewater treatment package plants in Orange County, not regulated by the Public Service Commission, shall not be expanded to accommodate new or expanded development. This policy shall not preclude the usage of interim wastewater systems constructed for new development approved in accordance with Policy WAT1.2.13.

TC Wastewater treatment package plants in Orange County, not regulated by the Public Service Commission, shall not be expanded to accommodate new or expanded development. This policy shall not preclude the usage of interim wastewater systems constructed for new development approved in accordance with Policy WAT1.2.13.

~~WW1.1.5~~ Wastewater treatment package plants not regulated by the Public Service Commission shall not be expanded to accommodate new or expanded development. This policy shall not preclude the usage of interim wastewater systems constructed for new development approved in accordance with ~~wastewater policy WW1.2.9~~. ~~(Added 12/00, Ord. 00-25)~~

OBJ WAT1.2 Orange County shall plan for the extension and increase in capacity of central water, wastewater and reclaimed water facilities to meet future needs within the Orange County Utilities Service Area, as required in the Orange County Comprehensive Plan. The term “facilities” shall include supply, treatment, and transmission facilities.

TC Orange County shall plan for the extension and increase in capacity of central water, wastewater, and reclaimed water facilities to meet future needs within the Orange County Utilities Service Area, as required in the Orange County Comprehensive Plan. The term “facilities” shall include supply, treatment, and transmission facilities.

~~OBJ PW1.2~~ Orange County shall plan for the extension and increase in capacity of central water facilities to meet future needs within the Orange County Utilities Service Area, as required in the Orange County Comprehensive Plan. The term “facilities” shall include ~~wells, intakes, water storage tanks, treatment facilities, pumping facilities and distribution mains.~~

~~OBJ WW1.2~~ Orange County shall plan for the extension and increase in capacity of central wastewater facilities to meet future needs within the Orange County Utilities Service Area, as required in the Orange County Comprehensive Plan ~~by implementing the following policies.~~

Notes: “Wells, intakes, water storage tanks, pumping facilities and distribution mains are struck. The list of facilities is narrowed down to three categories of facilities – supply, treatment, and transmission. All of the facilities listed in the old objective PW1.2 are covered with the three categories of the revised language.

WAT1.2.1 **The Water, Wastewater, and Reclaimed Water Master Plan and Work Plan shall be used to prioritize and coordinate the expansion and upgrade of facilities to meet future needs.**

TC The Water, Wastewater, and Reclaimed Water Master Plan and Work Plan shall be used to prioritize and coordinate the expansion and upgrade of facilities to meet future needs.

~~PW1.2.1~~ The Master Plan and Work Plan shall be used to prioritize and coordinate the expansion and upgrade of facilities to meet future needs.

~~WW1.2.1~~ The Wastewater Master Plan shall be used to prioritize and coordinate the expansion and upgrade of facilities to meet future needs.

WAT1.2.2 **Expansion of central water and wastewater facilities shall be based on the demands of projected development in accordance with the adopted level of service standards, the future land use projected in the Comprehensive Plan, and changes in State, Federal and local regulations.**

TC Expansion of central water and wastewater facilities shall be based on the demands of projected development in accordance with the adopted level of service standards, the future land use projected in the Comprehensive Plan, and changes in State, Federal and local regulations.

~~PW1.2.2~~ Expansion of central water facilities shall be based on the demands of projected development in accordance with the adopted level of service standards, the future land use projected in the Comprehensive Plan, and changes in State, Federal and local regulations. (~~Added 12/00, Ord. 00-25~~)

~~WW1.2.2~~ Expansion of central wastewater facilities shall be based on the demands of projected development in accordance with the adopted level of service standards, the future land use projected in the Comprehensive Plan, and changes in State, Federal and local regulations. (~~Added 12/00, Ord. 00-25~~)

WAT1.2.3 **Orange County shall establish and maintain a current five-year Water and Wastewater Facilities Capital Improvements Program for the extension or increase in capacity of water, wastewater and reclaimed water facilities.**

TC Orange County shall establish and maintain a current five-year Water and Wastewater Facilities Capital Improvements Program for the extension or increase in capacity of water, wastewater, and reclaimed water facilities.

~~PW1.2.3~~ Orange County shall establish and maintain a current five-year Water Facilities Capital Improvements Program for the extension or increase in capacity of water facilities.

~~WW1.2.3~~ Orange County shall establish and maintain a current five-year Wastewater Facilities Capital Improvements Program for the extension and increase in capacity of wastewater facilities.

- WAT1.2.4** **The priority of water and wastewater service provision shall be as follows:**
- A. Service to existing areas that present an immediate threat to public health or safety, or produce serious pollution problems;**
 - B. Maintenance or upgrading of the existing water and wastewater systems to meet or exceed the adopted level of service standards and to implement changes in State, Federal and local regulations;**
 - C. Service to areas that are scheduled to be developed in the near future, as defined in the Capital Improvements Program;**
 - D. Extension of water or wastewater service to undeveloped areas in the Urban Service Area where other major urban services have been or are being developed simultaneously; and,**
 - E. Expansion into other areas of the Urban Service Area.**

- TC** The priority of water and wastewater service provision shall be as follows:
- A. Service to existing areas that present an immediate threat to public health or safety, or produce serious pollution problems;
 - B. Maintenance or upgrading of the existing water and wastewater systems to meet or exceed the adopted level of service standards and to implement changes in State, Federal and local regulations;
 - C. Service to areas that are scheduled to be developed in the near future, as defined in the Capital Improvements Program;
 - D. Extension of water or wastewater service to undeveloped areas in the Urban Service Area where other major urban services have been or are being developed simultaneously; and,
 - E. Expansion into other areas of the Urban Service Area.

- PW1.2.4** The priority of water service provision shall be as follows:
- A. Service to existing areas that present an immediate threat to public health or safety;
 - B. Maintenance or upgrading of the existing water system to meet or exceed the adopted level of service standards and to implement changes in State, Federal and local regulations;
 - C. Service to areas that are scheduled to be developed in the near future, as defined in the ~~Water~~ Capital Improvements
 - D. Extension of water service to undeveloped areas in the Urban Service Area where other major urban services have been or are being developed simultaneously; and,
 - E. Expansion into other areas of the Urban Service Area. (~~Added 12/00, Ord. 00-25~~)

- WW1.2.4** The priority of wastewater service provision shall be as follows:
- A. Service to existing areas that present either an immediate threat to public health or safety, or produce serious pollution problems;

- B. Maintenance or upgrading of the existing wastewater system to meet or exceed the adopted level of service standards and to implement changes in State, Federal and local regulations;
- C. Service to areas that are scheduled to be developed in the near future as defined in the ~~Wastewater Facilities~~ Capital Improvements Program;
- D. Extension of wastewater service to undeveloped areas in the Urban Service Area where other major urban services have been or are being developed simultaneously; and,
- E. Expansion into other areas of the Urban Service Area. (~~Added 12/00, Ord. 00-25~~)

WAT1.2.5 When central water service is required for development, the level of service standard shall be as listed in the table below, on an average daily flow basis. Flow demands for commercial, industrial or other special developments differing from the flow values established by the serving utility shall be established from existing records or by estimated projections, using the best available data. These levels of service shall also be applied for planning purposes.

| UTILITY NAME | LEVEL OF SERVICE (LOS) |
|----------------------------------|--|
| Orange County Utilities | 275 gallons per day (gpd)/equivalent residential connection (ERC) |
| City of Apopka | 177 gpd/capita |
| City of Casselberry | 100 gpd/capita |
| City of Eatonville | 100 gpd/capita |
| Tohopekaliga Water Authority | 96 gpd/capita, residential 120 gpd/room, hotel/motel 0.1 gpd/gross square foot (sqft) of floor area, commercial 10 gpd/student, public or private schools |
| City of Maitland | 350 gpd/ERC |
| City of Mount Dora | 135 gpd/capita |
| Town of Oakland | 119 gpd/capita |
| City of Ocoee | 300 gpd/ERC |
| Winter Park Utilities | 150 gpd/capita |
| City of Winter Garden | 350 gpd/ERC |
| Orlando Utilities Commission | |
| <u>Land Use</u> | <u>LOS</u> |
| Single Family Residential | 325 gpd/developable unit (du) without reclaimed or 160 gpd/du with reclaimed |
| Multifamily Residential | 200 gpd/du |
| Office | 0.15 gpd/sqft |
| Commercial | 0.13 gpd/sqft |
| Hotel | 187 gpd/room |
| Industrial | 0.22 gpd/sqft |
| Government | 0.15 gpd/sqft |
| Hospital | 0.22 gpd/sqft |
| Reedy Creek Improvement District | Does not have an adopted LOS per RCID |

| | |
|--|----------------|
| Central Florida Research Park | Not Available |
| East Central Florida Services Inc. ¹ | Not Available |
| Florida Water Services | Not Available |
| Lake Ola Homeowners | Not Available |
| Southern States Utilities | 200 gpd/ERC |
| Wedgefield Utilities Inc. | 356 gpd/capita |
| Zellwood Water Users | Not Available |
| <p>1 This system serves the Deseret Ranch's pasture and citrus grove irrigation system and homes on ranch property.</p> <p>NOTE: Orange County Planning Division has distributed surveys to all private and public providers throughout the County in order for the above information to be updated.</p> | |

TC When central water service is required for development, the level of service standard shall be as listed in the table below, on an average daily flow basis. Flow demands for commercial, industrial or other special developments differing from the flow values established by the serving utility shall be established from existing records or by estimated projections, using the best available data. These levels of service shall also be applied for planning purposes.

~~PW1.2.11~~ When central water service ~~from private utilities or municipalities~~ is required for development ~~in unincorporated Orange County~~, the level of service standard shall be as listed below. (Added 12/00, Ord. 00-25; Amended 05/17, Ord. 2017-10)

~~PW1.2.5~~ When central water service ~~from Orange County Utilities~~ is required for development, the level of service standard shall be ~~275 gallons per day (average daily flow) per Equivalent Residential Unit~~. Flow demands for commercial, industrial or other special developments differing from the flow values established by the serving utility shall be established from existing records or by estimated projections, using the best available data. These levels of service shall also be applied for planning purposes ~~only to review Developments of Regional Impact (DRI) and Comprehensive Plan Future Land Use Map Amendments. (Amended 5/13, Ord. 2013-11)~~

A. The LOS standard OCU has adopted for planning and engineering of its water supply facilities is based on the Florida Department of Environmental Protection's (FDEP's) capacity analysis standards. OCU evaluates the need for water supply facility expansion over a ten year planning horizon if observed maximum day water demands are equal to or greater than 75% of the total permitted maximum day operating capacity of the water supply facilities. If the observed maximum day demand exceeds 75% of the total permitted maximum day operating capacity of the water supply facility, then OCU will be required to submit a Capacity Analysis Report to the FDEP in accordance with the requirements of Section 62-555.348 of the Florida Administrative Code (FAC).

In addition, OCU has developed WSF and Water Reclamation Facility (WRF) treatment capacity percentage based expansion criteria and schedule to address the

requirements of Sections 62-555.348 and 62-600.405(8) of the FAC. The expansion criteria and schedule are as follows:

- WSF: When the MDD equals or exceeds 75% of maximum day treatment capacity, submit capacity analysis report.
- WRF: When the maximum 3-month ADF exceeds 50% of the permitted treatment, submit capacity analysis report.
- WSF/WRF: When the MDD / maximum 3-month ADF meets or exceeds 80% of the permitted treatment capacity, start request for proposals for consultant services for preliminary and final design.
- WSF/WRF: When the MDD / maximum 3-month ADF meets or exceeds 85% of the permitted treatment capacity, begin final design.
- WSF/WRF: When the MDD / maximum 3-month ADF meets or exceeds 90% of the permitted treatment capacity, the expansion needs to be in construction. ~~(Added 05/17, Ord. 2017-10)~~

WAT1.2.6

When central wastewater service is required for development, the level of service standard shall be as listed in the table below, on an average daily flow basis. Interim wastewater systems (permanent package treatment plants are no longer allowed in Orange County) shall have the same level of service standard. Wastewater flow demands for commercial, industrial or other special developments differing from the flow values established by the serving utility shall be established from existing records or by estimated projections, using the best available data. These levels of service shall also be applied for planning purposes.

| UTILITY NAME | LOS |
|---|--|
| Orange County Utilities | 225 gpd/equivalent residential unit (ERU) |
| City of Apopka | 103 gpd/capita |
| City of Ocoee | 270 gpd/ERU |
| City of Mount Dora | 130 gpd/capita |
| Park Manor Utilities | 230 gpd/ERU |
| Winter Park Utilities | 333 gpd/ERU |
| City of Winter Garden | Not Available |
| Reedy Creek Improvement District | Does not have an adopted LOS per RCID |
| Seminole County Utilities | 1 million gpd (UCF campus and Central Florida Research Park) |
| Florida Water Services | 125 gpd/capita |
| Wedgfield Utilities Inc. | 300 gpd/ERU |
| City of Orlando | |
| <u>Land Use</u> | <u>LOS</u> |
| Single Family Residential | 284 gpd/du |
| Multifamily Residential | 223 gpd/du |
| Office | 0.1 gpd/sqft |
| Commercial | 0.25 gpd/sqft |
| Industrial | 0.15 gpd/sqft |
| Lodging | 150 gpd/room |
| Government | 0.1 gpd/sqft |
| Hospital | 0.25 gpd/sqft |
| NOTE: Orange County Planning Division has distributed surveys to all private and public providers throughout the County in order for the above information to be updated. | |

TC When central wastewater service is required for development, the level of service standard shall be as listed in the table below, on an average daily flow basis. Interim wastewater systems (permanent package treatment plants are no longer allowed in Orange County) shall have the same level of service standard. Wastewater flow demands for commercial, industrial or other special developments differing from the flow values established by the serving utility shall be established from existing records or by estimated projections, using the best available data. These levels of service shall also be applied for planning purposes.

~~WW1.2.5~~ When central wastewater service from ~~Orange County Utilities~~ is required for development, ~~the level of service standard shall be 225 gallons of wastewater per day (average daily flow) per Equivalent Residential Unit.~~ Interim wastewater systems (permanent package treatment plans are no longer allowed in Orange County) shall ~~also~~ have a level of service standard ~~of 225 gallons of wastewater per day (average daily flow) per Equivalent Residential Unit.~~ ~~Follow~~ demands for commercial, industrial or other special developments differing from the flow values established by the serving utility shall be established from existing records or by estimated projections, using the best available data. These levels of service shall also be applied for planning purposes ~~only to review Development of Regional Impact (DRI) and Future Land Use Map Amendments to the Comprehensive Plan.~~

~~Orange County Utilities shall ensure that sufficient wastewater treatment facility capacity is maintained. Once the three month average daily flow equals or exceeds 50% of a system's permitted capacity or once the sum of current three months average daily flow plus future committed average daily flow equals or exceeds 90% of permitted capacity, a report shall be presented to the Florida Department of Environmental Protection on the need to increase capacity and, if capacity needs to be increased, the method of increase estimated cost and timing. The capacity report shall identify recommended improvements, improvement costs and the timing of such improvements. Facilities scheduled for design and construction, as identified by the capacity report, shall be considered for inclusion into Orange County's Five Year and Ten Year Capital Improvement Program. Facilities approaching build-out shall be exempt from this requirement. Facilities approaching build-out are defined to be built to the ultimate capacity required to accommodate all projected growth within the system's service area. (Added 8/92, Ord. 92-24; Amended 12/00, Ord. 00-25, Policy 1.2.5-f; Amended 5/13, Ord. 2013-11)~~

~~W1.2.6~~ When central ~~sewer~~ service from ~~private utilities or municipalities~~ is required for development in ~~unincorporated Orange County~~, the level of service standard shall be as listed below. ~~(Added 12/00, Ord. 00-25)~~

WAT1.2.7 Orange County Utilities shall ensure that sufficient water supply facility (WSF) and water reclamation facility (WRF) capacity is maintained, consistent with the requirements of the Florida Department of Environmental Protection (FDEP). Orange County Utilities shall adhere to the following capacity-based expansion schedule:

- A. Submit a capacity analysis report to FDEP each year when the WSF maximum daily demand (MDD) exceeds 75% of maximum day water treatment capacity, or when the WRF maximum 3-month average daily flow (ADF) exceeds 50% of the permitted wastewater treatment capacity.**
- B. Advertise request for proposals for consultant design services before the WSF MDD or WRF maximum 3-month ADF exceeds 80% of the permitted treatment capacity.**
- C. Begin final design of expansion before the WSF MDD or WRF maximum 3-month ADF exceeds 85% of the permitted treatment capacity.**
- D. Begin construction of the facility expansion before the WSF MDD or WRF maximum 3-month ADF exceeds 90% of the permitted treatment capacity.**

Facilities scheduled for design and construction, as identified by the capacity analysis report, shall be considered for inclusion into the Capital Improvements Program. Facilities approaching build out shall be exempt from this requirement.

PW1.2.5 When central water service from Orange County Utilities is required for development, the level of service standard shall be 275 gallons per day (average daily flow) per Equivalent Residential Unit. Flow demands for commercial, industrial or other special developments differing from the flow values established by the serving utility shall be established from existing records or by estimated projections, using the best available data. These levels of service shall also be applied for planning purposes only to review Developments of Regional Impact (DRI) and Comprehensive Plan Future Land Use Map Amendments. (Amended 5/13, Ord. 2013-11)

- A. The LOS standard OCU has adopted for planning and engineering of its water supply facilities is based on the Florida Department of Environmental Protection's (FDEP's) capacity analysis standards. OCU evaluates the need for water supply facility expansion over a ten year planning horizon if observed maximum day water demands are equal to or greater than 75% of the total permitted maximum day operating capacity of the water supply facilities. If the observed maximum day demand exceeds 75% of the total permitted maximum day operating capacity of the water supply facility, then OCU will be required to submit a Capacity Analysis Report to the FDEP in accordance with the requirements of Section 62-555.348 of the Florida Administrative Code (FAC).

In addition, OCU has developed WSF and Water Reclamation Facility (WRF) treatment capacity percentage based expansion criteria and schedule to address the requirements of Sections 62-555.348 and 62-600.405(8) of the FAC. The expansion criteria and schedule are as follows:

- WSF: When the MDD equals or exceeds 75% of maximum day treatment capacity, submit capacity analysis report.
- WRF: When the maximum 3-month ADF exceeds 50% of the permitted treatment, submit capacity analysis report.

- WSF/WRF: When the MDD / maximum 3-month ADF meets or exceeds 80% of the permitted treatment capacity, start request for proposals for consultant services for preliminary and final design.
- WSF/WRF: When the MDD / maximum 3-month ADF meets or exceeds 85% of the permitted treatment capacity, begin final design.
- WSF/WRF: When the MDD / maximum 3-month ADF meets or exceeds 90% of the permitted treatment capacity, the expansion needs to be in construction. (Added 05/17, Ord. 2017-10)

WW4.2.5

When central wastewater service from Orange County Utilities is required for development, the level of service standard shall be 225 gallons of wastewater per day (average daily flow) per Equivalent Residential Unit. Interim wastewater systems (permanent package treatment plans are no longer allowed in Orange County) shall also have a level of service standard of 225 gallons of wastewater per day (average daily flow) per Equivalent Residential Unit. Follow demands for commercial, industrial or other special developments differing from the flow values established by the serving utility shall be established from existing records or by estimated projections, using the best available data. These levels of service shall also be applied for planning purposes only to review Development of Regional Impact (DRI) and Future Land Use Map Amendments to the Comprehensive Plan.

Orange County Utilities shall ensure that sufficient wastewater treatment facility capacity is maintained. Once the three month average daily flow equals or exceeds 50% of a system's permitted capacity or once the sum of current three months average daily flow plus future committed average daily flow equals or exceeds 90% of permitted capacity, a report shall be presented to the Florida Department of Environmental Protection on the need to increase capacity and, if capacity needs to be increased, the method of increase estimated cost and timing. The capacity report shall identify recommended improvements, improvement costs and the timing of such improvements. Facilities scheduled for design and construction, as identified by the capacity report, shall be considered for inclusion into Orange County's Five Year and Ten Year Capital Improvement Program. Facilities approaching build out shall be exempt from this requirement. Facilities approaching build out are defined to be built to the ultimate capacity required to accommodate all projected growth within the system's service area.

WAT1.2.8 Connections to the potable water, wastewater, and reclaimed water systems shall be allowed only where capacity is available. Potable water system capacity shall include minimum fire flow requirements pursuant to Orange County Code.

TC Connections to the potable water, wastewater, and reclaimed water systems shall be allowed only where capacity is available. Potable water system capacity shall include minimum fire flow requirements pursuant to Orange County Code.

~~PW1.2.6~~ Connections to the potable water system shall be allowed only where capacity is available. Capacity shall include minimum fire flow requirements pursuant to Orange County Code. ~~(Added 12/00, Ord. 00-25)~~

~~WW1.2.7~~ Connections to the wastewater systems shall be allowed only where capacity is available. ~~(Added 12/00, Ord. 00-25)~~

WAT1.2.9 Extension of water, wastewater, and reclaimed water transmission facilities from the existing central system to a development shall be provided at the developer's cost.

TC Extension of water, wastewater, and reclaimed water transmission facilities from the existing central system to a development shall be provided at the developer's cost.

~~PW1.2.7~~ Extension of water transmission facilities from the existing central system to a development shall be provided at the developer's cost.

~~WW1.2.8~~ Extension of wastewater transmission facilities from the existing central system to a development shall be provided at the developer's cost.

WAT1.2.10 If an interim water system is approved a plan for connection to the nearest central water system and financing of the tie-in must be approved by the utility having jurisdiction.

TC If an interim water system is approved, a plan for connection to the nearest central water system and financing of the tie-in must be approved by the utility having jurisdiction.

~~PW1.2.8~~ If an interim water system is approved, ~~the following requirements shall be met:~~

~~A. A plan for connection to the nearest central system and financing of the tie in must be approved by Orange County. —~~

- WAT1.2.11** If an interim wastewater system is approved, the following requirements shall be met:
- A. A plan for connection to the nearest central wastewater system and financing of the tie-in must be approved by the utility having jurisdiction;**
 - B. Normal connection fees associated with the connection to the central wastewater system must be paid in accordance with applicable resolutions and ordinances, and prior to construction plan approval for the development the interim system is proposed to serve; and**
 - C. Construction of dry lines may be required.**

- TC If an interim wastewater system is approved, the following requirements shall be met:
- A. A plan for connection to the nearest central wastewater system and financing of the tie-in must be approved by the utility having jurisdiction;
 - B. Normal connection fees associated with the connection to the central wastewater system must be paid in accordance with applicable resolutions and ordinances, and prior to construction plan approval for the development the interim system is proposed to serve; and
 - C. Construction of dry lines may be required.

- ~~WW1.2.9~~ If an interim wastewater system is approved, the following requirements ~~must be~~ met:
- A. A plan for connection to the nearest central system and financing of the tie in must be approved by ~~Orange County~~; and,
 - B. Normal connection fees associated with the connection to the ~~County's~~ wastewater system must be paid in accordance with ~~County~~ resolutions and ordinances, and prior to construction plan approval for the development the interim system is proposed to serve.
 - C. Construction of dry lines may be required. (~~Added 12/00, Ord. 00-25~~)

WAT1.2.12 **The water capacity demand charges for a connection shall be based on equivalent residential connections. The wastewater capacity demand charges for a connection shall be based on equivalent residential units.**

TC The water capacity demand charges for a connection shall be based on equivalent residential connections. The wastewater capacity demand charges for a connection shall be based on equivalent residential units.

~~PW1.2.9~~ The water capacity demand charges for a connection shall be based on equivalent residential units. ~~(Added 12/00, Ord. 00-25)~~

WAT1.2.13 **Connection fees may cover up to 100 percent of the total cost of the needed water, wastewater and reclaimed water system expansions. User fees shall cover the full cost of operating and maintaining the water, wastewater and reclaimed water systems, including debt service.**

TC Connection fees may cover up to 100 percent of the total cost of the needed water, wastewater and reclaimed water system expansions. User fees shall cover the full cost of operating and maintaining the water, wastewater and reclaimed water systems, including debt service.

~~WW1.2.10~~ Connection fees ~~shall supplement~~ the total cost of the needed wastewater system expansion. ~~(Added 12/00, Ord. 00-25)~~

~~WW1.3.3~~ User fees shall cover the full cost of operating and maintaining the system, including debt service.

WAT1.2.14 **Public and approved private water, wastewater and reclaimed water systems in Orange County shall be self-supporting and shall not use ad valorem taxation for maintenance and operation.**

TC Public and approved private water, wastewater and reclaimed water systems in Orange County shall be self-supporting and shall not use ad valorem taxation for maintenance and operation.

~~PW1.2.10~~ Public ~~or~~ approved private water systems in Orange County shall be self supporting and shall not use ad valorem taxation.

~~WW1.2.11~~ Public ~~or~~ approved private wastewater systems in Orange County shall be self supporting and shall not use ad valorem taxation for maintenance and operation.

WAT1.2.15 **Orange County shall continue to participate in the regional water supply planning efforts of the St. Johns River Water Management District and the South Florida Water Management District to establish and implement efficient and cost-effective public water supply plans for the region, without creating significant adverse impacts to natural systems.**

TC Orange County shall continue to participate in the regional water supply planning efforts of the St. Johns River Water Management District and the South Florida Water Management District to establish and implement efficient and cost-effective public water supply plans for the region, without creating significant adverse impacts to natural systems.

~~PW1.2.12~~ Orange County shall continue to participate in the regional water supply planning efforts of the St. Johns River Water Management District and the South Florida Water Management District to establish and implement efficient and cost-effective public water supply plans for the region, without creating significant adverse impacts to natural systems. (~~Added 12/00, Ord. 00-25~~)

OBJ WAT1.3 Orange County shall maximize the use of existing potable water, wastewater and reclaimed water facilities and available capacity through the implementation of appropriate technology and management strategies for enhancing water supply and reducing demand, including traditional and alternative water supply options, conservation and reuse.

TC Orange County shall maximize the use of existing potable water, wastewater, and reclaimed water facilities and available capacity through the implementation of appropriate technology and management strategies for enhancing water supply and reducing demand, including traditional and alternative water supply options, conservation and reuse.

~~OBJ PW1.3~~ Orange County shall maximize the use of existing potable water facilities and available capacity through the implementation of appropriate technology and management strategies for enhancing water supply and reducing demand, including traditional and alternative water supply options, conservation and reuse.

~~OBJ WW1.3~~ Orange County shall maximize the use of existing wastewater facilities and available capacity through the implementation of appropriate technology.

WAT1.3.1 The shift to new technologies and operational procedures, including expanded conservation programs, water, wastewater and reclaimed water rate increases, system interconnections and alternative water supply options such as reclaimed water reuse and storage, shall occur as they become technically and economically feasible.

TC The shift to new technologies and operational procedures, including expanded conservation programs, water, wastewater, and reclaimed water rate increases, system interconnections and alternative water supply options such as reclaimed water reuse and storage, shall occur as they become technically and economically feasible.

~~PW1.3.1~~ The shift to new technologies and operational procedures, including expanded conservation programs, water rate increases, system interconnections and alternative water supply options such as reclaimed water reuse and storage, shall occur as they become technically and economically feasible.

~~WW1.3.1~~ The shift to new technologies and operational procedures shall occur as they become feasible. ~~The Utilities Department shall monitor and maintain the current Supervisory Control and Data Acquisition (SCADA) system utilizing the newest technologies available to the County.~~ (Added 12/00, Ord. 00-25)

WAT1.3.2 The Orange County Utilities Department shall monitor and maintain the current Supervisory Control and Data Acquisition (SCADA) system utilizing recent technologies available to Orange County.

TC The Orange County Utilities Department shall monitor and maintain the current Supervisory Control and Data Acquisition (SCADA) system utilizing recent technologies available to Orange County.

~~WW1.3.1 The shift to new technologies and operational procedures shall occur as they become feasible. The Utilities Department shall monitor and maintain the current Supervisory Control and Data Acquisition (SCADA) system utilizing the newest technologies available to the County. (Added 12/00, Ord. 00-25)~~

WAT1.3.3 The County shall actively participate in the development of innovative water and wastewater programs which protect and conserve Orange County's water resources.

TC The County shall actively participate in the development of innovative water and wastewater programs which protect and conserve Orange County's water resources.

~~PW1.3.2 The County shall actively participate in the development of innovative water programs which protect and conserve the County's water resources.~~

~~WW1.3.2 The County shall actively participate in the development of innovative wastewater programs which protect and conserve the County's water resources.~~

WAT1.3.4 Orange County shall continue to monitor and reduce the influence, collection, and treatment of unwanted water entering the wastewater system from infiltration and inflow, combined sewer overflow, stormwater and unaccounted wastewater and remediate system deficiencies.

TC Orange County shall continue to monitor and reduce the influence, collection, and treatment of unwanted water entering the wastewater system from infiltration and inflow, combined sewer overflow, stormwater and unaccounted wastewater and remediate system deficiencies.

~~WW1.3.4 Orange County shall continue to monitor and reduce the influence, collection, and treatment of unwanted water entering the wastewater system from infiltration and inflow, combined sewer overflow, stormwater and unaccounted wastewater and remediate system deficiencies.~~

WAT1.3.5 **The Orange County Utilities Department shall implement and maintain a system of metering for its reclaimed water customer connections, and shall continue to require individual metering of reclaimed water connections to single-family detached residential customers on public streets.**

TC The Orange County Utilities Department shall implement and maintain a system of metering for its reclaimed water customer connections, and shall continue to require individual metering of reclaimed water connections to single-family detached residential customers on public streets.

~~WW1.3.5~~ The Orange County Utilities Department shall implement and maintain a system of metering for its reclaimed water customer connections, and shall continue to require individual metering of reclaimed water connections to single-family residential customers on public streets.

OBJ WAT1.4 Water, wastewater and reclaimed water facility plans and programs shall be designed to be consistent with the Future Land Use Element and to avoid urban sprawl.

TC Water, wastewater, and reclaimed water facility plans and programs shall be designed to be consistent with the Future Land Use Element and to avoid urban sprawl.

~~OBJ PW1.4 Water facility plans and programs shall be designed to be consistent with the Future Land Use Element and to avoid urban sprawl.~~

~~OBJ WW1.4 Wastewater facility plans and programs shall be designed to be consistent with the Future Land Use Element and to avoid urban sprawl as implemented by the following policies. Wastewater service shall not be extended to areas outside the Urban Service Area except as provided in Wastewater Policy WW1.4.3.~~

WAT1.4.1 Water, wastewater, and reclaimed water facility plans and programs shall be designed and coordinated in a manner which will support the Urban Service Area growth management concept.

TC Water, wastewater, and reclaimed water facility plans and programs shall be designed and coordinated in a manner which will support the Urban Service Area growth management concept.

~~PW1.4.1 Water facility plans and programs shall be designed and coordinated in a manner which will support the Urban Service Area growth management concept. Future growth at urban densities or intensities shall be located in areas which have existing or planned potable water capacity.~~

~~WW1.4.1 Wastewater facility plans and programs shall be designed and coordinated in a manner which will support the Urban Service Area growth management concept.~~

WAT1.4.2 Future growth at urban densities or intensities shall be located in areas which have existing or planned potable water and wastewater capacity.

TC Future growth at urban densities or intensities shall be located in areas which have existing or planned potable water and wastewater capacity.

~~PW1.4.1 Water facility plans and programs shall be designed and coordinated in a manner which will support the Urban Service Area growth management concept. Future growth at urban densities or intensities shall be located in areas which have existing or planned potable water capacity. (Added 12/00, Ord. 00-25)~~

~~WW1.4.2 Future growth at urban densities or intensities shall locate in areas which have existing or planned wastewater capacity.~~

- WAT1.4.3 Potable water service and central wastewater service shall not be extended to areas outside the Urban Service Area except in one or more of the following circumstances:**
- A. The facilities to be extended will serve a Growth Center, exception areas within Specific Area Plan (SAP) boundaries, or other exception areas as provided in the Comprehensive Plan;**
 - B. The Board of County Commissioners has made an affirmative finding that a public health hazard exists for existing development. Such facilities shall not serve as the basis for additional new development;**
 - C. The potable water facilities are to be extended to provide adequate fire flows to existing developments which are located within one-half (1/2) mile of an existing water transmission main;**
 - D. For approved sector plans as provided for in the Comprehensive Plan; or**
 - E. The circumstances described under Policies WAT1.5.2, WAT1.5.3 or WAT1.6.2 herein.**

This policy is not intended to preclude the use of conservation or rural areas for potable water withdrawal facilities, water treatment facilities, wastewater treatment facilities, or interconnections of the overall water or wastewater system.

TC Potable water service and central wastewater service shall not be extended to areas outside the Urban Service Area except in one or more of the following circumstances:

- A. The facilities to be extended will serve a Growth Center, exception areas within Specific Area Plan (SAP) boundaries, or other exception areas as provided in the Comprehensive Plan;**
- B. The Board of County Commissioners has made an affirmative finding that a public health hazard exists for existing development. Such facilities shall not serve as the basis for additional new development;**
- C. The potable water facilities are to be extended to provide adequate fire flows to existing developments which are located within one-half (1/2) mile of an existing water transmission main;**
- D. For approved sector plans as provided for in the CP Comprehensive Plan; or**
- E. The circumstances described under Policies WAT1.5.2, WAT1.5.3 or WAT1.6.2 herein.**

This policy is not intended to preclude the use of conservation or rural areas for potable water withdrawal facilities, water treatment facilities, wastewater treatment facilities, or interconnections of the overall water or wastewater system.

PW1.4.2 Potable water service shall not be extended to areas outside the Urban Service Area except in the following circumstances:

- A. The facilities to be extended will serve a Growth Center or other exception areas as provided in the Comprehensive Plan (CP);**

B. The Board of County Commissioners has made an affirmative finding that a public health hazard exists for existing development. Such facilities shall not serve as the basis for additional new development;

C. The facilities are to be extended to provide adequate fire flows to existing developments which are located within one-half (1/2) mile of an existing water transmission main;

D. For approved sector plans as provided for in the CP; and

E. The circumstances described under ~~Policy PW1.5.2 and Policy PW1.5.3.~~

This policy is not intended to preclude the use of conservation or rural areas for withdrawal ~~or~~ treatment facilities. (~~Added 12/00, Ord. 00-25~~)

WW1.4.3

~~Central wastewater facilities, consisting of wastewater treatment facilities, pump stations, force and gravity mains shall not be extended beyond the boundary of the Urban Service Area except in the following circumstances:~~

~~A. The facilities to be extended will serve a Growth Center or other exception areas within Specific Area Plan (SAP) boundaries as provided for in the Comprehensive Plan (CP);~~

~~B. The Board of County Commissioners has made an affirmative finding that a public health hazard exists for existing development. Such extended facilities shall no serve as a basis for additional new development;~~

~~C. For approved sector plans as provided for in the CP;~~

~~D. These circumstances described under Policy WW1.5.2 herein.~~

This policy is not intended to preclude the use of conservation or rural areas for wastewater treatment facilities or ~~the interconnecting~~ of the overall system. (~~Added 12/00, Ord. 00-25~~)

WAT1.4.4 **When it has been determined the extension of potable water facilities into the Rural Service Area is necessary, such existence or planned extension of potable water mains facilities shall not be construed as adequate justification for development at urban intensities in the Rural Service Area. Transmission mains that will service such rural areas shall be sized to provide domestic flow to satisfy existing land use including the provision of adequate fire flow.**

TC When it has been determined the extension of potable water facilities into the Rural Service Area is necessary, such existence or planned extension of potable water mains facilities shall not be construed as adequate justification for development at urban intensities in the Rural Service Area. Transmission mains that will service such rural areas shall be sized to provide domestic flow to satisfy existing land use including the provision of adequate fire flow.

~~PW1.4.3~~ When it has been determined the extension of potable water facilities into the Rural Service Area is necessary, such existence or planned extension of potable water mains facilities shall not be construed as adequate justification for development at urban intensities in the Rural Service Area. Transmission mains that will service such rural areas shall be sized to provide domestic flow to satisfy existing land use including the provision of adequate fire flow.

WAT1.4.5 **Development approvals should be granted by the Orange County Board of County Commissioners only when fire flows meet or exceed the requirements of County Subdivision Regulations, Commercial Site Plan Regulations and amendments thereto. Minimum fire flows and pressure requirements must be available to the development site prior to issuance of Certificates of Occupancy.**

TC Development approvals should be granted by the Orange County Board of County Commissioners only when fire flows meet or exceed the requirements of County Subdivision Regulations, Commercial Site Plan Regulations and amendments thereto. Minimum fire flows and pressure requirements must be available to the development site prior to issuance of Certificates of Occupancy.

~~PW1.4.4~~ Development approvals should be granted by the Orange County Board of County Commissioners only when fire flows meet or exceed the requirements of County Subdivision Regulations, Commercial Site Plan Regulations and amendments thereto. Minimum fire flows and pressure requirements must be available to the development site prior to issuance of Certificates of Occupancy.

OBJ WAT1.5 In the interest of maintaining adequate potable water quality for Rural Settlements, the new construction or extension of central water systems serving Rural Settlements shall be approved by the Board of County Commissioners on a case-by-case basis consistent with the Comprehensive Plan.

TC In the interest of maintaining adequate potable water quality for Rural Settlements, the new construction or extension of central water systems serving Rural Settlements shall be approved by the Board of County Commissioners on a case-by-case basis consistent with the Comprehensive Plan.

~~OBJ PW1.5~~ In the interest of maintaining adequate potable water quality for Rural Settlements, the new construction or extension of central water systems serving Rural Settlements shall be approved by the Board of County Commissioners on a case by case basis consistent with the CP.

WAT1.5.1 Existing potable water facilities serving Rural Settlements shall not be used as a reason to increase allowable densities in the Rural Settlements.

TC Existing potable water facilities serving Rural Settlements shall not be used as a reason to increase allowable densities in the Rural Settlements.

~~PW1.5.5~~ Existing potable water facilities serving Rural Settlements shall not be used as a reason to increase allowable densities in the Rural Settlements.

- WAT1.5.2** **When the provision of central water facilities for a Rural Settlement(s) is proposed, the Board of County Commissioners shall approve such a proposal(s) only when the Board makes two findings. First, the Board shall make a finding of need of central water facilities for the particular Rural Settlement. Second, the Board shall make a finding of consistency with the Comprehensive Plan, including the policies of the Potable Water, Wastewater and Reclaimed Water and Future Land Use Elements.**
- TC When the provision of central water facilities for a Rural Settlement(s) is proposed, the Board of County Commissioners shall approve such a proposal(s) only when the Board makes two findings. First, the Board shall make a finding of need of central water facilities for the particular Rural Settlement. Second, the Board shall make a finding of consistency with the Comprehensive Plan, including the policies of the Potable Water, Wastewater, and Reclaimed Water and Future Land Use Elements.
- PW1.5.2 When the provision of central water facilities for a Rural Settlement(s) is proposed, the Board of County Commissioners shall approve such a proposal(s) only when the Board makes two findings. First, the Board shall make a finding of need of central water facilities for the particular Rural Settlement. Second, the Board shall make a finding of consistency with the Comprehensive Plan, including the policies of the Potable Water and Future Land Use Elements. (~~Added 12/00, Ord. 00-25~~)

WAT1.5.3 **The Board of County Commissioners has made an affirmative finding that the extension of potable water facilities is required to remediate health and safety concerns in the Bithlo Rural Settlement. In order to address the concern for public health in this area, the following conditions apply to the potable water system expansion to the Bithlo Rural Settlement:**

A. The extended utility lines shall be used only by vested development within the Bithlo Rural Settlement.

B. The extended utility lines shall not be a justification or basis for approving new development.

C. The utility lines shall not be used for any new non-vested development beyond one unit per acre in the Bithlo Rural Settlement.

D. Non-vested development shall not be allowed to connect to the extended utility lines until a sector plan is approved.

TC The Board of County Commissioners has made an affirmative finding that the extension of potable water facilities is required to remediate health and safety concerns in the Bithlo Rural Settlement. In order to address the concern for public health in this area, the following conditions apply to the potable water system expansion to the Bithlo Rural Settlement:

A. The extended utility lines shall be used only by vested development within the Bithlo Rural Settlement.

B. The extended utility lines shall not be a justification or basis for approving new development.

C. The utility lines shall not be used for any new non-vested development beyond one unit per acre in the Bithlo Rural Settlement.

D. Non-vested development shall not be allowed to connect to the extended utility lines until a sector plan is approved.

~~PW 1.5.3~~ The Board of County Commissioners has made an affirmative finding that the extension of potable water facilities is required to remediate health and safety concerns in the Bithlo Rural Settlement. In order to address the concern for public health in this area, the following conditions apply to the potable water system expansion to the Bithlo Rural Settlement:

A. The extended utility lines shall be used only by vested development within the Bithlo Rural Settlement.

B. The extended utility lines shall not be a justification or basis for approving new development.

C. The utility lines shall not be used for any new non-vested development beyond one unit per acre in the Bithlo Rural Settlement.

D. Non-vested development shall not be allowed to connect to the extended utility lines until a sector plan is approved.

OBJ WAT1.6 In the interest of preserving the rural character and sense of place in Rural Settlements, the construction or extension of central wastewater systems serving Rural Settlements shall be limited.

TC In the interest of preserving the rural character and sense of place in Rural Settlements, the construction or extension of central wastewater systems serving Rural Settlements shall be limited.

~~OBJ WW1.5~~ In the interest of preserving the rural character and sense of place in Rural Settlements, the construction or extension of central wastewater systems serving Rural Settlements shall be limited.

WAT1.6.1 Existing wastewater facilities serving Rural Settlements shall not be used as a basis to increase allowable densities in the Rural Settlements. This policy is not intended to preclude the use of conservation or rural areas for treatment facilities.

TC Existing wastewater facilities serving Rural Settlements shall not be used as a basis to increase allowable densities in the Rural Settlements. This policy is not intended to preclude the use of conservation or rural areas for treatment facilities.

~~WW1.5.1~~ Existing wastewater facilities serving Rural Settlements shall not be used as a basis to increase allowable densities in the Rural Settlements. This policy is not intended to preclude the use of conservation or rural areas for treatment facilities.

- WAT1.6.2** **New central wastewater facilities shall not be constructed and existing facilities shall not be expanded to serve Rural Settlements except under the following circumstances:**
- A. The Board of County Commissioners has made an affirmative finding that the facilities are necessary to support existing future land use designations on the adopted Future Land Use (FLU) map consistent with Future Land Use Objective FLU6.2. The future land use designations referenced in this policy are those reflected on the adopted FLU map as of the date of adoption of this policy. Facility expansion under this policy must be incorporated into Orange County’s five-year Capital Improvements Program (CIP); or**
 - B. The Rural Settlement has experienced a State documented economic decline as a result of the loss of a major area employer. The central wastewater facilities may be expanded for the purpose of revitalizing the area by attracting new commercial and industrial businesses and offering incentives to existing businesses to remain in the area. This policy shall apply only to the Zellwood Rural Settlement, consistent with the Future Land Use Element.**
 - C. The Board of County Commissioners has made an affirmative finding that the facilities are necessary and available to remedy or prevent contamination of ground or surface water within the Wekiva Study Area.**
 - D. The provision of wastewater services to a school located in a Rural Settlement is also subject to FLU8.7.8.**

TC Revising the FLU reference from FLU2.1 to FLU6.2

- ~~WW1.5.2~~ ~~New central wastewater facilities shall not be constructed and existing facilities shall not be expanded to serve Rural Settlements except under the following circumstances:~~
- ~~A. The Board of County Commissioners has made an affirmative finding that the facilities are necessary to support existing future land use designations on the adopted Future Land Use (FLU) map consistent with the Future Land Use Objective ~~FLU2.4~~. The future land use designations referenced in this policy are those reflected on the adopted FLU map as of the date of adoption of this policy. Facility expansion under this policy must be incorporated into the County’s five-year Capital Improvements Program (CIP); or~~
 - ~~B. The Rural Settlement has experienced a State documented economic decline as a result of the loss of a major area employer. The central wastewater facilities may be expanded for the purpose of revitalizing the area by attracting new commercial and industrial businesses and offering incentives to existing businesses to remain in the area. This policy shall apply only to the Zellwood Rural Settlement, consistent with the Future Land Use Element.~~
 - ~~C. The Board of County Commissioners has made an affirmative finding that the facilities are necessary and available to remedy or prevent contamination of ground or surface water within the Wekiva Study Area. (~~Added 12/00, Ord. 00-25; Amended 12/07, Ord. 07-20~~)~~
 - ~~D. The provision of wastewater services to a school located in a Rural Settlement is also subject to FLU8.7.8. (~~Added 11/17, Ord. 2017-19~~)~~

WAT1.6.3 **The existence or new construction of wastewater facilities within the boundary of a Rural Settlement for the purpose of interconnecting (looping) to the wastewater system outside the boundary of a Rural Settlement shall not be the sole basis for existing development in a Rural Settlement to connect to the wastewater system.**

TC The existence or new construction of wastewater facilities within the boundary of a Rural Settlement for the purpose of interconnecting (looping) to the wastewater system outside the boundary of a Rural Settlement shall not be the sole basis for existing development in a Rural Settlement to connect to the wastewater system.

~~WW1.5.3~~ The existence or new construction of wastewater facilities within the boundary of a Rural Settlement for the purpose of interconnecting (looping) to the wastewater system outside the boundary of a Rural Settlement shall not be the sole basis for existing development in a Rural Settlement to connect to the wastewater system. (Added 12/00, Ord. 00-25)

OBJ WAT1.7 Orange County shall continue to coordinate with municipal and private water and wastewater agencies to assist in preventing fragmentation, duplication of effort, overlapping jurisdictions and excessive costs.

TC Orange County shall continue to coordinate with municipal and private water and wastewater agencies to assist in preventing fragmentation, duplication of effort, overlapping jurisdictions and excessive costs.

~~OBJ PW1.6~~ Orange County shall continue to coordinate with municipal and private water agencies to assist in preventing fragmentation, duplication of effort, overlapping jurisdictions and excessive costs ~~by implementing the following policies.~~

~~OBJ WW1.6~~ Orange County shall continue to coordinate with municipal and private wastewater agencies to assist in preventing fragmentation, duplication of effort, overlapping jurisdictions, and excessive costs ~~by implementing the following policies.~~

WAT1.7.1 Orange County shall continue to enter into territorial/joint planning agreements with adjacent municipalities, counties and other utilities regulated by the Public Service Commission in order to encourage cost-effective service to avoid unnecessary duplication in the provision of water and wastewater services, to describe the location of each utility's service area, and to coordinate and confirm the associated service provision commitments. Priorities for the extension of services by these other providers are referenced in the territorial/joint planning area agreements.

TC Orange County shall continue to enter into territorial/joint planning agreements with adjacent municipalities, counties and other utilities regulated by the Public Service Commission in order to encourage cost-effective service, to avoid unnecessary duplication in the provision of water and wastewater services, to describe the location of each utility's service area, and to coordinate and confirm the associated service provision commitments. Priorities for the extension of services by these other providers are referenced in the territorial/joint planning area agreements.

~~PW1.6.1~~ Orange County shall continue to enter into territorial agreements with adjacent municipalities, counties and other utilities regulated by the Public Service Commission in order to encourage cost effective service to avoid unnecessary duplication in the provision of water services, to describe the location of each utility's service area, and to coordinate and confirm the associated service provision commitments. ~~(Added 12/00, Ord. 00-25)~~

~~WW1.6.1~~ Orange County shall continue to establish territorial/joint planning agreements with adjacent municipalities and other utilities regulated by the Public Service Commission to encourage cost effective service and avoid unnecessary duplication in the provision of wastewater services. Priorities for the extension of services by these other providers are referenced in the territorial/joint planning area agreements. ~~(Added 12/00, Ord. 00-25)~~

WAT1.7.2 Orange County shall continue to pursue alternative funding sources and participate with other localities in order to plan and construct water and wastewater systems.

TC Orange County shall continue to pursue alternative funding sources and participate with other localities in order to plan and construct water and wastewater systems.

~~WW1.6.2~~ Orange County shall continue to pursue alternative funding sources and participate with other localities in order to plan and construct wastewater systems. (~~Added 12/00, Ord. 00-25~~)

OBJ WAT1.8 Orange County shall continue to implement its program to eliminate the amount of unaccounted-for water.

TC The County shall continue to implement its program to eliminate the amount of unaccounted-for water.

~~OBJ PW1.7~~ The County shall continue to implement its program to eliminate the amount of unaccounted-for water.

WAT1.8.1 User fees shall be evaluated to ensure funds are available to fund programs to reduce unaccounted water loss.

TC User fees shall be evaluated to ensure funds are available to fund programs to reduce unaccounted water loss.

~~PW1.7.1~~ User fees shall be evaluated to ensure funds are available to fund programs to reduce unaccounted water loss. (~~Added 12/00, Ord. 00-25~~)

WAT1.8.2 Orange County shall continue requiring potable water consumption to be metered for residential and non-residential uses to ensure accountability of water consumption.

TC Orange County shall continue requiring potable water consumption to be metered for residential and non-residential uses to ensure accountability of water consumption.

~~PW1.7.2~~ Orange County shall continue requiring potable water consumption to be metered for residential and non-residential uses to ensure accountability of water. (~~Added 12/00, Ord. 00-25~~)

Notes: Consumption id added to the policy for clarification.

WAT1.8.3 **Orange County shall continue to conduct water audits for its system’s potable water transmission and distribution lines to determine pipe quality. The results of the audits shall be considered by the Utilities Department when prioritizing projects for incorporation into the Capital Improvements Program (CIP).**

TC Orange County shall continue to conduct water audits for its system’s potable water transmission and distribution lines to determine pipe quality. The results of the audits shall be considered by the Utilities Department when prioritizing projects for incorporation into the Capital Improvements Program (CIP).

~~PW1.7.2.1~~ Orange County shall continue to conduct water audits for its system’s potable water transmission and distribution lines to determine pipe quality. The results of the audits shall be considered by the Utilities Department when prioritizing projects for incorporation into the Capital Improvements Program (CIP). ~~(Added 12/00, Ord. 00-25)~~

OBJ WAT1.9 Orange County shall provide an adequate level of potable water, wastewater and reclaimed water services and facilities to development within the unincorporated area in a cost-effective manner.

TC Orange County shall provide an adequate level of potable water, wastewater, and reclaimed water services and facilities to development within the unincorporated area in a cost-effective manner.

~~OBJ PW1.8~~ Orange County shall provide an adequate level of potable water services and facilities to development within the unincorporated area in a cost effective manner.

WAT1.9.1 Connection fees shall supplement the total cost of all necessary public potable water, wastewater and reclaimed water system expansions.

TC Connection fees shall supplement the total cost of all necessary public potable water, wastewater, and reclaimed water system expansions.

~~PW1.8.1~~ Connection fees shall supplement the total cost of all necessary public potable water system expansions. (~~Added 12/00, Ord. 00-25~~)

WAT1.9.2 User fees shall cover the full cost of operating and maintaining the potable water, wastewater and reclaimed water systems, including debt service.

TC User fees shall cover the full cost of operating and maintaining the potable water, wastewater, and reclaimed water systems, including debt service.

~~PW1.8.2~~ User fees shall cover the full cost of operating and maintaining the potable water system, including debt service. (~~Added 12/00, Ord. 00-25~~)

GOAL WAT2 To provide water, wastewater and reclaimed water service and facilities which are environmentally sound, promote water conservation and reclaimed water reuse, and protect the quality of the water supply.

TC To provide water, wastewater, and reclaimed water service and facilities which are environmentally sound, promote water conservation and reclaimed water reuse, and protect the quality of the water supply.

~~GOAL PW2 It is Orange County's goal to provide water service and facilities which are environmentally sound, promote water conservation and reclaimed water reuse, and protect the quality of the water supply.~~

~~GOAL WW2 It is Orange County's goal to provide wastewater services and facilities which are environmentally sound, promote water conservation and reclaimed water reuse, and protect the quality of the water supply.~~

OBJ WAT2.1 Orange County water well regulations and policies shall be enforced, and if necessary amended, to prevent or mitigate adverse environmental impacts and eliminate health hazards.

TC Orange County water well regulations and policies shall be enforced, and if necessary amended, to prevent or mitigate adverse environmental impacts and eliminate health hazards.

~~OBJ PW2.1 Orange County well regulations and policies shall be enforced, and if necessary amended, to mitigate adverse environmental impacts and eliminate health hazards.~~

WAT2.1.1 The Florida Department of Health Orange County Public Health Unit shall not permit water wells for future development that are inconsistent with the Comprehensive Plan.

TC The Florida Department of Health Orange County Public Health Unit shall not permit water wells for future development that are inconsistent with the Comprehensive Plan.

~~PW2.1.1 The Health and Rehabilitative Service Orange County Public Health Unit shall not permit wells for future development that are inconsistent with the Comprehensive Plan.~~

WAT2.1.2 Orange County shall allow the use of private wells for potable water use for development only in areas where central water service is not available.

TC Orange County shall allow the use of private wells for potable water use for development only in areas where central water service is not available.

~~PW2.1.2 As stipulated in the Land Development Code, Orange County shall allow the use of private wells for potable water use for development only in areas where central water service is not available.~~

WAT2.1.3 **New development in the Urban Service Area shall be connected to a central water system. The waiver of this requirement to permit the use of wells should only be considered pursuant to Policy WAT2.1.2. Such wells shall be approved on an interim basis only.**

TC New development in the Urban Service Area shall be connected to a central water system. The waiver of this requirement to permit the use of wells should only be considered pursuant to Policy WAT2.1.2. Such wells shall be approved on an interim basis only.

~~PW2.1.3~~ ~~As stipulated in the Land Development Code, new development in the Urban Service Area shall be connected to a central water system. The waiver of this requirement to permit the use of wells should only be considered pursuant to Potable Water Policy PW2.1.2. Such wells shall be approved on an interim basis only. (Added 12/00, Ord. 00-25)~~

WAT2.1.4 **Developments with interim wells, approved by the Board of County Commissioners pursuant to Policy WAT2.1.3, shall be required to connect to central water systems at the property owner's expense within one year from the date of notification by Orange County that such central water facilities are available within the stipulated distances approved by the Board of County Commissioners at the time the interim wells were permitted.**

TC Developments with interim wells, approved by the Board of County Commissioners pursuant to Policy WAT2.1.3, shall be required to connect to central water systems at the property owner's expense within one year from the date of notification by Orange County that such central water facilities are available within the stipulated distances approved by the Board of County Commissioners at the time the interim wells were permitted.

~~PW2.1.4~~ ~~Developments with interim wells, approved by the Board of County Commissioners pursuant to Potable Water Policy PW2.1.3, shall be required to connect to central water systems at the property owner's expense within one year from the date of notification by the County that such central water facilities are available within the stipulated distances approved by the Board of County Commissioners at the time the interim wells were permitted. This stipulation is included in the Land Development Code. (Added 12/00, Ord. 00-25)~~

- WAT2.1.5** **Orange County has developed and shall continue to maintain cross connection control and wellhead protection programs in accordance with State, Federal and local guidelines.**
- TC Orange County has developed and shall continue to maintain cross connection control and wellhead protection programs in accordance with State, Federal and local guidelines.
- ~~PW2.1.5~~ Orange County has developed and shall continue to maintain cross connection control and wellhead protection programs in accordance with State, Federal and local guidelines. (~~Added 12/00, Ord. 00-25~~)
-
- WAT2.1.6** **Orange County shall continue to monitor the drawdown of wellfields of Orange County Utilities in order to prevent adverse impacts to adjacent natural resources.**
- TC Orange County shall continue to monitor the drawdown of wellfields of Orange County Utilities in order to prevent adverse impacts to adjacent natural resources.
- ~~PW2.1.6~~ Orange County shall continue to monitor the drawdown of wellfields of Orange County Utilities in order to prevent adverse impacts to adjacent natural resources. (~~Added 12/00, Ord. 00-25~~)
-
- WAT2.1.7** **In the interest of protecting potable water wellfields, Orange County shall continue to implement its Small Quantity Generator Notification Program pursuant to Chapter 403, Florida Statutes, Chapter 62-730 FAC, and Rule 62-731.030, FAC. Orange County shall also continue to comply with the State’s Wellhead Protection regulations in Chapter 62-521, FAC.**
- TC In the interest of protecting potable water wellfields, Orange County shall continue to implement its Small Quantity Generator Notification Program pursuant to Chapter 403, Florida Statutes, Chapter 62-730 FAC, and Rule 62-731.030, FAC. Orange County shall also continue to comply with the State’s Wellhead Protection regulations in Chapter 62-521, FAC.
- ~~PW2.1.7~~ In the interest of protecting potable water wellfields, Orange County shall continue to implement its Small Quantity Generator Notification Program pursuant to Chapter 403, FS, ~~Rule~~ Chapter 62-730 FAC, Rule ~~Chapter~~ 62-731, FAC. ~~The~~ County shall also continue to comply with the State’s Wellhead Protection regulations in Chapter 62-521, FAC. (~~Added 12/00, Ord. 00-25~~)

WAT2.1.8 Orange County shall maintain Geographic Information Systems (GIS) maps reflecting the location of drainage wells that could have an adverse impact on groundwater.

TC Orange County shall maintain Geographic Information Systems (GIS) maps reflecting the location of drainage wells that could have an adverse impact on groundwater.

~~PW2.1.8~~ Orange County shall maintain Geographic Information Systems (GIS) maps reflecting the location of drainage wells that could have an adverse impact on groundwater. (~~Added 12/00, Ord. 00-25~~)

WAT2.1.9 A zone of protection area of 500 feet in radius from each public potable water well in the unincorporated area shall be considered the wellfield protection zone. The first 200 foot radius closest to the well shall be a zone of exclusion, where no regulated businesses which are hazardous waste generators monitored by Orange County Environmental Protection Division's Pollution Prevention and Control Program will be permitted except those related to water supply provision. Within the remainder of the zone of protection, land uses shall be regulated to prohibit the following:

A. Landfills;

B. Activities that require the storage, use or transportation of restricted substances on the Resource Conservation and Recovery Act's or the Environmental Protection Agency hazardous wastes lists;

C. Feedlots or other commercial animal facilities;

D. Wastewater treatment plants and their ancillary facilities;

E. Mines; and,

F. Excavation of waterways, borrow pits or drainage facilities that intersect the water table.

~~PW2.1.9~~ A zone of protection area of 500 feet in radius from each public potable water well in the unincorporated area shall be considered the wellfield protection zone. The first 200 foot radius closest to the well shall be a zone of exclusion, where no regulated businesses which are hazardous waste generators monitored by listed on the Orange County's Environmental Protection Division's Pollution Prevention and Control Program List of Regulated Businesses by SIC Code will be permitted except that those related with to water supply provision. Within the remainder of the zone of protection, land uses shall be regulated to prohibit the following:

A. Landfills;

B. Activities that require the storage, use or transportation of restricted substances on the Resource Conservation and Recovery Act's or the Environmental Protection Agency hazardous wastes lists;

C. Feedlots or other commercial animal facilities;

D. Wastewater treatment plants and their ancillary facilities;

E. Mines; and,

F. Excavation of waterways, borrow pits or drainage facilities that intersect the water table. (~~Added 12/00, Ord. 00-25~~)

OBJ WAT2.2 Orange County septic tank regulations and policies shall be enforced, and if necessary amended, to prevent or mitigate adverse environmental impacts and eliminate health hazards.

TC Orange County septic tank regulations and policies shall be enforced, and if necessary amended, to prevent or mitigate adverse environmental impacts and eliminate health hazards.

~~OBJ WW2.1~~ All County septic tank regulations and policies shall be enforced, and if necessary amended, to prevent adverse environmental impacts and eliminate health hazards.

WAT2.2.1 New development in the Urban Service Area shall be connected to central wastewater systems. The waiver of this requirement to permit the use of interim septic tanks should only be considered pursuant to Policy WAT2.2.5.

TC New development in the Urban Service Area shall be connected to central wastewater systems. The waiver of this requirement to permit the use of interim septic tanks should only be considered pursuant to Policy WAT2.2.5.

~~WW2.1.7~~ ~~As stipulated in the Land Development Code,~~ new development in the Urban Service Area shall be connected to central wastewater systems. The waiver of this requirement to permit the use of septic tanks should only be considered pursuant to ~~Wastewater Policy WW2.1.5. (Added 12/00, Ord. 00-25)~~

WAT2.2.2 The Florida Department of Health Orange County Public Health Unit shall not issue permits for septic tanks, which are inconsistent with the criteria established in the Comprehensive Plan.

TC The Florida Department of Health Orange County Public Health Unit shall not issue permits for septic tanks, which are inconsistent with the criteria established in the Comprehensive Plan.

~~WW2.1.1~~ The ~~Health and Rehabilitative Services~~ Orange County Public Health Unit shall not issue permits for septic tanks, which are inconsistent with the criteria established in the Comprehensive Plan.

WAT2.2.3 **The Health and Rehabilitative Services Orange County Public Health Unit shall continue to implement its Septic Tank Monitoring Program to ensure the effectiveness of operation, and to reduce the potential for health hazards. Orange County requires repair permits be obtained from the Health Department prior to any repairs to failed septic tank systems.**

TC The Health and Rehabilitative Services Orange County Public Health Unit shall continue to implement its Septic Tank Monitoring Program to ensure the effectiveness of operation, and to reduce the potential for health hazards. Orange County requires repair permits be obtained from the Health Department prior to any repairs to failed septic tank systems.

~~WW2.1.2~~ ~~The County~~ shall continue to implement its Septic Tank Monitoring Program to ensure the effectiveness of operation, and to reduce the potential for health hazards. ~~The~~ County requires repair permits be obtained from the Health Department prior to any repairs to failed septic tank systems. ~~(Added 12/00, Ord. 00-25)~~

WAT2.2.4 **The use of elevated septic tanks and drainfield systems shall only be allowed on lots of 1/2 acre or larger in order to provide a more balanced ecological and aesthetic approach to new development.**

TC The use of elevated septic tanks and drainfield systems shall only be allowed on lots of 1/2 acre or larger in order to provide a more balanced ecological and aesthetic approach to new development.

~~WW2.1.3~~ ~~Land Development Code regulations~~ limit the use of elevated septic tanks and drainfield systems ~~to~~ lots of a 1/2 acre ~~minimum~~ in order to provide a more balanced ecological and aesthetic approach to new development. ~~(Added 12/00, Ord. 00-25)~~

~~WW2.1.4~~ ~~The County shall continue to implement septic tank requirements as required in the governing criteria in the Onsite Sewage Disposal System Section of the Land Development Code.~~ ~~(Added 12/00, Ord. 00-25)~~

WAT2.2.5 Orange County shall allow the use of interim septic tanks for development only in areas of suitable soils and when central wastewater services are not available. Where there are moderate soils, Orange County may allow the use of interim septic tanks based on detailed soil and site analysis so that ground or surface waters will not be polluted. Specific septic tank criteria shall be governed by the Orange County Subdivision Regulations or supplemental guidelines adopted under the proposed Land Development Code, as well as the requirements established in Chapter 64E-6 of the Florida Administrative Code.

TC Orange County shall allow the use of interim septic tanks for development only in areas of suitable soils and when central wastewater services are not available. Where there are moderate soils, Orange County may allow the use of interim septic tanks based on detailed soil and site analysis so that ground or surface waters will not be polluted. Specific septic tank criteria shall be governed by the Orange County Subdivision Regulations or supplemental guidelines adopted under the proposed Land Development Code, as well as the requirements established in Chapter 64E-6 of the Florida Administrative Code.

~~WW2.1.5~~ Orange County, as referenced in the Land Development Code, allows the use of septic tanks for development only in areas of suitable soils and when central wastewater services are not available. Where there are moderate soils, the County may allow the use of septic tanks based on detailed soil and site analysis so that ground or surface waters will not be polluted. Specific septic tank criteria shall be governed by the Orange County Subdivision Regulations or supplemental guidelines adopted under the proposed Land Development Code, as well as the requirements established in Chapter 40D-6 of the Florida Administrative Code. (Added 12/00, Ord. 00-25)

WAT2.2.6 When it has been determined by the Board of County Commissioners that the application of Policy WAT2.2.5 will result in substantial environmental impact to the subject or abutting property, the Board may limit the density of the development. Substantial environmental impact shall be determined by one or more of the following:

A. Total clearing of on-site vegetation or placement of fill material which results in the substantial destruction of the natural vegetation;

B. Inability to meet stormwater management criteria set forth in the Orange County Subdivision Regulations or commercial site plans regulations; and,

C. Degradation or contamination of surface water or groundwater.

TC When it has been determined by the Board of County Commissioners that the application of Policy WAT2.2.5 will result in substantial environmental impact to the subject or abutting property, the Board may limit the density of the development. Substantial environmental impact shall be determined by one or more of the following:

A. Total clearing of on-site vegetation or placement of fill material which results in the substantial destruction of the natural vegetation;

B. Inability to meet stormwater management criteria set forth in the Orange County Subdivision Regulations or commercial site plans regulations; and,

C. Degradation or contamination of surface water or groundwater.

~~WW2.1.6~~ When it has been determined by the Board of County Commissioners that the application of ~~Wastewater Policy WW2.1.5~~ will result in substantial environmental impact to the subject or abutting property, the Board may limit the density of the development. Substantial environmental impact shall be determined by one or more of the following:

A. Total clearing of on site vegetation or placement of fill material which results in the substantial destruction of the natural vegetation;

B. Inability to meet stormwater management criteria set forth in the Orange County Subdivision Regulations or commercial site plans regulations; and,

C. ~~Contamination of surface water bodies, groundwater under the influence of surface water and groundwater.~~ (Added 8/93, Ord.93-19)

WAT2.2.7 **Interim septic tank system(s) approved by the Board of County Commissioners following Policy WAT2.2.1 are required to connect to central sewer systems at the property owner's expense within one (1) year from the date of notification that such central sewer facilities are available within the stipulated distances approved by the Board of County Commissioners at the time the interim septic tank system(s) was permitted.**

TC Interim septic tank system(s) approved by the Board of County Commissioners following Policy WAT2.2.1 are required to connect to central sewer systems at the property owner's expense within one (1) year from the date of notification that such central sewer facilities are available within the stipulated distances approved by the Board of County Commissioners at the time the interim septic tank system(s) was permitted.

WW2.1.8 ~~As stipulated in the Land Development Code,~~ interim septic tank system(s) approved by the Board of County Commissioners following ~~Wastewater Policy WW2.1.7~~ are required to connect to central sewer systems at the property owner's expense within one (1) year from the date of notification that such central sewer facilities are available within the stipulated distances approved by the Board of County Commissioners at the time the interim septic tank system(s) was permitted. ~~(Added 12/00, Ord. 00-25)~~

OBJ WAT2.3 Orange County shall support the use of innovative potable water conservation techniques and strategies, and will conserve water resources through coordination with the St. Johns River Water Management District and South Florida Water Management District and implementation of Orange County and other agency programs.

TC Orange County shall support the use of innovative potable water conservation techniques and strategies, and will conserve water resources through coordination with the St. Johns River Water Management District and South Florida Water Management District and implementation of Orange County and other agency programs.

~~OBJ PW2.2~~ Orange County shall support the use of innovative water conservation techniques and strategies, and will conserve water resources through coordination with the St. Johns River Water Management District and South Florida Water Management District and implementation of County and other agency programs.

WAT2.3.1 Orange County shall continue to support and assist the Water Management Districts in implementing the development of a County-wide consumptive use study program utilizing water use projections and ground water modeling to monitor the effects of withdrawals from the Floridan Aquifer.

TC Orange County shall continue to support and assist the Water Management Districts in implementing the development of a County-wide consumptive use study program utilizing water use projections and ground water modeling to monitor the effects of withdrawals from the Floridan Aquifer.

~~PW2.2.1~~ Orange County shall continue to support and assist the Water Management Districts in implementing the development of a County wide consumptive use study program utilizing water use projections and ground water modeling to monitor the effects of withdrawals from the Floridan Aquifer. (Added 12/00, Ord. 00-25)

- WAT2.3.2** **Orange County shall continue to implement its Water Conservation Program and require the installation of products that minimize the demand for water in all new developments as stipulated in Orange County’s Plumbing Code.**
- TC Orange County shall continue to implement its Water Conservation Program and require the installation of products that minimize the demand for water in all new developments as stipulated in Orange County’s Plumbing Code.
- ~~PW2.2.2~~ Orange County shall continue to implement its Water Conservation Program and require the installation of products that minimize the demand for water in all new developments as stipulated in ~~the~~ County’s Plumbing Code. ~~(Added 12/00, Ord. 00-25)~~
- WAT2.3.3** **Orange County shall coordinate with Water Management Districts to monitor the drilling of new wells, enforce the capping of abandoned wells, and require the placement of valves on existing free flowing wells so water will be used only as required. It is not the intent of this policy to affect agricultural production or agricultural processing.**
- TC Orange County shall coordinate with Water Management Districts to monitor the drilling of new wells, enforce the capping of abandoned wells, and require the placement of valves on existing free flowing wells so water will be used only as required. It is not the intent of this policy to affect agricultural production or agricultural processing.
- ~~PW2.2.3~~ ~~The~~ County shall coordinate with Water Management Districts to monitor the drilling of new wells, enforce the capping of abandoned wells, and require the placement of valves on existing free flowing wells so water will be used only as required. It is not the intent of this policy to affect agricultural production or agricultural processing.
- WAT2.3.4** **Orange County shall coordinate with the Water Management Districts to monitor the amount of groundwater pumped from the aquifer underlying Orange County that is distributed for use outside the County; and, if necessary, assist in the emergency conservation of groundwater.**
- TC Orange County shall coordinate with the Water Management Districts to monitor the amount of groundwater pumped from the aquifer underlying Orange County that is distributed for use outside the County; and, if necessary, assist in the emergency conservation of groundwater.
- ~~PW2.2.4~~ Orange County shall coordinate with the Water Management Districts to monitor the amount of groundwater pumped from the aquifer underlying ~~the~~ County that is distributed for use outside the County; and, if necessary, assist in the emergency conservation of groundwater.

WAT2.3.5 Orange County shall encourage municipalities, counties, and private entities, which export water, underlying Orange County to use other sources of potable water and/or use water conservation measures. Such encouragement shall be by providing technical assistance and participating in studies conducted by the Water Management Districts.

TC Orange County shall encourage municipalities, counties, and private entities, which export water, underlying Orange County to use other sources of potable water and/or use water conservation measures. Such encouragement shall be by providing technical assistance and participating in studies conducted by the Water Management Districts.

~~PW2.2.5~~ Orange County shall encourage municipalities, counties, and private entities, which export water, underlying Orange County to use other sources of potable water and/or use water conservation measures. Such encouragement shall be by providing technical assistance and participating in studies conducted by the Water Management Districts.

WAT2.3.6 Orange County shall continue to implement its educational programs to promote a safe maximum withdrawal rate from the aquifer. The educational programs include conservation techniques that can be used by homeowners and information regarding leak detection.

TC Orange County shall continue to implement its educational programs to promote a safe maximum withdrawal rate from the aquifer. The educational programs include conservation techniques that can be used by homeowners and information regarding leak detection.

~~PW2.2.6~~ The County shall continue to implement its educational programs to promote a safe maximum withdrawal rate from the aquifer. The educational programs include conservation techniques that can be used by homeowners and information regarding leak detection. (Added 12/00, Ord. 00-25)

WAT2.3.7 Orange County shall provide potable water in compliance with Environmental Protection Agency and Florida Department of Environmental Protection's safe drinking water standards.

TC Orange County shall provide potable water in compliance with Environmental Protection Agency and Florida Department of Environmental Protection's safe drinking water standards.

~~PW2.2.7~~ Orange County shall provide potable water in compliance with Environmental Protection Agency and Department of Environmental Protection's safe drinking water standards. ~~(Added 12/00, Ord. 00-25)~~

WAT2.3.8 Orange County shall continue to investigate all feasible techniques for the use of reclaimed water. Orange County shall seek out opportunities to use reclaimed water for uses such as irrigation, groundwater recharge, industrial purposes, and agricultural purposes.

TC Orange County shall continue to investigate all feasible techniques for the use of reclaimed water. Orange County shall seek out opportunities to use reclaimed water for uses such as irrigation, groundwater recharge, industrial purposes, and agricultural purposes.

~~PW2.2.8~~ Orange County shall continue to investigate all feasible techniques for the use of reclaimed water. The County shall seek out opportunities to use reclaimed water for uses such as irrigation, groundwater recharge, industrial purposes and agricultural purposes. ~~(Added 12/00, Ord. 00-25)~~

WAT2.3.9 As stipulated in the O.C. Code Section 37-4(a)(3), all development containing irrigated open space shall be required to accept reclaimed water for irrigation when such reclaimed water is available. Connection shall be made at the developer's cost.

TC As stipulated in the O.C. Code Section 37-4(a)(3), all development containing irrigated open space shall be required to accept reclaimed water for irrigation when such reclaimed water is available. Connection shall be made at the developer's cost.

~~PW2.2.9~~ As stipulated in the ~~Reclaimed Water Ordinance~~, all development containing irrigated open space, shall be required to accept reclaimed water for irrigation when such reclaimed water is available. ~~(Added 12/00, Ord. 00-25)~~

WAT2.3.10 Orange County shall participate in voluntary and mandatory water restrictions established by the Water Management Districts. This shall include limiting the irrigation of landscaping with potable water on public property to the hours specified in the restrictions.

TC Orange County shall participate in voluntary and mandatory water restrictions established by the Water Management Districts. This shall include limiting the irrigation of landscaping with potable water on public property to the hours specified in the restrictions.

~~PW2.2.10~~ Orange County shall participate in voluntary and mandatory water restrictions established by the Water Management Districts. This shall include limiting the irrigation of landscaping on public property to the hours specified in the restrictions. (~~Added 12/00, Ord. 00-25~~)

WAT2.3.11 Orange County shall continue to provide incentives and enforce regulations requiring water efficient Florida friendly landscaping techniques, to reduce the irrigation demand for potable water in new developments.

TC Orange County shall continue to provide incentives and enforce regulations requiring water efficient Florida friendly landscaping techniques, to reduce the irrigation demand for potable water in new developments.

~~PW2.2.11~~ Orange County shall continue to provide incentives and enforce regulations requiring water efficient Florida friendly landscaping techniques, to reduce the irrigation demand for potable water in new developments. (~~Added 12/00, Ord. 00-25~~)

WAT2.3.12 Orange County shall continue to implement its water conservation and shortage regulations. In addition, the Code requires that during such times as either the St. Johns River Water Management District or the South Florida Water Management District declares a potable water shortage, the specific restrictions imposed by the applicable water management district that are more restrictive than the regulations of Section 37-601 of the Orange County Code shall apply.

TC Orange County shall continue to implement its water conservation and shortage regulations. In addition, the Code requires that during such times as either the St. Johns River Water Management District or the South Florida Water Management District declares a potable water shortage, the specific restrictions imposed by the applicable water management district that are more restrictive than the regulations of Section 37-601 of the Orange County Code shall apply.

~~PW2.2.12~~ Pursuant to the ~~Orange County Water and Wastewater Code~~, the County shall continue to implement its water conservation and shortage regulations. In addition, the Code requires that during such times as either the St. Johns River Water Management District or the South Florida Water Management District declares a water shortage, the specific restrictions imposed by the applicable water management district that are more restrictive than the regulations of the County's Water Conservation Rules in the ~~Water and Wastewater Code~~ shall apply.

~~PW2.2.13~~ Orange County shall continue to implement the Water Conservation Act (Section 553.14, FS) through provisions in the Building and Land Development Codes. (Added 8/93, Ord. 93-19; Amended 12/00, Or

WAT2.3.13 Pursuant to Chapter 373.609, FS, Orange County shall, upon request, assist the Water Management Districts in the enforcement of Water Management District guidelines during declared potable water shortages.

TC Pursuant to Chapter 373.609, FS, Orange County shall, upon request, assist the Water Management Districts in the enforcement of Water Management District guidelines during potable declared water shortages.

~~PW2.2.14~~ Pursuant to Chapter 373.609, FS, Orange County shall, upon request, assist the Water Management Districts in the enforcement of Water Management District guidelines during declared water shortages.

OBJ WAT2.4 All Orange County wastewater treatment facilities shall be designed and monitored to prevent adverse environmental impacts and eliminate health hazards.

TC All Orange County wastewater treatment facilities shall be designed and monitored to prevent adverse environmental impacts and eliminate health hazards. ~~This objective shall be measurable through the implementation of the following policy.~~

~~OBJ WW2.2~~ All County wastewater treatment facilities shall be designed and monitored to prevent adverse environmental impacts and eliminate health hazards. ~~This objective shall be measurable through the implementation of the following policy.~~

WAT2.4.1 Orange County shall continue to meet or exceed all Federal and State wastewater facility regulations, which provide for the protection of the environment.

TC Orange County shall continue to meet or exceed all Federal and State wastewater facility regulations, which provide for the protection of the environment.

~~WW2.2.1~~ Orange County shall continue to meet or exceed all Federal and State wastewater facility regulations, which provide for the protection of the environment.

OBJ WAT2.5 All Orange County regulations for reclaimed water shall be enforced to prevent adverse environmental impacts and promote the conservation of natural resources.

TC All Orange County regulations for reclaimed water shall be enforced to prevent adverse environmental impacts and promote the conservation of natural resources.

OBJ WW2.3 All County regulations for reclaimed water shall be enforced to prevent adverse environmental impacts and promote the conservation of natural resources.

WAT2.5.1 Orange County shall continue to investigate, coordinate and promote feasible techniques and applications for the beneficial use of reclaimed water.

TC Orange County shall continue to investigate, coordinate and promote feasible techniques and applications for the beneficial use of reclaimed water.

~~WW 2.3.1~~ Orange County shall continue to investigate, coordinate and promote all feasible techniques and applications for the beneficial use of reclaimed water. (Added 12/00, Ord. 00-25)

WAT2.5.2 As stipulated in Section 37 of the Orange County Code, all development containing irrigated open space greater than twenty acres, including golf courses, shall be required to accept reclaimed water for irrigation when such reclaimed water is available. Connection shall be made at the developer's cost.

TC As stipulated in the Section 37 of the Orange County Code, all development containing irrigated open space greater than twenty acres, including golf courses, shall be required to accept reclaimed water for irrigation when such reclaimed water is available. Connection shall be made at the developer's cost.

~~WW 2.3.2~~ As stipulated ~~by the Land Development Code~~, all development containing irrigated open space greater than twenty acres, including golf courses, shall be required to accept reclaimed water for irrigation when such reclaimed water is available ~~adjacent to the development's boundary~~. Connection shall be made at the developer's cost. (Added 12/00, Ord. 00-25)

WAT2.5.3 In accordance with **Section 37 of the Orange County Code**, reclaimed water use shall be a condition of all development approvals granted, provided that service is available as set forth in **Section 37-4 of the Orange County Code**.

TC In accordance with Section 37 of the Orange County Code, reclaimed water use shall be a condition of all development approvals granted, provided that service is available as set forth in Section 37-4 of the Orange County Code.

~~WW 2.3.3~~ In accordance with ~~the Reclaimed Water Ordinance~~, reclaimed water use shall be a condition of all development approvals granted provided that service is available as set forth in Section ~~37-657~~ of the Orange County Code. (~~Added 12/00, Ord. 00-25~~)

WAT2.5.4 **Orange County shall investigate the feasibility of using a water-conserving rate structure for reclaimed water customers.**

TC Orange County shall investigate the feasibility of using a water-conserving rate structure for reclaimed water customers.

~~WW 2.3.4~~ Orange County shall investigate the feasibility of using a water-conserving rate structure for reclaimed water customers.

GOAL WAT3 **Develop and maintain a Water Supply Facilities Work Plan and to coordinate with the St. Johns River Water Management District, the South Florida Water Management District, and other local, regional, state, and federal agencies, as well as other municipal or private suppliers of water and wastewater services, in the implementation of effective traditional and alternative water supply programs, including utilization of reclaimed water sources, and in the implementation of effective linkages between water resource management and growth management in Orange County.**

TC Develop and maintain a Water Supply Facilities Work Plan and to coordinate with the St. Johns River Water Management District, the South Florida Water Management District, and other local, regional, state, and federal agencies, as well as other municipal or private suppliers of water and wastewater services, in the implementation of effective traditional and alternative water supply programs, including utilization of reclaimed water sources, and in the implementation of effective linkages between water resource management and growth management in Orange County.

~~GOAL PW3~~ ~~Orange County's goal is to~~ develop a Water Supply Facilities Work Plan and to coordinate with the St. Johns River Water Management District, the South Florida Water Management District, and other local, regional, state, and federal agencies in the implementation of effective traditional and alternative water supply programs, including utilization of reclaimed water sources, and in the implementation of effective linkages between water resource management and growth management in the County.

~~GOAL WW3~~ ~~Orange County's goal is to~~ develop and maintain a Water Supply Facilities Work Plan and to coordinate with the St. Johns River Water Management District, the South Florida Water Management District, and other local, regional, state, and federal agencies in the implementation of effective traditional and alternative water supply programs, including utilization of reclaimed water sources, and in the implementation of effective linkages between water resource management and growth management in the County.

OBJ WAT3.1 Orange County shall develop and maintain a Water Supply Facilities Work Plan (Work Plan) for at least a 10-year planning period addressing traditional and alternative water supply sources, facilities, and issues necessary to serve existing and future development within the jurisdiction of Orange County.

The Work Plan shall be based on a long term strategy that incorporates the following components:

- Continue to implement and expand effective water conservation measures**
- Increase rates for potable and non-potable water used for irrigation to encourage greater conservation**
- Optimize the efficient use of fresh groundwater from the Floridan aquifer**
- Interconnect systems to create regional flexibilities and efficiencies**
- Maximize the beneficial use of reclaimed water**
- Continue aquifer recharge projects in areas of greatest benefit**
- Expand reuse distribution facilities for irrigation and other beneficial uses**
- Continue to develop additional alternative water supply sources such as surface water for potable supply and non-potable augmentation**
- Investigate additional management and supply options such as reservoir storage, and stormwater reuse**
- Utilize aquifer storage and recovery for supply management.**

TC Orange County shall develop and maintain a Water Supply Facilities Work Plan (Work Plan) for at least a 10-year planning period addressing traditional and alternative water supply sources, facilities, and issues necessary to serve existing and future development within the jurisdiction of Orange County.

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The Work Plan ~~is developed~~ based on a long term strategy that incorporates the following components:

- Continue to implement and expand effective water conservation measures
- Increase rates for potable and non-potable water used for irrigation to encourage greater conservation

- Optimize the efficient use of fresh groundwater from the Floridian aquifer
- Interconnect systems to create regional flexibilities and efficiencies
- Maximize the beneficial use of reclaimed water
- Continue aquifer recharge projects in areas of greatest benefit
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~~OBJ-WW3.1~~ Orange County shall develop and maintain a Water Supply Facilities Work Plan (Work Plan) for at least a 10-year planning period addressing traditional and alternative water supply sources, facilities, and issues necessary to serve existing and future development within the jurisdiction of Orange County.

WAT3.1.1 The Water Supply Facilities Work Plan shall be consistent with the potable water and wastewater level-of-service (LOS) standards established in Policies WAT1.2.5 and WAT1.2.6.

TC The Water Supply Facilities Work Plan shall be consistent with the potable water and wastewater level-of-service (LOS) standards established in Policies WAT1.2.5 and WAT1.2.6.

~~PW3.1.1~~ The Work Plan shall be consistent with the potable water level-of-service (LOS) standards established in Policies ~~PW1.2.5 and PW1.2.11~~. (Amended 05/17, Ord. 2017-10)

~~WW3.1.1~~ The Work Plan shall be consistent with the wastewater level-of-service (LOS) standards established in Policies ~~WW1.2.5, WW1.2.5.1 and WW1.2.6~~.

WAT3.1.2 The Water Supply Facilities Work Plan shall identify feasible traditional and alternative water supply sources, including water conservation, water rate increases, system interconnections, and reclaimed water and reuse, that Orange County will use to meet existing and projected water demands. The alternative water supply projects delineated in the Work Plan shall be selected from the Regional Water Supply Plans adopted or approved by the St. Johns River Water Management District and/or South Florida Water Management District, or otherwise proposed by the County.

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~~WW3.1.2~~ The Work Plan shall identify feasible traditional and alternative water supply sources, including reclaimed water and reuse, ~~which the County may use~~ to meet existing and projected water demands.

WAT3.1.3 The Water Supply Facilities Work Plan shall be updated no later than 18 months following adoption of the applicable Water Management Districts' Regional Water Supply Plan updates, as referenced in WAT 1.1.2.

TC The Water Supply Facilities Work Plan shall be updated no later than 18 months following adoption of the applicable Water Management Districts' Regional Water Supply Plan updates, as referenced in WAT 1.1.2.

~~PW3.1.3~~ The Work Plan shall be updated ~~at least every 5 years,~~ but no later than 18 months following adoption of the applicable Water Management Districts' Regional Water Supply Plan updates.

~~WW3.1.3~~ The Work Plan shall be updated ~~at least every 5 years,~~ but no later than 18 months following adoption of the applicable Water Management Districts' Regional Water Supply Plan updates.

WAT3.1.4 The Water Supply Facilities Work Plan, together with Orange County's Master Plan, shall be used to prioritize and coordinate the expansion and improvement of facilities used to withdraw, transmit, treat, store and distribute potable water to meet current and future needs within Orange County Utilities service areas.

TC The Water Supply Facilities Work Plan, together with Orange County's Master Plan, shall be used to prioritize and coordinate the expansion and improvement of facilities used to withdraw, transmit, treat, store and distribute potable water to meet current and future needs within Orange County Utilities service areas.

~~PW3.1.4~~ The Work Plan, together with the County's Water Master Plan, shall be used to prioritize and coordinate the expansion and improvement of facilities used to withdraw, transmit, treat, store and distribute potable water to meet current and future needs within the County's service areas.

WAT3.1.5 Orange County shall establish and maintain, at a minimum, a current 5-year schedule of capital improvements for the improvement, extension and/or increase in capacity of traditional water supply, alternative water supply, wastewater and reclaimed water facilities and system components, both capacity and non-capacity related. The schedule of capital improvements shall be updated annually consistent with the Water Supply Facilities Work Plan.

Track Changes Orange County shall establish and maintain, at a minimum, a current 5-year schedule of capital improvements for the improvement, extension and/or increase in capacity of traditional water supply, alternative water supply, wastewater and reclaimed water facilities and system components, both capacity and non-capacity related. The schedule of capital improvements shall be updated annually consistent with the Water Supply Facilities Work Plan.

~~PW3.1.5~~ Orange County shall establish and maintain, at a minimum, a current 5-year schedule of capital improvements for the improvement, extension and/or increase in capacity of traditional ~~and~~ alternative water supply facilities and system components, both capacity and non-capacity related. The schedule of capital improvements ~~for water supply facilities~~ shall be updated annually consistent with the Work Plan.

~~WW3.1.4~~ Orange County shall establish and maintain, at a minimum, a current 5-year schedule of capital improvements for the improvement, extension and/or increase in capacity of wastewater and reclaimed water facilities and system components, both capacity and non-capacity related. The schedule of capital improvements ~~for wastewater and reclaimed water facilities~~ shall be updated annually consistent with the Work Plan.

WAT3.1.6

Orange County's capacity related strategy and capital improvement projects for traditional water supply facilities are summarized below consistent with the Work Plan. These projects and project components, including estimated costs and funding sources, are adopted in the Capital Improvements Element as part of the 5-year schedule of capital improvements. Project numbers are listed as appropriate for cross reference to Index by Financial Unit in the capital improvements schedule.

- Oak Meadows Wellfield Expansion (Permitted Well OM-5), currently in the construction phase, includes one new Lower Floridan aquifer well at the facility with a capacity of 1.8 mgd, AADF. This well is planned for completion by 2017. (West Service Area, CIS 1532-14)**
- Western Regional WSF/Wellfield Phase IIIB Expansion, currently in design and planned for completion by 2023, may increase treatment capacity by another 7.0 mgd, AADF and involves one new Lower Floridan aquifer well (well WR-11, already permitted) with a capacity of 2.2 mgd, AADF, to be completed by 2018. (West Service Area, CIS 1532)**
- Malcolm Road WSF/Wellfield, currently in design (treatment facility) and construction (wells), includes a new treatment plant and Floridan aquifer wellfield, each with capacity of 4.0 mgd, AADF. Wells are planned for completion by 2017, and treatment plant by 2019. (Southwest Service Area, CIS 1557)**
- Eastern Regional WSF Phase IIIB Expansion, with final design and construction planned for completion in September 2017 and February 2020, respectively, increases treatment capacity from 50 mgd to 62.4 mgd AADF. (East Service Area, CIS 1554-02)**
- East Service Area-South Service Area Water Transmission Main Interconnection, planned to be constructed by 2019, will increase system flexibility and reliability. (CIS 1450 and 1508)**
- I-Drive Booster Pump Station, currently in the construction phase and planned for completion in 2018, will eventually transmit water from the Cypress Lake brackish groundwater AWS project. (CIS 1498-10)."**

Track Changes No Changes proposed

PW3.1.6

Orange County's capacity related strategy and capital improvement projects for traditional water supply facilities are summarized below consistent with the Work Plan. These projects and project components, including estimated costs and funding sources, are adopted in the Capital Improvements Element as part of the 5-year schedule of capital improvements. Project numbers are listed as appropriate for cross reference to Index by Financial Unit in the capital improvements schedule.

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of 4.0 mgd, AADF. Wells are planned for completion by 2017, and treatment plant by 2019. (Southwest Service Area, CIS 1557)

- Eastern Regional WSF Phase IIIB Expansion, with final design and construction planned for completion in September 2017 and February 2020, respectively, increases treatment capacity from 50 mgd to 62.4 mgd AADF. (East Service Area, CIS 1554-02)
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- I-Drive Booster Pump Station, currently in the construction phase and planned for completion in 2018, will eventually transmit water from the Cypress Lake brackish groundwater AWS project. (CIS 1498-10).
(Amended 05/17, Ord. 2017-10)

WAT3.1.7

Development of Orange County's reclaimed water system is a critical component of the County's water supply strategy. Orange County's capacity-related strategy and capital improvements projects for water reclamation and reuse facilities are summarized below consistent with the Work Plan. These projects and project components, including estimated costs and funding sources, are adopted in Orange County's Capital Improvements Element as part of the 5-year schedule of capital improvements. Project numbers are listed as appropriate for cross reference to Index by Financial Unit in the capital improvements schedule.

- Northwest WRF Phase IIIB Expansion, planned to be constructed by 2025, will increase the capacity of the chlorine contact chamber, increasing the overall treatment capacity of the facility by 1.0 mgd, AADF. (West Service Area, CIS 1435)
- Northwest WRF Reclaimed Main Extension to Apopka, planned to be constructed by 2022, and expected to add 2.5 mgd to 3.0 mgd, AADF to the existing capacity of the reuse system in the West Service Area,. (West Service Area, CIS 1435)
- Southwest WRF Phase I, planned to be constructed by 2025, for a total treatment capacity of 5.0 mgd, AADF. Further phases are planned to provide additional capacity and to receive flow diversion from the South Service Area. (Southwest Service Area, CIS 1507)
- South WRF Phase V Expansion, planned completion of March 2019, will increase treatment capacity by 13 mgd from 43.0 to 56.0 mgd, AADF. (South Service Area, CIS 1555-01)
- Eastern WRF Phase V Improvements, planned for completion by May 2018, will increase treatment capacity from 19.0 to 24.0 mgd, AADF. (East Service Area, CIS 1538)
- Eastern WRF Phase VI Expansion, planned to be completed by 2027, will increase treatment capacity from 24.0 to 29.0 mgd, AADF. (East Service Area, CIS 1538)
- Southeast Reclaimed Water System Expansion Project, will be constructed throughout the planning horizon to distribute reclaimed water to meet reuse irrigation demands in the East Service Area, estimated to be as much as 9 mgd, AADF by 2020. (CIS 1483, CUP #3317 Condition 26)

TC

Adding "Orange" County for clarification.

PW3.1.7

Development of Orange County's reclaimed water system is a critical component of the County's water supply strategy. Orange County's capacity-related strategy and capital improvements projects for water reclamation and reuse facilities are summarized below consistent with the Work Plan. These projects and project components, including estimated costs and funding sources, are adopted in ~~the~~ Orange County's Capital Improvements Element as part of the 5-year schedule of capital improvements. Project numbers are listed as appropriate for cross reference to Index by Financial Unit in the capital improvements schedule.

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- Southwest WRF Phase I, planned to be constructed by 2025, for a total treatment

capacity of 5.0 mgd, AADF. Further phases are planned to provide additional capacity and to receive flow diversion from the South Service Area. (Southwest Service Area, CIS 1507)

- South WRF Phase V Expansion, planned completion of March 2019, will increase treatment capacity by 13 mgd from 43.0 to 56.0 mgd, AADF. (South Service Area, CIS 1555-01)
 - Eastern WRF Phase V Improvements, planned for completion by May 2018, will increase treatment capacity from 19.0 to 24.0 mgd, AADF. (East Service Area, CIS 1538)
 - Eastern WRF Phase VI Expansion, planned to be completed by 2027, will increase treatment capacity from 24.0 to 29.0 mgd, AADF. (East Service Area, CIS 1538)
 - Southeast Reclaimed Water System Expansion Project, will be constructed throughout the planning horizon to distribute reclaimed water to meet reuse irrigation demands in the East Service Area, estimated to be as much as 9 mgd, AADF by 2020. (CIS 1483, CUP #3317 Condition 26)
- ~~(Amended 05/17, Ord. 2017-10)~~

WAT3.1.8 Development of alternative water supply projects is a critical component of Orange County's water supply strategy and necessary to meet future water demands. Orange County's alternative water supply projects including surface water capital improvement projects are summarized below consistent with the Work Plan. These projects and project components, including estimated costs and funding sources are adopted in the County's Capital Improvements Element as part of the 5-year schedule of capital improvements. Project numbers are listed as appropriate for cross reference to Index by Financial Unit in the capital improvements schedule.

- Cypress Lake Wellfield, a collaborative AWS STOPR project, will provide OCU with a 9 mgd, AADF finished water potable supply capacity increase. Construction of this project is currently projected to be completed by approximately 2023. (CIS 1550-08, CFWI RWSP Projects 3, 4 and 5).

- St. Johns River/Taylor Creek Reservoir Water Supply Project, an estimated 50 mgd, AADF surface water potable supply project in 2030 (CIS 1550; CUP #3317 Condition 23; WUP # 48-00134-W Condition 25; CFWI RWSP Project 126), peak production of 54 mgd finished water. OCU is participating collaboratively in this regional water supply development project with five other central Florida potable water suppliers: OUC, East Central Florida Services, and Tohopekaliga Water Authority (who all provide some water in unincorporated Orange County); and the City of Cocoa and City of Titusville. The exact supply volume distribution among suppliers is yet to be finalized, but it is anticipated that OCU's share would be at least 10 mgd, AADF.

TC No changes proposed

~~PW3.1.8~~ Development of alternative water supply projects is a critical component of the County's water supply strategy and necessary to meet future water demands. Orange County's alternative water supply projects including surface water capital improvement projects are summarized below consistent with the Work Plan. These projects and project components, including estimated costs and funding sources are adopted in the County's Capital Improvements Element as part of the 5-year schedule of capital improvements. Project numbers are listed as appropriate for cross reference to Index by Financial Unit in the capital improvements schedule.

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- St. Johns River/Taylor Creek Reservoir Water Supply Project, an estimated 50 mgd, AADF surface water potable supply project in 2030 (CIS 1550; CUP #3317 Condition 23; WUP # 48-00134-W Condition 25; CFWI RWSP Project 126), peak production of 54 mgd finished water. OCU is participating collaboratively in this regional water supply development project with five other central Florida potable water suppliers: OUC, East Central Florida Services, and Tohopekaliga Water Authority (who all provide some water in unincorporated Orange County); and the City of Cocoa and City of Titusville. The exact supply volume distribution among suppliers is yet to be finalized, but it is anticipated that OCU's share would be at least 10 mgd, AADF. (Amended 05/17, Ord. 2017-10)

OBJ WAT 3.2 Orange County shall identify, investigate and use any technically, environmentally and economically feasible traditional or alternative sources of water, including reclaimed water, that may be used to meet existing and future water demands when updating or maintaining the Work Plan.

TC Orange County shall identify, investigate and use any technically, environmentally and economically feasible traditional or alternative sources of water ~~and wastewater, including reclaimed water,~~ that may be used to meet ~~to satisfy~~ existing and future water demands when updating or maintaining the Work Plan.

~~OBJ PW3.2~~ Orange County shall identify, investigate and use any technically, environmentally and economically feasible traditional or alternative sources of water that may be used to meet existing and future water demands when updating or maintaining the Work Plan.

~~OBJ WW3.2~~ Orange County shall identify, investigate, and use any technically, environmentally and economically feasible sources of water ~~and wastewater~~ that may be used ~~to satisfy~~ existing and future water demands when updating or maintaining the Work Plan.

WAT3.2.1 In conjunction or coordination with the St. Johns River Water Management District, the South Florida Water Management District, and other local governments or private utilities, Orange County shall seek the development of efficient, cost-effective, and technically feasible water sources that will satisfy existing and future demands, without causing adverse impacts to water quality, wetlands, aquatic systems or the environment. These sources may include, but are not limited to, fresh groundwater, treated wastewater, reclaimed water, stormwater, brackish groundwater, surface water and seawater. In addition, Orange County will proactively investigate the application of new water resource development technologies to meet existing and future water demand.

TC In conjunction or coordination with the St. Johns River Water Management District, the South Florida Water Management District, and other local governments or private utilities, Orange County shall seek the development of efficient, cost-effective, and technically feasible water sources that will satisfy existing and future demands, without causing adverse impacts to water quality, wetlands, aquatic systems or the environment. These sources may include, but are not limited to, fresh groundwater, treated wastewater, reclaimed water, stormwater, brackish groundwater, surface water and seawater. In addition, Orange County will proactively investigate the application of new water resource development technologies to meet existing and future water demand.

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~~WW3.2.1~~ In coordination with the St. Johns River Water Management District, the South Florida Water Management District, and other local governments or private utilities, Orange County shall seek the development of efficient, cost-effective, and technically feasible water sources that will satisfy and supplement future demands, without causing adverse impacts to water quality, wetlands, aquatic systems, or the environment. These sources may include treated wastewater and reclaimed water.

- WAT3.2.2** Orange County will maximize the efficient use of existing potable water and reclaimed water facilities through the implementation of management techniques that can enhance a source of supply, sustain water resources and related natural systems, and optimize water supply yield. Available techniques may include, but are not limited to, water conservation, potable water and reclaimed water rate increases, non-potable water reuse, system interconnects, aquifer recharge, and storage.
- TC Orange County will maximize the efficient use of existing potable water and reclaimed water facilities through the implementation of management techniques that can enhance a source of supply, sustain water resources and related natural systems, and optimize water supply yield. Available techniques may include, but are not limited to, water conservation, potable water and reclaimed water rate increases, non-potable water reuse, system interconnects, aquifer recharge, and storage.
- ~~PW3.2.2~~ Orange County will maximize the efficient use of existing potable water facilities through the implementation of management techniques that can enhance a source of supply, sustain water resources and related natural systems, and optimize water supply yield. Available techniques may include, but are not limited to, water conservation, potable water rate increases, non-potable water reuse, system interconnects, and storage.
- ~~WW3.2.2~~ Orange County will maximize the use of existing reclaimed water facilities through the implementation of management techniques that can enhance a source of supply, sustain water resources and related natural systems, and optimize water supply yield. Available techniques may include, but are not limited to conservation, reclaimed water reuse and storage, reclaimed water rate increases, system interconnects, and aquifer recharge.

- WAT3.2.3** **Orange County shall coordinate, cooperate and participate with utility providers in the region and the water management districts in the development and update of local and regional water supply plans and assessments. In addition, Orange County will continue to collaborate and jointly develop interconnected sources and facilities to consolidate water services and to improve efficiencies that will support and enable Orange County to perform and implement an effective water supply program.**
- TC Orange County shall coordinate, cooperate, and participate with utility providers in the region and the water management districts in the development and update of local and regional water supply plans and assessments. In addition, Orange County will continue to collaborate and jointly develop interconnected sources and facilities to consolidate water services and to improve efficiencies that will support and enable Orange County to perform and implement an effective water supply program.
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- ~~WW3.2.3~~ ~~Orange County shall coordinate with the St. Johns River Water Management District and the South Florida Water Management District, during updates to their Regional Water Supply Plans, to identify potentially feasible alternative water supply projects involving wastewater or reclaimed water sources within the County.~~

WAT3.2.4 **Orange County will coordinate with the City of Orlando to evaluate improvements and expansion of the Water Conserv II regional reuse system to support the Master Plan recommendations and other City of Orlando plans.**

TC Orange County will coordinate with the City of Orlando to evaluate improvements and expansion of the Water Conserv II regional reuse system to support the Master Plan recommendations and other City of Orlando plans.

PW3.2.4 ~~The~~ County will coordinate with the City of Orlando to evaluate improvements and expansion of the Water Conserv II system to support the Master Plan recommendations and other City of Orlando plans.

OBJ WAT3.3 Orange County shall promote and sustain compatibility between the built and natural systems.

TC Orange County shall promote and sustain compatibility between the built and natural systems.

~~OBJ PW3.3~~ Orange County shall promote and sustain compatibility between the built and natural systems.

~~OBJ WW3.3~~ Orange County shall promote and sustain compatibility between the built and natural systems.

WAT3.3.1 Orange County shall coordinate with the St. Johns River Water Management District, the South Florida Water Management District, and other entities to assist with implementation of goals and provisions of the applicable Regional Water Supply Plans and other local/municipal water resource management and restoration programs, to evaluate the long-term needs of the natural and built environments, to restrict activities that may result in the degradation or over-utilization of potable water, treated wastewater and reclaimed water resources, and to assure adequate water supply for the competing needs of native ecosystems, agriculture, and domestic and industrial users.

TC Orange County shall coordinate with the St. Johns River Water Management District, the South Florida Water Management District, and other entities to assist with implementation of goals and provisions of the applicable Regional Water Supply Plans and other local/municipal water resource management and restoration programs, to evaluate the long-term needs of the natural and built environments, to restrict activities that may result in the degradation or over-utilization of potable water, treated wastewater and reclaimed water resources, and to assure adequate water supply for the competing needs of native ecosystems, agriculture, and domestic and industrial users.

~~PW3.3.1~~ Orange County shall coordinate with the St. Johns River Water Management District, the South Florida Water Management District, and other entities to assist with implementation of goals and provisions of the Regional Water Supply Plans and other local/municipal water resource management and restoration programs, to evaluate the long-term needs of the natural and built environments, to restrict activities that may result in the degradation or over-utilization of potable water resources, and to assure adequate water supply for the competing needs of native ecosystems, agriculture, and domestic and industrial users.

~~WW3.3.1~~ Orange County shall coordinate with the St. Johns River Water Management District, the South Florida Water Management District, and other entities to assist with implementation of goals and provisions of the applicable Regional Water Supply Plans, and other local/municipal water resource management and restoration programs, to evaluate the long-term needs of the natural and built environments; to restrict activities that may result in the degradation or over-utilization of potable water and wastewater resources; and to assure adequate water supply for native ecosystems, agriculture, and domestic and industrial users.

WAT3.3.2 **Orange County shall work with the Water Management Districts, during updates to their Regional Water Supply Plans, to identify potentially feasible alternative water supply projects, including those involving treated wastewater or reclaimed water sources within Orange County.**

TC Orange County shall work with the Water Management Districts, during updates to their Regional Water Supply Plans, to identify potentially feasible alternative water supply projects, including those involving treated wastewater or reclaimed water sources within Orange County.

~~PW3.3.2~~ Orange County shall work with the Water Management Districts, during updates to their Regional Water Supply Plans, to identify potentially feasible alternative water supply projects.

WAT3.3.3 **Orange County will integrate growth management, land use and water resource planning to ensure the availability of water for Orange County residents and regional water management purposes.**

TC Orange County will integrate growth management, land use and water resource planning to ensure the availability of water for Orange County residents and regional water management purposes.

~~PW3.3.3~~ Orange County will integrate growth management, land use and water resource planning to ensure the availability of water for Orange County and regional water management purposes.

~~WW3.3.3~~ Orange County will integrate growth management, land use and water resources planning to ensure the availability of water for Orange County residents and regional water management purposes.

GOAL WAT4 It is Orange County's goal to protect ground and surface water quality within the Wekiva Study Area by using the necessary wastewater treatment processes to help ensure water quality within the Wekiwa Springs system.

TC It is Orange County's goal to protect ground and surface water quality within the Wekiva Study Area by using the necessary wastewater treatment processes to help ensure water quality within the Wekiwa Springs system.

~~GOAL WW4~~ It is Orange County's goal to protect ground and surface water quality within the Wekiva Study Area by using the necessary wastewater treatment

OBJ WAT4.1 **Within the Wekiva River and its tributaries, the springs, and spring run creeks in the Wekiva Study Area, Orange County shall minimize nitrates and other pollutants that originate from wastewater effluent within the Wekiva River and its tributaries and the springs and spring run creeks in the Wekiva Study Area.**

TC Within the Wekiva River and its tributaries, the springs, and spring run creeks in the Wekiva Study Area, Orange County shall minimize nitrates and other pollutants that originate from wastewater effluent. ~~within the Wekiva River and its tributaries and the springs and spring run creeks in the Wekiva Study Area.~~

~~OBJ WW4.1~~ ~~The County shall minimize nitrates and other pollutants that originate from wastewater effluent within the Wekiva River and its tributaries and the springs and spring run creeks in the Wekiva Study Area.~~

WAT4.1.1 In order to help remove nutrients from the Wekiva Springshed, Orange County will require the central sewerage of existing developed areas through connection to a central system where central sewer is available as defined in Section 381.0065(2)(a), Florida Statutes.

TC In order to help remove nutrients from the Wekiva Springshed, Orange County will require the central sewerage of existing developed areas through connection to a central system where central sewer is available as defined in Section 381.0065(2)(a), Florida Statutes.

WW4.1.1 In order to help remove nutrients from the Wekiva Springshed, ~~the County~~ will require the central sewerage of existing developed areas through connection to a central system where central sewer is available ~~consistent with the definition~~ in Section 381.0065(a), Florida Statutes. (Policy 3.1.1)

Proposed Policy...

WAT4.1.2 The County shall comply with the wastewater requirements that are identified in the approved Wekiva Basin Action Management Plan.

WAT4.1.3

Orange County shall cooperate with other wastewater service providers to jointly address ground and surface water nutrient loading issues within the Wekiva Study Area. Such efforts shall address water quality throughout the entire basin comprehensively, not only on a site specific basis, and shall aim to leverage limited resources and take advantage of economies of scale. These efforts are contained in the Wekiva Protection Act Facilities Plan, which is hereby adopted by reference and incorporated in the Comprehensive Plan. The objective of the plan includes:

- Delineation of area within the utility service area that are to be served by central facilities within 5 years;**
- Delineation of areas where central wastewater systems are not readily available;**
- A financially feasible schedule of improvements;**
- An infrastructure work plan to build the facilities needed to implement the facilities plan, including those needed to meet enhanced treatment standards adopted by FDEP;**
- A phase-out of onsite septic tank systems where central facilities are available;**
- A long-range component addressing service of the joint planning area utility service area; and**
- Monitoring of existing central systems.**

~~WW1.6.3~~

Orange County shall cooperate with other wastewater service providers to jointly address ground and surface water nutrient loading issues within the Wekiva Study Area. Such efforts shall address water quality throughout the entire basin comprehensively, not only on a site specific basis, and shall aim to leverage limited resources and take advantage of economies of scale. These efforts are contained in the Wekiva Protection Act Facilities Plan, which is hereby adopted by reference and incorporated in the Comprehensive Plan. The objective of the plan includes:

- Delineation of area within the utility service area that are to be served by central facilities within 5 years;
- Delineation of areas where central wastewater systems are not readily available;
- A financially feasible schedule of improvements;
- An infrastructure work plan to build the facilities needed to implement the facilities plan, including those needed to meet enhanced treatment standards adopted by FDEP;
- A phase-out of onsite septic tank systems where central facilities are available;
- A long-range component addressing service of the joint planning area utility service area; and
- Monitoring of existing central systems.

AQUIFER RECHARGE ELEMENT

2020-2-C-CP-4

Background Information

The Aquifer Recharge Element is considered a required element of the Comprehensive Plan per the State of Florida Statutes 163.3177. The two issues addressed in the element include: 1) the replenishment, or recharge, of the aquifer and 2) protection of groundwater.

The amount of water in the aquifers is not infinite and must constantly be replenished. If recharge does not occur, then the groundwater supply can be exhausted. Certain land uses have a high probability for contaminating the groundwater. These issues are important to ensure the supply of potable water is available to future populations.

The 1990 Aquifer Recharge Element addressed these issues and included a detailed description of the geologic formations underlying Orange County, a discussion of recharge characteristics, an analysis of the major concerns regarding groundwater protection and supply, along with the regulatory framework as Federal, State and local agencies have regulations and programs which address groundwater.

The amount of recharge is dependent upon the amount of rainfall, the thickness and conductivity of the surficial sediments, the number of sinkholes that breach the Hawthorn Formation, and the transmissivity of the Floridan Aquifer. Areas typically found in northwest and west Orange County with sandy soils and low water table are characteristic of high recharge areas. The element

concludes by stating “to ensure the preservation of groundwater resources, land use regulations in prime recharge areas should be continued and expanded.”

The original element had two goals, three objectives, and twenty-three policies to set forth the strategy to ensure protection of groundwater quality and quantity.

The primary source of potable water for Orange County continues to be the underlying aquifers. The amount of water in the aquifers is not infinite and must be replenished. Recharge is necessary to replenish the groundwater supply.

| The following meetings and hearings have been held for this proposal: | | |
|---|---------------------------------|--|
| Report/Public Hearing | Outcome | |
| ✓ Staff Report | Recommend Transmittal | |
| ✓ LPA Transmittal August 20, 2020 | Continued to September 17, 2020 | |
| ✓ LPA Transmittal September 17, 2020 | Recommend Transmittal (8-0) | |
| ✓ BCC Transmittal October 13, 2020 | Transmit (7-0) | |
| ✓ Agency Comments November 2020 | No Comments | |
| ✓ LPA Adoption December 17, 2020 | Continue to January 21, 2021 | |
| ✓ LPA Adoption January 21, 2021 | Recommend Adoption (6-0) | |
| BCC Adoption | February 23, 2021 | |

Past Evaluation and Appraisals

The 2000 Evaluation and Appraisal Update to the 1991 Comprehensive Plan introduced new policies, such as maintaining GIS maps reflecting the location of drainage wells that could have an adverse impact on groundwater, and the wellfield protection zone.

The 2006 Evaluation and Appraisal Report (July 11, 2006) assessed the successes and shortcoming of the Aquifer Recharge Element. The review recommended that the Element be revised and updated to reflect the current planning period, including revising text, tables, maps, and figures to incorporate the most recent or best available data. It was also recommended that all new development and redevelopment be designed so that pre-development and post-development aquifer recharge volumes are the same.

The 2009 Comprehensive Plan Update included information from the Wekiva River Study Area, and as part of the Wekiva Parkway and Protection Act of 2004, the St. Johns River Water Management District was required to amend the Wekiva River Basin recharge criteria to apply to all recharge lands within the Wekiva Study Area. It was stated in the update that the County should establish policies to meet or exceed the established criteria. The element addresses the same items addressed in the 1990 element, such as recharge, groundwater contamination, and includes water quality of surface waterbodies, a map of Outstanding Florida Waters located in Orange County, and the Wekiva River Study Area. It is recognized in the Comprehensive Plan, that the Wekiva River system and its associated springshed areas are of irreplaceable value to the quality of life

and well-being of the people of the State of Florida. The River and its tributaries have been designated an Outstanding Florida Water, a National Wild and Scenic River, a Florida Wild and Scenic River, and a Florida Aquatic Preserve. The River is a spring-fed system that derives a majority of its base flow from numerous springs whose source of water is the Floridan Aquifer.

Summary of Proposed Changes

Staff from Orange County Environmental Protection Division, Public Works, Orange County Utilities and the Planning Division collaborated on the review and proposed amendments to the Aquifer Recharge Element policies. The Environmental Protection Division oversees ground and surface water quality. Public Works maintains the drainage system and drainage wells. Orange County Utilities oversees the operating and maintaining the water supply to wells used to provide potable water.

The following includes a redline copy of the proposed changes. As part of the redline changes there are notes in the column explaining the reason for the proposed change. Following the redline version is a “**clean**” version of the proposed changes, reflecting how the element would read if the changes are adopted.

Aquifer Recharge Element Goals, Objectives and Policies

GOAL AR1 The Floridan Aquifer, Intermediate Aquifer and surficial aquifer shall be protected and conserved to ensure that Orange County and other Central Florida residents and businesses have an adequate supply of potable water now and in the future. (Goal 1-r)

OBJ AR1.1 Orange County shall continue to implement, on an ongoing basis, existing programs such as the CONSERV II program, the Rapid Infiltration Basins, ~~the septic tank monitoring program,~~ the County Landfill monitoring program, and the monitoring of aquifer water levels across the County. ~~review of the United States Geological Survey's potentiometric monitoring program and continue to participate in the interlocal agreement that pertains to the Drainwell Modification Study.~~ Additional programs to protect the water quality and quantity in the aquifers and enhance aquifer recharge, shall be pursued and established on an ongoing basis, including development criteria in the Land Development Code. (Added 12/00, Ord. 00-25, Objective 1.1-r)

Staff recommends revising the policy to omit the "septic tank monitoring program" because the County does not oversee this program. In addition, the potentiometric monitoring program is no longer performed. The USGS ended the program in 2009. The Drainwell Modification Study was completed and there is not a specific policy reference in the section.

POLICIES

AR1.1.1 In order to monitor the quantity of groundwater in the surficial aquifer and Floridan Aquifer, Orange County shall continue to perform ongoing collection and annually review of aquifer water levels across the County. ~~the findings of the United States Geological Survey's potentiometric contour monitoring program.~~ (Added 12/00, Ord. 00-25, Policy 1.1.1)

AR1.1.2 Orange County, with the help of other governmental entities, shall continue the drainage well monitoring program, which shall include sampling drainage water. At a minimum, the program shall entail the following: Orange County will continue to work with the St. Johns Water Management District in regards to the Lake Sherwood project, which is part of the drainage well monitoring program, in order to minimize flooding of the lake and increase recharge to the aquifer. (Added 12/00, Ord. 00-25, Policy 1.1.2)

- | | | |
|---------|--|---|
| AR1.1.3 | <p>The Land Development Code shall contain a definition and a map of areas of aquifer vulnerability in Orange County. As provided in Policy FLU1.11.9, the The County shall update the Land Development Regulations to limit with appropriate standards or prohibit land uses with the potential to contaminate or harm the aquifer. (Added 12/00, Ord. 00-25, Policy 1.1.3-r)</p> | <p>Staff recommends revising because Future Land Use Element policy FLU1.11.9 is not listed in the element. Revising to require an update and removing the reference.</p> |
| AR1.1.4 | <p>Orange County shall, by 2012 update and refine <u>Wekiva Aquifer Vulnerability Assessment (WAVA)</u> to improve accuracy and apply county-wide. Upon adoption, the WAVA shall replace the existing data sets for determinations of aquifer vulnerability and similar assessments may be required in the Comprehensive Plan and Land Development Regulations. (<u>Amended 2009 Policy 1.1.4</u>)</p> | <p>Staff recommends revising to remove the deadline.</p> |
| AR1.1.5 | <p>Orange County, with the cooperation of the Water Management Districts, has developed a recharge map <u>map</u> of the areas of no recharge, very low recharge, very low to moderate recharge and high to very high aquifer recharge. Best management practices (BMPs) as identified in Policy AR1.1.14 shall be required to maximize and maintain recharge volumes. (Added 12/00, Ord. 00-25, Policy 1.1.4-r)</p> | <p>Staff recommends revising to correct the spelling of map.</p> |
| AR1.1.6 | <p><u>If requested</u>, Orange County shall assist as requested the water management districts with preparation of a report detailing the impacts of industrial, commercial, office, residential and agricultural land uses on recharge areas and land surrounding Outstanding Florida Waters, which may be based on the conclusions of available studies completed by other agencies. The County's Land Development Code criteria regulating and/or prohibiting land uses in these areas shall be revised at the conclusion of this study, <u>as needed</u>. (Added 12/00, Ord. 00-25, Policy 1.1.5)</p> | |
| AR1.1.7 | <p><u>RESERVED</u> The Land Development Code shall include regulations/criteria for determining the aquifer recharge potential of a site during the development review stage. (Policy 1.1.6)</p> | |
| AR1.1.8 | <p>The Land Development Code shall require the total on-site retention of the 25-year, 24-hour storm event in identified recharge areas. (Policy 1.1.7)</p> | |

- AR1.1.9 ~~RESERVED~~ ~~Aquifer recharge areas typically comprise Hydrologic Soil Group Type "A," as indicated on the Soil Survey Map for the County prepared by the USDA Soil Conservation Service. Regulations shall be adopted as part of the Land Development Code require a detailed soils report prepared by a geotechnical engineer to be submitted to the County prior to site development plan approval if such soils exist on site. If the site is determined to be within a high recharge area, retention of the total runoff generated by a 25-year frequency, 24-hour duration storm event from the developed site will be required. (Added 8/92, Ord. 92-24, Added 12/00, Ord. 00-25, Policy 1.1.7.1 r)~~
- AR1.1.10 The aquifer recharge protection regulations in the Land Development Code shall address the need for clustering units in order to provide maximum recharge. This shall be accomplished through such mechanisms as, but not limited to, a special zoning district or open space and impervious surface requirements. (Policy 1.1.8)
- AR1.1.11 ~~RESERVED~~ ~~Orange County shall provide technical assistance to the Water Management Districts and United States Geological Survey for the purposes of researching the impacts of impervious surface ratios and land development on the natural rate of aquifer recharge, and preparing Groundwater Basin Resource Availability Inventories. The Land Development Code criteria regulating land uses in these areas shall be reassessed at the conclusion of these studies. (Policy 1.1.9)~~
- AR1.1.12 Orange County will continue to implement the artificial aquifer recharge program of CONSERV II using rapid infiltration basins (RIBs) and irrigation of citrus groves, golf courses, and open space in high recharge areas [approximately 44 million gallons per day (MGD) in prime recharge areas of West Orange County]. In addition, the County will continue to expand artificial aquifer recharge through Public Access Reuse (PAR) to the City of Ocoee and the City of Apopka in addition to the RIBs and lake augmentation in the Orange County Utilities (OCU) Northwest Service Area (approximately 5 MGD) which includes the construction of a new RIB (Old Winter Garden Road aquifer recharge project) and additional recharge projects in OCU West Service Area. (Added 8/92, Ord. 92-24, Policy 1.1.9.1-r)
- Staff recommends deleting. The requirement is contained in the Land Development Code, Article VII, Division 2, Section 34-249.
- Staff recommends deleting. The county does not provide technical assistance to the Water Management Districts or the USGS.
- These changes are to correct a typo, to remove numbers as they change over time, and to update for current conditions.

AR1.1.13 Orange County shall continue to research the feasibility of expanding its CONSERV II Program to include additional agricultural lands, parks, golf courses, cemeteries, and other potential water intensive uses. These expansions shall be focused on lands along the CONSERV II transmission main corridor and along the CONSERV II distribution system in west Orange County. (Added 12/00, Ord. 00-25, Policy 1.1.10)

AR1.1.14 Orange County shall use best management practices and performance standards to maximize open space, limit impervious surfaces, promote protection of natural vegetation, buffer karst sensitive areas, maximize recharge volumes, and treat recharge stormwater to protect groundwater quality. Such practices and standards shall be included in the Land Development Code. ~~by January 1, 2007.~~ (Added 12/07, Ord. 07-20, Policy 1.1.11)

Staff recommends revising the policy to remove the deadline.

OBJ AR1.2 Orange County shall coordinate with other governmental entities regarding groundwater pollution and supply through the establishment or continuation of programs and technical assistance, as identified in the following policies. (Objective 1.2) Policy 1.2.5)

POLICIES

AR1.2.1 ~~RESERVED (Refer to ICE1.6.8) If requested, Orange County shall provide technical assistance as requested the St. Johns River and South Florida water management districts for the preparation and completion of Needs and Sources Inventories. (Added 12/00, Ord. 00-25, Policy 1.2.1)~~ Staff recommends deleting. The policy is contained in Intergovernmental Coordination Element Policy ICE1.6.8.

AR1.2.2 ~~Orange County shall continue to coordinate with other local and State governmental entities in regards to to monitor septic tanks in industrial zoned developments. This program shall provide for the investigation of suspected or reported improperly installed or malfunctioning septic tanks that could contaminate surface water or groundwater. program to eliminate any identified adverse effects of contamination. (Policy 1.2.2)~~ Staff recommends revising the policy to remove reference to investigating septic tanks as the County does not oversee this.

AR1.2.3 ~~RESERVED (Refer to ICE1.6.5) Orange County shall cooperate with and provide technical assistance to all governmental entities regulating development within water recharge areas in Orange County. The County shall strive for establishment of a County wide, uniform set of guidelines and criteria. (Policy 1.2.3)~~ Staff recommends deleting. The policy is contained in Intergovernmental Coordination Element Policy ICE1.6.5.

AR1.2.4 ~~RESERVED Local Joint Planning Area Agreements shall provide for protection of high or very high aquifer recharge areas. The protection of high or very high aquifer recharge areas shall be assumed by the local jurisdiction upon annexation. (Added 12/00, Ord. 00-25, Policy 1.2.4-r)~~ Staff recommends deleting.

AR1.2.5 Orange County shall continue to accomplish:

- A. ~~Maintain Aa~~ drainage well inventory by location;
- B. Identification of surrounding land use and proximity to potable water supply wells of the inventoried drainage wells;
- C. Identification of potential adverse impacts resulting from drainage wells;
- D. Prioritization, with dates of completion, of the needed improvements to correct or mitigate the potential for adverse impacts; and,
- E. Recommended changes to the Land Development Code. (Added 12/00, Ord. 00-25,

AR1.2.6 Orange County shall review and amend the Land Development Code criteria regulating land uses in areas where drainage wells are present, as necessary. (Added 12/00, Ord. 00-25, Policy 1.2.6)

AR1.2.7 Orange County ~~has developed~~ shall maintain and periodically update water conservation educational and awareness materials to serve as a Water Conservation Awareness Program that explains the following:

The importance of preserving and protecting groundwater resources;

The average ~~w~~Water demands and for everyday uses;

How particular conservation programs and practices, including agricultural irrigation, can reduce the demand for groundwater; and,

How Florida friendly landscaping techniques, in landscaping plans can reduce the demand for groundwater resources. (Added 12/00, Ord. 00-25, Policy 1.2.7-r)

AR1.2.8 RESERVED (Refer to ICE1.12.5) ~~To prevent groundwater contamination to the maximum extent possible, Orange County shall continue to cooperate with all State and Federal authorities in the regulation, collection and disposal of hazardous wastes as defined in the Solid Waste Element by implementing programs that include, but are not limited to, the Small Quantity Generator Notification Program and the Local Hazardous Waste Program. (Policy 1.2.8)~~

Staff recommends deleting. The policy is contained in Intergovernmental Coordination Element Policy ICE1.12.5.

GOAL AR2 Orange County shall put programs in place to prevent and address the contamination of the Floridan Aquifer and surficial aquifer. Contamination shall be defined as any violation of State, regional or local water quality standards. (Goal 2)

Staff recommends revising the Goal to make it so that it could be implemented through programs that both prevent and address contamination.

OBJ AR2.1 Orange County shall continue to monitor and implement programs to protect groundwater quality and eliminate potential sources of contamination. ~~This objective shall be made measurable by implementing the following policies. (Objective 2.1)~~

POLICIES

AR2.1.1 Orange County shall continue its monitoring program at the County Landfill to ensure groundwater contamination outside the permitted zone of discharge does not occur. This program shall include monthly samplings of groundwater. (Policy 2.1.1)

AR2.1.2 Groundwater monitoring wells shall be required at all new or expanded landfills. When monitoring programs determine contamination has occurred action will be taken, by the appropriate agency, to eliminate the contamination. (Added 12/00, Ord. 00-25, Policy 2.1.2)

Staff recommends combining policies AR2.1.2 and AR2.1.3.

AR2.1.3 ~~RESERVED~~ ~~When monitoring programs determine contamination has occurred, immediate actions will be taken to eliminate the contamination. (Policy 2.1.3)~~

AR2.1.4 ~~Orange County's Environmental Protection Division shall continue to implement its monitoring program and procedures to mitigate adverse impacts, if detected, of private businesses in the unincorporated area that use, generate or produce any material characterized or listed on the Resource Conservation and Recovery Act's or the Environmental Protection Agency's hazardous waste lists, as required in the Aquifer/Wellfield Protection regulations.~~ The monitoring program will include uses restricted in wellhead protection areas, as defined in Rule 62-521.400, F.A.C., and uses identified as potential sources of groundwater contamination through the Source Water Assessment Program. The County will coordinate with DEP and ensure adequate testing, monitoring and remediation within delineated areas of groundwater contamination. (Added 12/00, Ord. 00-25, Policy 2.1.5-r)

Staff recommends revising the policy, it is echoed in Conservation Element C1.11.1.

- AR2.1.6 Orange County shall maintain Geographic Information System (GIS) maps reflecting the location of drainage wells that could have an adverse impact on groundwater. (Added 12/00, Ord. 00-25, Policy 2.1.6)

- AR2.1.7 A zone of protection area of 500 feet in radius from each non-community system, 1,000 feet in radius from each community public potable water well, 5-year travel time for municipal and regional wells in the unincorporated area shall be considered the wellfield protection zone. The first 500 foot radius closest to the well shall be a zone of exclusion, where no regulated uses listed in Rule 62-521, F.A.C. will be permitted. Within the secondary zone, the County will restrict new uses that are potential sources of groundwater contamination including: domestic wastewater facilities (septic systems and wastewater treatment facilities), dry cleaning facilities, uses that generate hazardous wastes, industrial wastewater, underground injection wells, petroleum storage tanks, landfills and mining areas. (Added 12/00, Ord. 00-25, Policy 2.1.7-r)

- AR2.1.8 Orange County shall continue to monitor the draw down of wellfields of Orange County Utilities in order to prevent adverse impacts to adjacent natural resources. (Added 12/00, Ord. 00-25, Policy 2.1.8)

- AR2.1.9 In the interest of protecting potable water wellfields, Orange County shall continue to implement its Small Quantity Generator Notification Program pursuant to Chapter 403, FS, Rule Chapter 62-730 FAC, Rule Chapter 62-731, FAC. The County also shall continue to comply with the State's Wellhead Protection laws in Chapter 62-521, FAC. (Added 12/00, Ord. 00-25, Policy 2.1.9-r)

AR 2.1.10 ~~By 2009, the~~ The County's Water Wells Ordinance will be amended consistent with the State's Wellhead Protection and Delineation Area laws and to assist with implementation of the Source Water Assessment and Protection Program (SWAPP).

Staff recommends revising to remove the deadline.

GOAL AR3 ~~Orange County's goal is~~ **County shall to develop and maintain a Water Supply Facilities Work Plan (Work Plan) and to coordinate with the St. Johns River Water Management District, the South Florida Water Management District, and other local, regional, state and federal agencies in the implementation of effective traditional and alternative water supply programs, including aquifer recharge projects, and in the implementation of effective linkages between water resource management and growth management in the County. (Goal 3)**

OBJ AR3.1 **Orange County shall develop and maintain a Water Supply Facilities Work Plan for at least a 10-year planning period addressing traditional and alternative water supply sources, facilities, and issues necessary to serve existing and future development within the Orange County Utilities service areas. (Objective 3.1)**

POLICIES

AR3.1.1 The Water Supply Facilities Work Plan shall identify feasible traditional and alternative water supply sources, including aquifer recharge projects, which ~~the Orange~~ County may use to meet existing and projected water demands. These alternative aquifer recharge projects will be selected from the applicable Water Management Districts' Regional Water Supply Plans or otherwise proposed by ~~the Orange~~ County. (Policy 3.1.1)

AR3.1.2 The Water Supply Facilities Work Plan shall be updated ~~at least every 5 years, but~~ no later than 18 months following adoption of the applicable Water Management Districts' Regional Water Supply Plan updates. (Policy 3.1.2)

OBJ AR3.2 Orange County shall identify, investigate and use any technically, environmentally and economically feasible sources of water and treated wastewater that may be used to recharge the aquifers to help offset the effects of existing and future water demands when updating or maintaining the Work Plan. (Objective 3.2)

POLICIES

AR3.2.1 ~~RESERVED (Refer to ICE 1.6.11) In coordination with the St. Johns River Water Management District, the South Florida Water Management District, and other local governments or private utilities, Orange County shall seek the development of efficient, cost-effective, and technically feasible water sources that will satisfy and supplement future demands, without causing adverse impacts to water quality, wetlands, aquatic systems or the environment. These sources may include augmentation of groundwater supplies via additional recharge. (Policy 3.2.1)~~

Staff recommends deleting. The policy is contained in Intergovernmental Coordination Element Policy ICE1.6.11.

AR3.2.2 Orange County will seek to maximize the use of existing water and reclaimed water facilities through the implementation of management techniques that can enhance a source of supply, sustain water resources and related natural systems, and optimize water supply yield. Available techniques may include, but are not limited to, conservation, rate increases, reclaimed water reuse, system interconnections, storage and aquifer recharge. (Policy 3.2.2)

AR3.2.3 ~~RESERVED (Refer to ICE1.6.13) Orange County shall work with the St. Johns River Water Management District, and South Florida Water Management District, during updates to their Regional Water Supply Plans, to identify potentially feasible alternative water supply projects involving aquifer recharge. (Policy 3.2.3)~~

Staff recommends deleting. The policy is contained in Intergovernmental Coordination Element Policy ICE1.6.13.

The following pages reflect the Aquifer Recharge Element should the proposed changes be adopted.

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Aquifer Recharge Element Goals, Objectives and Policies

GOAL AR1 **The Floridan Aquifer, Intermediate Aquifer and surficial aquifer shall be protected and conserved to ensure that Orange County and other Central Florida residents and businesses have an adequate supply of potable water now and in the future. (Goal 1-r)**

OBJ AR1.1 **Orange County shall continue to implement, on an ongoing basis, existing programs such as the CONSERV II program, the Rapid Infiltration Basins, the County Landfill monitoring program, and the monitoring of aquifer water levels across the County. Additional programs to protect the water quality and quantity in the aquifers and enhance aquifer recharge, shall be pursued and established on an ongoing basis, including development criteria in the Land Development Code. (Amended 12/00, Ord. 00-25, Objective 1.1-r)**

POLICIES

- AR1.1.1 In order to monitor the quantity of groundwater in the surficial aquifer and Floridan Aquifer, Orange County shall continue to perform ongoing collection and annual review of aquifer water levels across the County.
- AR1.1.2 Orange County, with the help of other governmental entities, shall continue the drainage well monitoring program, which shall include sampling drainage water. At a minimum, the program shall entail the following: Orange County will continue to work with the St. Johns Water Management District in regards to the Lake Sherwood project, which is part of the drainage well monitoring program, in order to minimize flooding of the lake and increase recharge to the aquifer. (Amended 12/00, Ord. 00-25, Policy 1.1.2)
- AR1.1.3 The County shall update the Land Development Regulations to limit with appropriate standards or prohibit land uses with the potential to contaminate or harm the aquifer. (Policy 1.1.3-r)
- AR1.1.4 Orange County shall update and refine Wekiva Aquifer Vulnerability Assessment (WAVA) to improve accuracy and apply county-wide. Upon adoption, the WAVA shall replace the existing data sets for determinations of aquifer vulnerability and similar assessments may be required in the Comprehensive Plan and Land Development Regulations. (Amended 2009 Policy 1.1.4)
- AR1.1.5 Orange County, with the cooperation of the Water Management Districts, has developed a recharge map of the areas of no recharge, very low recharge, very low to moderate recharge and high to very high aquifer recharge. Best management practices (BMPs) as identified in Policy AR1.1.14 shall be required to maximize and maintain recharge volumes. (Amended 12/00, Ord. 00-25, Policy 1.1.4-r)
- AR1.1.6 If requested, Orange County shall assist the water management districts with preparation of a report detailing the impacts of industrial, commercial, office, residential and agricultural land uses on recharge areas and land surrounding Outstanding Florida Waters, which may be based on the conclusions of available studies completed by other agencies. The County's Land Development Code criteria regulating and/or prohibiting land uses in these areas shall be revised at the conclusion of this study, as needed. (Added 12/00, Ord. 00-25, Policy 1.1.5)
- AR1.1.7 RESERVED
- AR1.1.8 The Land Development Code shall require the total on-site retention of the 25-year, 24-hour storm event in identified recharge areas. (Policy 1.1.7)

Aquifer Recharge Element – Text if Adopted

- AR1.1.9 RESERVED
- AR1.1.10 The aquifer recharge protection regulations in the Land Development Code shall address the need for clustering units in order to provide maximum recharge. This shall be accomplished through such mechanisms as, but not limited to, a special zoning district or open space and impervious surface requirements. (Policy 1.1.8)
- AR1.1.11 RESERVED
- AR1.1.12 Orange County will continue to implement the aquifer recharge program of CONSERV II using rapid infiltration basins (RIBS) and irrigation of citrus groves, golf courses, and open space in high recharge areas of West Orange County. In addition, the County will continue to expand aquifer recharge through Public Access Reuse (PAR) to the City of Ocoee and the City of Apopka in addition to the RIBs and lake augmentation in the Orange County Utilities (OCU) Northwest Service Area. (Added 8/92, Ord. 92-24, Policy 1.1.9.1-r)
- AR1.1.13 Orange County shall continue to research the feasibility of expanding its CONSERV II Program to include additional agricultural lands, parks, golf courses, cemeteries, and other potential water intensive uses. These expansions shall be focused on lands along the CONSERV II transmission main corridor and along the CONSERV II distribution system in west Orange County. (Added 12/00, Ord. 00-25, Policy 1.1.10)
- AR1.1.14 Orange County shall use best management practices and performance standards to maximize open space, limit impervious surfaces, promote protection of natural vegetation, buffer karst sensitive areas, maximize recharge volumes, and treat recharge stormwater to protect groundwater quality. Such practices and standards shall be included in the Land Development Code. (Added 12/07, Ord. 07-20, Policy 1.1.11)

OBJ AR1.2 Orange County shall coordinate with other governmental entities regarding groundwater pollution and supply through the establishment or continuation of programs and technical assistance. (Objective 1.2)

POLICIES

- AR1.2.1 RESERVED (Refer to ICE1.6.8)
- AR1.2.2 Orange County shall continue to coordinate with other local and State governmental entities in regards to septic tanks in industrial zoned developments. (Policy 1.2.2)
- AR1.2.3 RESERVED (Refer to ICE1.6.5)
- AR1.2.4 RESERVED
- AR1.2.5 Orange County shall continue to accomplish:
 - A. Maintain a drainage well inventory by location;
 - B. Identification of surrounding land use and proximity to potable water supply wells of the inventoried drainage wells;
 - C. Identification of potential adverse impacts resulting from drainage wells;
 - D. Prioritization, with dates of completion, of the needed improvements to correct or mitigate the potential for adverse impacts; and,
 - E. Recommended changes to the Land Development Code. (Added 12/00, Ord. 00-25, Policy 1.2.5)
- AR1.2.6 Orange County shall review and amend the Land Development Code criteria regulating land uses in areas where drainage wells are present, as necessary. (Added 12/00, Ord. 00-25, Policy 1.2.6)
- AR1.2.7 Orange County shall maintain and periodically update water conservation educational and awareness materials to explain:
 - The importance of preserving and protecting groundwater resources;
 - Water demands and uses;
 - How conservation programs and practices, including Florida friendly landscaping techniques, can reduce the demand for groundwater resources. (Added 12/00, Ord. 00-25, Policy 1.2.7-r)
- AR1.2.8 RESERVED (Refer to ICE1.12.5)

GOAL AR2 **Orange County shall put programs in place to prevent and address the contamination of the Floridan Aquifer and surficial aquifer. Contamination shall be defined as any violation of State, regional or local water quality standards. (Goal 2)**

OBJ AR2.1 **Orange County shall continue to monitor and implement programs to protect groundwater quality and eliminate potential sources of contamination. (Objective 2.1)**

POLICIES

AR2.1.1 Orange County shall continue its monitoring program at the County Landfill to ensure groundwater contamination outside the permitted zone of discharge does not occur. This program shall include monthly samplings of groundwater. (Policy 2.1.1)

AR2.1.2 Groundwater monitoring wells shall be required at all new or expanded landfills. When monitoring programs determine contamination has occur action will be taken, by the appropriate agency, to eliminate the contamination. (Added 12/00, Ord. 00-25, Policy 2.1.2)

AR2.1.3 RESERVED

AR2.1.4 The monitoring program will include uses restricted in wellhead protection areas, as defined in Rule 62-521.400, F.A.C., and uses identified as potential sources of groundwater contamination through the Source Water Assessment Program. The County will coordinate with DEP and ensure adequate testing, monitoring and remediation within delineated areas of groundwater contamination.

AR2.1.6 Orange County shall maintain Geographic Information System (GIS) maps reflecting the location of drainage wells that could have an adverse impact on groundwater. (Added 12/00, Ord. 00-25, Policy 2.1.6)

AR2.1.7 A zone of protection area of 500 feet in radius from each non-community system, 1,000 feet in radius from each community public potable water well, 5-year travel time for municipal and regional wells in the unincorporated area shall be considered the wellfield protection zone. The first 500 foot radius closest to the well shall be a zone of exclusion, where no regulated uses listed in Rule 62-521, F.A.C. will be permitted. Within the secondary zone, the County will restrict new uses that are potential sources of groundwater contamination including: domestic wastewater facilities (septic systems and wastewater treatment facilities), dry cleaning facilities, uses that generate hazardous wastes, industrial wastewater, underground injection wells, petroleum storage tanks, landfills and mining areas. (Added 12/00, Ord. 00-25, Policy 2.1.7-r)

AR2.1.8 Orange County shall continue to monitor the draw down of wellfields of Orange County Utilities in order to prevent adverse impacts to adjacent natural resources. (Added 12/00, Ord. 00-25, Policy 2.1.8)

AR2.1.9 In the interest of protecting potable water wellfields, Orange County shall continue to implement its Small Quantity Generator Notification Program pursuant to Chapter 403, FS, Rule Chapter 62-730 FAC, Rule Chapter 62-731, FAC. The County also shall continue to comply with the State's Wellhead Protection laws in Chapter 62-521, FAC. (Added 12/00, Ord. 00-25, Policy 2.1.9-r)

AR 2.1.10 The County's Water Wells Ordinance will be amended consistent with the State's Wellhead Protection and Delineation Area laws and to assist with implementation of the Source Water Assessment and Protection Program (SWAPP).

GOAL AR3 **Orange County shall develop and maintain a Water Supply Facilities Work Plan (Work Plan) and to coordinate with the St. Johns River Water Management District, the South Florida Water Management District, and other local, regional, state and federal agencies in the implementation of effective traditional and alternative water supply programs, including aquifer recharge projects, and in the implementation of effective linkages between water resource management and growth management in the County. (Goal 3)**

OBJ AR3.1 **Orange County shall develop and maintain a Water Supply Facilities Work Plan for at least a 10-year planning period addressing traditional and alternative water supply sources, facilities, and issues necessary to serve existing and future development within the Orange County Utilities service areas. (Objective 3.1)**

POLICIES

AR3.1.1 The Water Supply Facilities Work Plan shall identify feasible traditional and alternative water supply sources, including aquifer recharge projects, which Orange County may use to meet existing and projected water demands. These alternative aquifer recharge projects will be selected from the applicable Water Management Districts' Regional Water Supply Plans or otherwise proposed by Orange County. (Policy 3.1.1)

AR3.1.2 The Water Supply Facilities Work Plan shall be updated no later than 18 months following adoption of the applicable Water Management Districts' Regional Water Supply Plan updates. (Policy 3.1.2)

OBJ AR3.2 Orange County shall identify, investigate and use any technically, environmentally and economically feasible sources of water and treated wastewater that may be used to recharge the aquifers to help offset the effects of existing and future water demands when updating or maintaining the Work Plan. (Objective 3.2)

POLICIES

AR3.2.1 RESERVED (Refer to ICE 1.6.11)

AR3.2.2 Orange County will seek to maximize the use of existing water and reclaimed water facilities through the implementation of management techniques that can enhance a source of supply, sustain water resources and related natural systems, and optimize water supply yield. Available techniques may include, but are not limited to, conservation, rate increases, reclaimed water reuse, system interconnections, storage and aquifer recharge. (Policy 3.2.2)

AR3.2.3 RESERVED (Refer to ICE1.6.13)

STORMWATER ELEMENT 2020-2-C-CP-4

Background Information

The Stormwater Management Element is considered a required element of the Comprehensive Plan by the State enabling legislation. The purpose of the element is to guide stormwater management in each of the twelve major drainage basins, protect areas from flood damage, and control quantity and quality of stormwater runoff into water bodies and drainage wells.

Stormwater run-off is water that accumulates during and after a rainfall event. Stormwater run-off flows towards the lowest elevations, traveling along the ground surface to surface storage areas, such as lakes, ponds, and depressions. Urbanization alters the natural drainage features and increases the amount of impervious surface.

When urbanization occurs, man-made drainage facilities are used in conjunction with natural drainage features to manage the flow of run-off to avoid flooding.

Another issue of stormwater management is the maintenance of water quality.

Stormwater pollutes water bodies by becoming a non-point source of pollution. The element addressed the need to correct drainage and non-point pollution problems caused by older developments or stormwater control practices.

The 1990 Comprehensive Plan addressed these issues and includes the regulatory framework as Federal, State and local agencies have regulations and programs which address stormwater, existing conditions, drainage basins, an analysis of the level of service, including the current

and proposed level of service for Orange County.

The original element had one goal, six objectives, and forty-two policies.

Past Evaluation and Appraisals

The 2000 Evaluation and Appraisal Update to the Comprehensive Plan made minor changes to the element, including consistency with existing Federal, State, and local regulations. Also, references to the Land Development Code were omitted due to the implementation of the policies through programmatic and planning approaches.

The 2006 Evaluation and Appraisal Report (July 11, 2006) assessed the successes and shortcomings of the Element. The review recommended revising to update agency and statutory references and to updating to reflect the current planning. The report recommended adding a new policy to

The following meetings and hearings have been held for this proposal:

| Report/Public Hearing | Outcome |
|--------------------------------------|---------------------------------|
| ✓ Staff Report | Recommend Transmittal |
| ✓ LPA Transmittal August 20, 2020 | Continued to September 17, 2020 |
| ✓ LPA Transmittal September 17, 2020 | Recommend Transmittal (8-0) |
| ✓ BCC Transmittal October 13, 2020 | Transmit (7-0) |
| ✓ Agency Comments | November 2020 |
| ✓ LPA Adoption December 17, 2020 | Continue to January 21, 2021 |
| ✓ LPA Adoption January 21, 2021 | Recommend Adoption (6-0) |
| BCC Adoption | February 23, 2021 |

follow the Florida Department of Environmental Protection Total Maximum Daily Load program.

The 2009 Comprehensive Plan Update built upon the data contained in the 1990 Plan and included the Wekiva Parkway and Protection Act. As a result of the Act a master stormwater management plan for areas within the Wekiva Study Area must be adopted and includes the information that must be included in the management plan. The element also includes an overview of existing stormwater management conditions, a review of the drainage basins, and analysis the level of service.

Summary of Proposed Changes

Staff from Orange County Environmental Planning Division, Public Works, and Orange County Utilities along with the Planning Division collaborated on the review and proposed amendments to the Stormwater Element policies.

The Stormwater Element contains one goal, six objectives, and fifty-five policies.

Reasons for policy deletion and revision can be found in the attached table that details staff analysis of the objectives and policies of this element.

The following includes a redline copy of the proposed changes. As part of the redline changes there are notes in the column explaining the reason for the proposed change. Following the redline version is a “**clean**” version of the proposed changes, reflecting how the element would read if the changes are adopted.

Stormwater Management Element Goals, Objectives and Policies

GOAL SM1 Orange County shall manage stormwater to prevent flood damage and protect water quality.

OBJ SM1.1 Orange County shall minimize the occurrence of flooding that is a threat to human health or property. This objective shall be made measurable by implementing the following policies.

POLICIES

SM1.1.1 Orange County shall not approve for construction any road, street, or facility proposed to be constructed within a designated flood hazard area, unless mitigation measures, as identified in the applicable regulations, have been installed by the developer to overcome an identified flood hazard. All measures installed by the developer must be certified acceptable by the County prior to project completion. This policy shall be included in the floodplain regulations of the Land Development Code.

SM1.1.2 Orange County shall require stormwater management systems within all development to be designed and installed to provide adequate flood protection for all primary structures and to protect the structural integrity of all roadways. (Added 12/00, Ord. 00-25)

SM1.1.3 Orange County shall require that all new stormwater management systems provide for the safe handling of all stormwater runoff that flows into, across, and is discharged from the site without creating any additional flooding to adjacent property owners. (Added 12/00, Ord. 00-25)

SM1.1.4 Orange County shall have the authority to require the design of stormwater management systems to be compatible with those natural terrain or landscape barriers that protect the site against flooding. (Added 12/00, Ord. 00-25)

SM1.1.5 Orange County shall require that retention/detention areas be designed and located so as to not adversely reduce the existing flood storage of the floodplain. (Added 12/00, Ord. 00-25)

SM1.1.6 Orange County has established the flood elevations for all land-locked lakes within the basins for which stormwater master plans have been completed. Orange County shall continue to ~~make progress in establishing~~ establish and update flood elevations for the remaining area lakes through Federal Emergency Management Agency (FEMA), localized studies and the remaining basin studies. Based upon new information, the County shall revise, as necessary, the minimum building pad elevations and modify existing land development regulations in the Land Development Code. (Added 12/00, Ord. 00-25)

SM1.1.7 Orange County shall investigate reports of flooding in a timely manner. Response times, frequencies, durations and locations shall be noted and reported as requested by ~~annually to~~ the Board of County Commissioners.

Staff recommends revising the policy to "as requested by" because staff does not report to the Board of County Commissioners on an annual basis.

SM1.1.8 Orange County shall acquire, through easements or acquisition, access to major outfall areas for maintenance and inspection. (Added 12/00, Ord. 00-25)

SM1.1.9 Orange County shall continue to participate in the Community Rating System (CRS) and strive to attain maximum discounts for the citizens of Orange County. (Added 12/00, Ord. 00-25)

SM1.1.10 Orange County shall require that all new and retrofit County flood control projects incorporate a water quality treatment component as required by the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit. (Added 6/10, Ord. 10-07)

OBJ SM1.2 Orange County shall improve its ability to manage stormwater so as to minimize the degradation of surface and ground water. ~~This objective shall be made measurable by implementing the following policies.~~ (Amended 12/07, Ord. 2007-20)

POLICIES

- SM1.2.1 Orange County shall maintain and, where needed, improve the design standards, construction, and maintenance requirements of all stormwater retention/detention systems, and ensure compliance with these requirements to prevent degradation of receiving surface water bodies and meet the objectives of the applicable Total Maximum Daily Load (TMDL) Basin Management Action Plan (BMAP). (Amended 6/10, Ord. 10-07)
- SM1.2.2 Orange County shall continue to identify and prioritize the need for designated riverine management plans for systems such as the Wekiva River and Econlockhatchee River systems on an ongoing basis. These should be conducted through interlocal agreements with neighboring counties and collaboration with the appropriate departments and the St. Johns River Water Management District. Related land use planning and programmatic approaches shall be adopted after the management plans are completed. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)
- SM1.2.3 Orange County shall require Best Management Practices (BMPs) to minimize contributions of poor quality stormwater run-off to both groundwater and surface water bodies as part of both construction and operational phases of a project. All projects should be in compliance with both the water management district (WMD) permit as well as NPDES Construction Generic Permit and related Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP). (Amended 6/10, Ord. 10-07)
- SM1.2.4 Orange County shall continue to require that plans for expansion, modification, or replacement of existing development provide some effective form of stormwater treatment, where such stormwater treatment is currently inadequate. As needed, the project shall be in compliance with the Total Maximum Daily Load (TMDL) Basin Management Action Plan (BMAP)~~TMDL BMAP~~. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)

- SM1.2.5 Orange County shall continue to implement a program that monitors the effectiveness of County-maintained stormwater treatment systems to allow identification of possible system deficiencies. At a minimum, this program shall include sampling developed in accordance with Florida Department of Environmental Protection (FDEP) protocol. As part of this program, the possibility of including privately maintained facilities shall be evaluated. If there are deficiencies, Orange County shall develop a plan to improve its enforcement and maintenance procedures. This information shall be noted and included when the Division reports to the Board of County Commissioners, as referenced in Stormwater Management Policy SM1.4.9. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)
- SM1.2.6 Orange County shall continue to require that Stormwater Pollution Prevention Plans (SWPPP) and the associated Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities (NOI) be submitted and approved prior to a pre-construction conference as regulated through the Land Development Code. These plans shall be developed in accordance with the Florida Department of Environmental Protection (FDEP) Generic Permit for Stormwater Discharge from Large and Small Construction Activities (Construction Generic Permit, FDEP Document No. 62-621.300(4)(a)). (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)
- SM1.2.7 Orange County shall continue to actively participate with other involved agencies and municipalities, as necessary, to develop and implement Basin Management Action Plans (BMAPs) BMAPs for those water bodies determined to be in greatest need through the Total Maximum Daily Load (TMDL) process as implemented by Florida Department of Environmental Protection (-FDEP). If stormwater is determined to be a major water quality problem for a lake, planning and design shall be undertaken for corrective measures as part of the master stormwater planning process. The FDEP TMDL BMAPs set the pollution reduction allocations to be accomplished by local, regional and state entities. (~~Drainage wells are currently regulated by FDEP and any changes or modifications must comply with their strict regulations.~~) Amended 6/10, Ord. 10-07)

SM1.2.8 ~~Specific care shall be given to~~ Orange County shall follow the Florida Department of Environmental Protection (FDEP) Total Maximum Daily Load (TMDL) program. This shall include an intra divisional review of the ongoing FDEP activities for listing water bodies. Those listed water bodies shall be targeted for retrofit projects and special stormwater quality enhancement projects. The watersheds of listed water bodies shall receive special stormwater and groundwater protection and enhancement consideration for all development and redevelopment. This shall include strict adherence to existing, environmentally sound land use requirements, as well as an implementation of alternative, proven, and more protective land use requirements, as they become available.

SM1.2.9 Within the Wekiva Study Area, (map 12 WSA 1) new development and substantial redevelopment shall use best management practices (BMPs). At a minimum, use of these BMPs shall maintain surface and groundwater flow rates and volumes at pre-development levels, as defined in the updated Florida Department of Environmental Protection (FDEP) Stormwater Rule. ~~to be implemented in 2010.~~ Water quality treatment shall reduce nutrients and other contaminants in discharges to historical background levels. Post-development peak rate of discharge must not exceed the predevelopment peak rate of discharge. The natural forms and functions of wetlands, surface water features, floodplains and other conveyance systems, as well as groundwater recharge areas shall be maintained. (Added 12/07, Ord. 2007-20; Amended 6/10, Ord. 10-07)

OBJ SM1.3 RESERVED

OBJ SM1.4 Orange County shall identify and correct existing stormwater/drainage facility deficiencies on a priority basis. Public health and safety shall be the foremost priority. This objective shall comply with FDEP TMDL BMAPs as developed and implemented, as well as the County NPDES Permit (#FLS000011), and shall be made measurable by implementing the following policies. (Amended 6/10, Ord. 10-07)

POLICIES

- SM1.4.1 Orange County shall ~~continue to complete a~~ maintain a formal listing that indicates the priority of drainage basin studies within the County, and coordinate ~~any actions that are necessary to~~ with cities to facilitate the completion of master stormwater plans ~~completion by other entities.~~ (Added 12/00, Ord. 00-25)
- SM1.4.2 Orange County shall ~~adopt a stormwater utility ordinance and shall identify other alternative~~ funding sources for drainage improvements, and master stormwater planning to enhance current funding levels on an ongoing basis. These new funding sources including amending and implementing the stormwater utility ordinance shall be used to meet additional drainage demands such as implementing master drainage planning or mitigating threatening drainage wells. (Added 12/00, Ord. 00-25)
- SM1.4.3 Orange County shall complete primary and secondary drainage facility inventories for basins within the County and continue the completion of more detailed inventories through the development of drainage basin stormwater master plans. All data shall be incorporated into the ongoing County-wide GIS stormwater infrastructure mapping project. (Amended 6/10, Ord. 10-07)
- SM1.4.5 RESERVED. ~~Orange County shall update all of the stormwater master plans on an as needed basis, as identified in Stormwater Management Policy SM1.4.1. To make these planning efforts more efficient, the level of detail for a specific basin can be targeted toward the prioritized needs referenced in Stormwater Management Policy SM1.4.7. (Added 12/00, Ord. 00-25; Amended 06/17; Ord. 2017-12)~~

- SM1.4.6 Orange County shall correct or mitigate the stormwater drainage facility deficiencies identified as impacting the public's health and safety. These existing facility deficiencies shall be upgraded based upon adopted levels of service standards appropriate for each basin. Deficiencies shall include flooding, non-compliance with Total Maximum Daily Load (TMDL) Basin Management Action Plans (BMAPs) TMDL-BMAPs or general degradation of surface and groundwater quality. (Amended 6/10, Ord. 10-07)
- SM1.4.7 Orange County shall prioritize and correct the deficiencies identified in the master stormwater plans through the subsequent stormwater sections of the Capital Improvements Program, with consideration given to the following criteria.
- A. The first priority should be given to those deficiencies that threaten health, safety and welfare, ~~including. This policy shall be interpreted to include~~ drainwells identified to be a public threat to the aquifer or public drinking well water supply.
 - B. The second priority should be given to those deficiencies that are identified or required improvement from regulatory requirements such as the TMDL program. (Amended 6/10, Ord. 10-07)
 - C. The third priority should be given to those improvements that represent opportunities to participate on "joint projects" (with other public or private entities), such as Lake Apopka Restoration, that will result in more efficient construction or replacement of stormwater improvements over time. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)
- SM1.4.8 Orange County Stormwater Management Division shall cooperate and consult with the City of Orlando, the NPDES Co-permittees, other municipalities, and adjoining governments for the completion and updates of the identified master stormwater plans and the subsequent improvements to these systems. This cooperation shall include provision of information and technical assistance, participation on joint technical committees, and attendance at appropriate meetings (Amended 6/10, Ord. 10-07)

- | | | |
|----------|--|---|
| SM1.4.9 | RESERVED Orange County's Stormwater Management Division shall, as part of the budget process, continue to report annually to the Board of County Commissioners on prioritizing drainage and water quality concerns. (Amended 6/10, Ord. 10-07) | Staff recommends deleting because this policy is not adhered. |
| SM1.4.10 | Orange County shall amend the comprehensive policy plan, including the stormwater management level of service, to incorporate the pertinent findings, data and analysis, and recommendations of all master drainage studies as they are completed. | |
| SM1.4.11 | Orange County shall cooperate and consult with the St. Johns River Water Management District, the Florida Department of Environmental Protection and adjoining local governments and municipalities for the development and implementation of the Wekiva Study Area regional master stormwater management plan. This may include establishment of a regional stormwater environmental utility to fund needed improvements and projects. The <i>Wekiva Parkway and Protection Act Master Stormwater Management Plan Support Final Report</i> , November 2005, is herein adopted by reference. This master stormwater management plan identifies areas of stormwater management deficiency and contains prioritized projects to correct deficiencies and implement strategies to accommodate long-term needs within the Wekiva Study Area. (Added 12/07, Ord. 2007-20) | |

OBJ SM1.5 Orange County shall manage and coordinate its stormwater review and implementation process to meet future needs and protect the functions of natural drainage features. This objective shall be made measurable by implementing the following policies.

POLICIES

- SM1.5.1 Orange County shall require that nonstructural drainage improvements be used to solve existing drainage problems where it is economically and/or physically possible. Where structural approaches must be used, the County shall ensure that environmental damage is minimized.
- SM1.5.2 Orange County shall continue to ensure that the stormwater management regulations contained in the County Land Development Code protect natural drainage features by requiring ~~compensatory~~ compensating storage, restoration/mitigation of wetlands, nonstructural techniques when feasible, erosion and sediment control, maintenance of natural hydroperiods, and maximization of on-site detention/retention. (Added 12/00, Ord. 00-25)
- SM1.5.3 As part of the development review process, an impact assessment will be required that addresses the effects of new development on existing stormwater management systems. This review process, as defined in the Land Development Code and the Subdivision Regulations, considers how the stormwater management system will operate at build-out. (Added 12/00, Ord. 00-25)
- SM1.5.4 Orange County shall continue to evaluate the effectiveness of current surface water management criteria in the Land Development Code and the Subdivision Regulations, including the applicability and effectiveness of swales, open channels, and culverts.

Staff recommends including reference to the Subdivision Regulation in the policies under this Objective because stormwater pond requirements are also found in the Subdivision Regulations.

SM1.5.5 Orange County shall monitor and update the regulations in the Land Development Code and the Subdivision Regulations to ensure the following criteria are met:

- A. Where economically feasible and physically possible, a nonstructural approach shall be used to meet the County's surface water quantity and quality needs;
- B. In new developments, Orange County shall require a retention/detention system that limits peak discharge of a developed site to the peak discharge from the site in an undeveloped condition for a specified design storm;
- C. Stormwater collected in any development must be disposed of in a manner that will not cause personal or property damage to upstream and/or downstream property owners;
- D. Any segment of a drainage system that is to be dedicated and made a part of the County's drainage system shall be designed to accommodate upstream flows through the system; and,
- E. Each phase of any development shall exist as an independent unit capable of having its surface water management needs met by the drainage system design.

SM1.5.6 Orange County shall continue the acquisition of drainage rights-of-way necessary for the operation and maintenance of the County's drainage system.

SM1.5.7 Orange County shall require that all stormwater management devices constructed and dedicated to the County shall be designed so that they can be maintained at a minimal cost to the taxpayer.

SM1.5.8

Orange County shall maintain a level of service standard for new and existing development, based on the following stormwater quantity and quality criteria:

Staff recommends revising the policy to give the table a title and to reference the table in the policy.

A. Design storm based on 24 hour minimum, as shown in Table SM1.

| Table SM 1 Design storm based on 24 hour minimum | |
|---|---------------------|
| FACILITY | DESIGN STORM |
| Bridges | 50 Year |
| Canals, ditches, or culverts for drainage external to the development | 25 Year |
| Crossdrains, storm sewers | 10 Year |
| Roadside swales for drainage internal to the development | 10 Year |
| Detention basins | 25 Year |
| Retention basins (no positive outfall) | 100 Year |

- B. Pollution abatement shall be accomplished by requiring stormwater management systems to retain or detain with filtration, the first one-half inch of run-off from developed sites, or the run-off generated from the first inch of rainfall on developed sites, whichever is greater.
- C. Orange County shall require a retention/ detention system that limits peak discharge of a developed site to the discharge from the site in an undeveloped condition during a 25 year/24 hour frequency storm event.
- D. Orange County shall require, prior to development approval, that projects receive appropriate permits from State agencies to comply with the rules and regulations for stormwater facility design, performance and discharge.
- E. Discharged stormwater run-off shall not degrade receiving surface water bodies below the minimum conditions as established by State water quality standards (62-302 and 62-40.432, Florida Administrative Code) or the requirements of an approved TMDL BMAP, whichever is more stringent. (Amended 6/10, Ord. 10-07)

- SM1.5.9 Orange County shall provide adequate primary and secondary drainage services to maintain the adopted level of service standards based upon, but not limited to, the following considerations:
- A. Protection and maintenance of the lives and safety of County residents;
 - B. Protection and maintenance of the property of County residents;
 - C. Protection of existing public investment;
 - D. Consideration of pollution abatement and/or compliance with a TMDL BMAP and County NPDES permit;
 - E. Reduction of operating and maintenance costs; and
 - F. Achievement and satisfaction of regional, State, and Federal regulations. (Amended 6/10, Ord. 10-07)

SM1.5.10 ~~RESERVED (Refer to ICE1.11.4) Orange County shall seek, from Federal and State sources, additional opportunities for funding and joint projects to facilitate County wide surface water management programs.~~

Staff recommends deleting. The policy is contained in Intergovernmental Coordination Element Policy ICE1.11.4.

SM1.5.11 ~~RESERVED (Refer to ICE1.11.5) Orange County shall continue to establish and strengthen interlocal agreements with other government agencies that are involved in stormwater management practices that affect Orange County or where the parties are jointly involved in a TMDL BMAP. Data sharing and exchange of drainage information shall continue to be emphasized in the interlocal agreements. As part of this process, Orange County shall encourage municipalities to enact surface water management criteria that are technically consistent with and meet State, regional, and County requirements for new development. Actions by municipalities that affect the Orange County drainage system should likewise be communicated to the County. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)~~

Staff recommends deleting. The policy is contained in Intergovernmental Coordination Element Policy ICE1.11.15.

SM1.5.12

Within the Wekiva Study Area, no stormwater structure or facility shall be located within the specific distances of a karst feature shown below in Table SM2, unless it is determined by a certified professional geologist or professional engineer experienced in geohydrology that the area is safe and that there is no subsurface connection that may cause contamination or damage to the groundwater. No stormwater runoff shall be allowed to drain directly through any sinkhole or other karst feature. All runoff recharging the Floridan Aquifer shall be pre-treated to remove nutrients and other contaminants so that post-development water quality equals predevelopment recharge water quality to the greatest extent feasible, or as required in a Total Maximum Daily Load Basin Management Action Plan (TMDL BMAP). The Land Development Code will be amended by July 1, 2007 to include setbacks and specific performance standards for development within areas of sinkholes, karst features, drainwells, and any other feature with a direct connection to the Floridan Aquifer. (Added 12/07, Ord. 2007-20; Amended 6/10, Ord. 10-07)

Staff recommends revising the policy to give the table a title and to reference the table in the policy.

| Table SM2 | |
|--|---|
| Buffer Requirement from Karst Features | |
| Karst Feature Type | Minimum Buffer in Feet |
| Springs | 300 |
| Spring Runs | 150 |
| Sinkholes with direct connection to the aquifer | 200, as measured from the drainage divide |
| Other sinkholes | 100, as measured from the drainage divide |
| Caves | ½ mile, as measured on the surface from the centerline of the cave system |
| Other karst features with a direct connection to the aquifer (swallet or stream to sink) | 200, as measured from the drainage divide |

- SM1.5.13 Within the Wekiva Study Area, all stormwater management and drainage systems proposed to be constructed in karst sensitive areas, areas with known sinkholes, and areas with shallow depth to limestone bedrock, shall be evaluated for the presence of sinkholes through appropriate geotechnical testing. All proposed Drainage Retention Areas (DRAs) shall be tested for the presence of cavities and voids beneath them. No DRAs or other stormwater facilities, excluding conveyance facilities, shall be located over unfilled voids. The Land Development Code will be amended by July 1, 2007 to include specific performance standards for stormwater facilities within areas of sinkholes, karst features, drainwells, and any other feature with a direct connection to the Floridan Aquifer. Geotechnical testing requirements for the presence and extent of karst features shall be incorporated into subdivision and site development standards. (Added 12/07, Ord. 2007-20)
- SM1.5.14 If there is an existing sinkhole within or adjacent to a development site, or likelihood that a sinkhole may develop in the future, then a detailed geological/geotechnical investigation shall be required. This investigation must be conducted by a professional geologist or engineer experienced in geohydrology and a report submitted to the County for consideration. The geologic investigation shall be comprehensive enough that recommendations for site planning, engineering design and construction techniques may be made. The County shall approve, approve with conditions, or deny development proposals based upon the scale of the development and the hazards revealed within the investigation. (Added 12/07, Ord. 2007-20)
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POLICIES

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SM1.6.6 Orange County will continue to seek ways to expand its efforts in reusing stormwater for irrigation, aquifer recharge, and other non-potable uses. The County will evaluate and establish, as appropriate, a threshold wherein a project that generates sufficient quantities of runoff shall be required to reuse that stormwater. Such thresholds shall be included in the Land Development Code by July 1, 2007, as needed. The County will require all new development and redevelopment to use stormwater for irrigation where feasible. Use of stormwater for irrigation shall be credited towards a project's potable water concurrency requirements. (Added 12/07, Ord. 2007-20)

SM1.6.7 Orange County shall complete an inventory of the primary and secondary drainage systems, and all other components of the County MS4 that are under their jurisdiction and store the information in the County's GIS system. A database will be developed to track maintenance related issues. The database also will be linked to a hydrologic/hydraulic computer model of the area in order to determine floodplain elevations and discharges. (Added 5/09, Ord. 2009-15; Amended 6/10, Ord. 10-07)

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The following pages reflect the Stormwater Element should the proposed changes be adopted.

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Stormwater Management Element Goals, Objectives and Policies

GOAL SM1 Orange County shall manage stormwater to prevent flood damage and protect water quality.

OBJ SM1.1 Orange County shall minimize the occurrence of flooding that is a threat to human health or property. This objective shall be made measurable by implementing the following policies.

POLICIES

SM1.1.1 Orange County shall not approve for construction any road, street, or facility proposed to be constructed within a designated flood hazard area, unless mitigation measures, as identified in the applicable regulations, have been installed by the developer to overcome an identified flood hazard. All measures installed by the developer must be certified acceptable by the County prior to project completion. This policy shall be included in the floodplain regulations of the Land Development Code.

SM1.1.2 Orange County shall require stormwater management systems within all development to be designed and installed to provide adequate flood protection for all primary structures and to protect the structural integrity of all roadways. (Added 12/00, Ord. 00-25)

SM1.1.3 Orange County shall require that all new stormwater management systems provide for the safe handling of all stormwater runoff that flows into, across, and is discharged from the site without creating any additional flooding to adjacent property owners. (Added 12/00, Ord. 00-25)

SM1.1.4 Orange County shall require the design of stormwater management systems to be compatible with those natural terrain or landscape barriers that protect the site against flooding. (Added 12/00, Ord. 00-25)

SM1.1.5 Orange County shall require that retention/detention areas be designed and located so as to not adversely reduce the existing flood storage of the floodplain. (Added 12/00, Ord. 00-25)

SM1.1.6 Orange County has established the flood elevations for all land-locked lakes within the basins for which stormwater master plans have been completed. Orange County shall continue to establish and update flood elevations for the remaining area lakes through Federal Emergency Management Agency (FEMA), localized studies and the remaining basin studies. Based upon new information, the County shall revise, as necessary, the minimum building pad elevations and modify existing land development regulations in the Land Development Code. (Added 12/00, Ord. 00-25)

SM1.1.7 Orange County shall investigate reports of flooding in a timely manner. Response times, frequencies, durations and locations shall be noted and reported as requested by the Board of County Commissioners.

SM1.1.8 Orange County shall acquire, through easements or acquisition, access to major outfall areas for maintenance and inspection. (Added 12/00, Ord. 00-25)

SM1.1.9 Orange County shall continue to participate in the Community Rating System (CRS) and strive to attain maximum discounts for the citizens of Orange County. (Added 12/00, Ord. 00-25)

SM1.1.10 Orange County shall require that all new and retrofit County flood control projects incorporate a water quality treatment component as required by the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit. (Added 6/10, Ord. 10-07)

OBJ SM1.2 Orange County shall improve its ability to manage stormwater so as to minimize the degradation of surface and ground water. (Amended 12/07, Ord. 2007-20)

POLICIES

- SM1.2.1 Orange County shall maintain and, where needed, improve the design standards, construction, and maintenance requirements of all stormwater retention/detention systems, and ensure compliance with these requirements to prevent degradation of receiving surface water bodies and meet the objectives of the applicable Total Maximum Daily Load (TMDL) Basin Management Action Plan (BMAP). (Amended 6/10, Ord. 10-07)
- SM1.2.2 Orange County shall continue to identify and prioritize the need for designated riverine management plans for systems such as the Wekiva River and Econlockhatchee River systems on an ongoing basis. These should be conducted through interlocal agreements with neighboring counties and collaboration with the appropriate departments and the St. Johns River Water Management District. Related land use planning and programmatic approaches shall be adopted after the management plans are completed. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)
- SM1.2.3 Orange County shall require Best Management Practices (BMPs) to minimize contributions of poor quality stormwater run-off to both groundwater and surface water bodies as part of both construction and operational phases of a project. All projects should be in compliance with both the water management district (WMD) permit as well as NPDES Construction Generic Permit and related Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP). (Amended 6/10, Ord. 10-07)
- SM1.2.4 Orange County shall continue to require that plans for expansion, modification, or replacement of existing development provide effective form of stormwater treatment, where such stormwater treatment is currently inadequate. As needed, the project shall be in compliance with the Total Maximum Daily Load (TMDL) Basin Management Action Plan (BMAP). (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)
- SM1.2.5 Orange County shall continue to implement a program that monitors the effectiveness of County-maintained stormwater treatment systems to allow identification of possible system deficiencies. At a minimum, this program shall include sampling developed in accordance with Florida Department of Environmental Protection (FDEP) protocol. As part of this program, the possibility of including privately maintained facilities shall be evaluated. If there are deficiencies, Orange County shall develop a plan to improve its enforcement and maintenance procedures. This information shall be noted and included when the Division reports to the Board of County Commissioners, as referenced in Stormwater Management Policy SM1.4.9. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)
- SM1.2.6 Orange County shall continue to require that Stormwater Pollution Prevention Plans (SWPPP) and the associated Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities (NOI) be submitted and approved prior to a pre-construction conference as regulated through the Land Development Code. These plans shall be developed in accordance with the Florida Department of Environmental Protection (FDEP) Generic Permit for Stormwater Discharge from Large and Small Construction Activities (Construction Generic Permit, FDEP Document No. 62-621.300(4)(a)). (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)

- SM1.2.7 Orange County shall continue to actively participate with other involved agencies and municipalities, as necessary, to develop and implement Basin Management Action Plans (BMAPs) for those water bodies determined to be in greatest need through the Total Maximum Daily Load (TMDL) process as implemented by Florida Department of Environmental Protection (FDEP). If stormwater is determined to be a major water quality problem for a lake, planning and design shall be undertaken for corrective measures as part of the master stormwater planning process. The FDEP TMDL BMAPs set the pollution reduction allocations to be accomplished by local, regional and state entities. Amended 6/10, Ord. 10-07)
- SM1.2.8 Orange County shall follow the Florida Department of Environmental Protection (FDEP) Total Maximum Daily Load (TMDL) program. This shall include an intra divisional review of the ongoing FDEP activities for listing water bodies. Those listed water bodies shall be targeted for retrofit projects and special stormwater quality enhancement projects. The watersheds of listed water bodies shall receive special stormwater and groundwater protection and enhancement consideration for all development and redevelopment. This shall include strict adherence to existing, environmentally sound land use requirements, as well as an implementation of alternative, proven, and more protective land use requirements, as they become available.
- SM1.2.9 Within the Wekiva Study Area, (map 12 WSA 1) new development and substantial redevelopment shall use best management practices (BMPs). At a minimum, use of these BMPs shall maintain surface and groundwater flow rates and volumes at pre-development levels, as defined in the updated Florida Department of Environmental Protection (FDEP) Stormwater Rule. Water quality treatment shall reduce nutrients and other contaminants in discharges to historical background levels. Post-development peak rate of discharge must not exceed the predevelopment peak rate of discharge. The natural forms and functions of wetlands, surface water features, floodplains and other conveyance systems, as well as groundwater recharge areas shall be maintained. (Added 12/07, Ord. 2007-20; Amended 6/10, Ord. 10-07)
- OBJ SM 1.3 RESERVED

OBJ SM1.4 Orange County shall identify and correct existing stormwater/drainage facility deficiencies on a priority basis. Public health and safety shall be the foremost priority. This objective shall comply with FDEP TMDL BMAPs as developed and implemented, as well as the County NPDES Permit (#FLS000011), and shall be made measurable by implementing the following policies. (Amended 6/10, Ord. 10-07)

POLICIES

- SM1.4.1 Orange County shall maintain a formal listing that indicates the priority of drainage basin studies within the County, and coordinate with cities to facilitate the completion of master stormwater plans. (Added 12/00, Ord. 00-25)
- SM1.4.2 Orange County shall identify funding sources for drainage improvements, including amending and implementing the stormwater utility ordinance and master stormwater planning to enhance current funding levels on an ongoing basis. These new funding sources shall be used to meet additional drainage demands such as implementing master drainage planning or mitigating threatening drainage wells. (Added 12/00, Ord. 00-25)
- SM1.4.3 Orange County shall complete primary and secondary drainage facility inventories for basins within the County and continue the completion of more detailed inventories through the development of drainage basin stormwater master plans. All data shall be incorporated into the ongoing County-wide GIS stormwater infrastructure mapping project. (Amended 6/10, Ord. 10-07)
- SM1.4.5 RESERVED. –
- SM1.4.6 Orange County shall correct or mitigate the stormwater drainage facility deficiencies identified as impacting the public's health and safety. These existing facility deficiencies shall be upgraded based upon adopted levels of service standards appropriate for each basin. Deficiencies shall include flooding, non-compliance with Total Maximum Daily Load (TMDL) Basin Management Action Plans (BMAPs) or general degradation of surface and groundwater quality. (Amended 6/10, Ord. 10-07)
- SM1.4.7 Orange County shall prioritize and correct the deficiencies identified in the master stormwater plans through the subsequent stormwater sections of the Capital Improvements Program, with consideration given to the following criteria.
- D. The first priority should be given to those deficiencies that threaten health, safety and welfare, including drainwells identified to be a public threat to the aquifer or public drinking well water supply.
 - E. The second priority should be given to those deficiencies that are identified or required improvement from regulatory requirements such as the TMDL program. (Amended 6/10, Ord. 10-07)
 - F. The third priority should be given to those improvements that represent opportunities to participate on "joint projects" (with other public or private entities), such as Lake Apopka Restoration, that will result in more efficient construction or replacement of stormwater improvements over time. (Added 12/00, Ord. 00-25; Amended 6/10, Ord. 10-07)
- SM1.4.8 Orange County Stormwater Management Division shall cooperate and consult with the City of Orlando, the NPDES Co-permittees, other municipalities, and adjoining governments for the completion and updates of the identified master stormwater plans and the subsequent improvements to these systems. This cooperation shall include provision of information and technical assistance, participation on joint technical committees, and attendance at appropriate meetings (Amended 6/10, Ord. 10-07)
- SM1.4.9 RESERVED

- SM1.4.10 Orange County shall amend the comprehensive policy plan, including the stormwater management level of service, to incorporate the pertinent findings, data and analysis, and recommendations of all master drainage studies as they are completed.
- SM1.4.11 Orange County shall cooperate and consult with the St. Johns River Water Management District, the Florida Department of Environmental Protection and adjoining local governments and municipalities for the development and implementation of the Wekiva Study Area regional master stormwater management plan. This may include establishment of a regional stormwater environmental utility to fund needed improvements and projects. The *Wekiva Parkway and Protection Act Master Stormwater Management Plan Support Final Report*, November 2005, is herein adopted by reference. This master stormwater management plan identifies areas of stormwater management deficiency and contains prioritized projects to correct deficiencies and implement strategies to accommodate long-term needs within the Wekiva Study Area. (Added 12/07, Ord. 2007-20)

OBJ SM1.5 Orange County shall manage and coordinate its stormwater review and implementation process to meet future needs and protect the functions of natural drainage features. This objective shall be made measurable by implementing the following policies.

POLICIES

- SM1.5.1 Orange County shall require that nonstructural drainage improvements be used to solve existing drainage problems where it is economically and/or physically possible. Where structural approaches must be used, the County shall ensure that environmental damage is minimized.
- SM1.5.2 Orange County shall continue to ensure that the stormwater management regulations contained in the County Land Development Code protect natural drainage features by requiring compensating storage, restoration/mitigation of wetlands, nonstructural techniques when feasible, erosion and sediment control, maintenance of natural hydroperiods, and maximization of on-site detention/retention. (Added 12/00, Ord. 00-25)
- SM1.5.3 As part of the development review process, an impact assessment will be required that addresses the effects of new development on existing stormwater management systems. This review process, as defined in the Land Development Code and the Subdivision Regulations, considers how the stormwater management system will operate at build-out. (Added 12/00, Ord. 00-25)
- SM1.5.4 Orange County shall continue to evaluate the effectiveness of current surface water management criteria in the Land Development Code and the Subdivision Regulations, including the applicability and effectiveness of swales, open channels, and culverts.
- SM1.5.5 Orange County shall monitor and update the regulations in the Land Development Code and the Subdivision Regulations to ensure the following criteria are met:
- A. Where economically feasible and physically possible, a nonstructural approach shall be used to meet the County's surface water quantity and quality needs;
 - B. In new developments, Orange County shall require a retention/detention system that limits peak discharge of a developed site to the peak discharge from the site in an undeveloped condition for a specified design storm;
 - C. Stormwater collected in any development must be disposed of in a manner that will not cause personal or property damage to upstream and/or downstream property owners;
 - D. Any segment of a drainage system that is to be dedicated and made a part of the County's drainage system shall be designed to accommodate upstream flows through the system; and,
 - E. Each phase of any development shall exist as an independent unit capable of having its surface water management needs met by the drainage system design.
- SM1.5.6 Orange County shall continue the acquisition of drainage rights-of-way necessary for the operation and maintenance of the County's drainage system.
- SM1.5.7 Orange County shall require that all stormwater management devices constructed and dedicated to the County be designed so that they can be maintained at a minimal cost to the taxpayer.

SM1.5.8

Orange County shall maintain a level of service standard for new and existing development, based on the following stormwater quantity and quality criteria:

- A. Design storm based on 24 hour minimum, as shown in Table SM1.

| Table SM 1 Design storm based on 24 hour minimum | |
|---|---------------------|
| FACILITY | DESIGN STORM |
| Bridges | 50 Year |
| Canals, ditches, or culverts for drainage external to the development | 25 Year |
| Crossdrains, storm sewers | 10 Year |
| Roadside swales for drainage internal to the development | 10 Year |
| Detention basins | 25 Year |
| Retention basins (no positive outfall) | 100 Year |

- B. Pollution abatement shall be accomplished by requiring stormwater management systems to retain or detain with filtration, the first one-half inch of run-off from developed sites, or the run-off generated from the first inch of rainfall on developed sites, whichever is greater.
- C. Orange County shall require a retention/ detention system that limits peak discharge of a developed site to the discharge from the site in an undeveloped condition during a 25 year/24 hour frequency storm event.
- D. Orange County shall require, prior to development approval, that projects receive appropriate permits from State agencies to comply with the rules and regulations for stormwater facility design, performance and discharge.
- E. Discharged stormwater run-off shall not degrade receiving surface water bodies below the minimum conditions as established by State water quality standards (62-302 and 62-40.432, Florida Administrative Code) or the requirements of an approved TMDL BMAP, whichever is more stringent. (Amended 6/10, Ord. 10-07)

SM1.5.9

Orange County shall provide adequate primary and secondary drainage services to maintain the adopted level of service standards based upon, but not limited to, the following considerations:

- A. Protection and maintenance of the lives and safety of County residents;
- B. Protection and maintenance of the property of County residents;
- C. Protection of existing public investment;
- D. Consideration of pollution abatement and/or compliance with a TMDL BMAP and County NPDES permit;
- E. Reduction of operating and maintenance costs; and
- F. Achievement and satisfaction of regional, State, and Federal regulations. (Amended 6/10, Ord. 10-07)

SM1.5.10 RESERVED (Refer to ICE1.11.4)

SM1.5.11 RESERVED (Refer to ICE1.11.5)

SM1.5.12 Within the Wekiva Study Area, no stormwater structure or facility shall be located within the specific distances of a karst feature shown in Table SM2, unless it is determined by a certified professional geologist or professional engineer experienced in geohydrology that the area is safe and that there is no subsurface connection that may cause contamination or damage to the groundwater. No stormwater runoff shall be allowed to drain directly through any sinkhole or other karst feature. All runoff recharging the Floridan Aquifer shall be pre-treated to remove nutrients and other contaminants so that post-development water quality equals predevelopment recharge water quality to the greatest extent feasible, or as required in a Total Maximum Daily Load Basin Management Action Plan (TMDL BMAP). The Land Development Code will be amended by July 1, 2007 to include setbacks and specific performance standards for development within areas of sinkholes, karst features, drainwells, and any other feature with a direct connection to the Floridan Aquifer. (Added 12/07, Ord. 2007-20; Amended 6/10, Ord. 10-07)

| Table SM2 Buffer Requirement from Karst Features | |
|--|---|
| Karst Feature Type | Minimum Buffer in Feet |
| Springs | 300 |
| Spring Runs | 150 |
| Sinkholes with direct connection to the aquifer | 200, as measured from the drainage divide |
| Other sinkholes | 100, as measured from the drainage divide |
| Caves | ½ mile, as measured on the surface from the centerline of the cave system |
| Other karst features with a direct connection to the aquifer (swallet or stream to sink) | 200, as measured from the drainage divide |

SM1.5.13 Within the Wekiva Study Area, all stormwater management and drainage systems proposed to be constructed in karst sensitive areas, areas with known sinkholes, and areas with shallow depth to limestone bedrock, shall be evaluated for the presence of sinkholes through appropriate geotechnical testing. All proposed Drainage Retention Areas (DRAs) shall be tested for the presence of cavities and voids beneath them. No DRAs or other stormwater facilities, excluding conveyance facilities, shall be located over unfilled voids. The Land Development Code will be amended by July 1, 2007 to include specific performance standards for stormwater facilities within areas of sinkholes, karst features, drainwells, and any other feature with a direct connection to the Floridan Aquifer. Geotechnical testing requirements for the presence and extent of karst features shall be incorporated into subdivision and site development standards. (Added 12/07, Ord. 2007-20)

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SOLID WASTE ELEMENT

2020-2-C-CP-4

Background Information

The Solid Waste Element is considered a required element of the comprehensive plan by the State enabling legislation.

The purpose of the Element is to present Orange County's plan for management and disposal of solid and hazardous wastes. The focus is on the County's ability to provide adequate service to the existing and projected population.

The 1990 Comprehensive Plan included an inventory of all refuse disposal facilities operated by Orange County, the amount of solid waste generated within the County; discussion of pertinent regulations and guidelines for the operation of facilities; and an analysis of the County's ability to handle existing and projected service demands of solid and hazardous waste management. The element includes facility descriptions, transfer operations, and past solid waste disposal and future demand. Customer demand is based on population with a typical standard of six pounds per day per person or just over a ton of solid waste per person each year.

A concern at this time was the continued use of landfills for solid waste disposal because acquiring sufficient quantities of land was becoming more expensive. As the County urbanizes, there will be increasing conflicts regarding land uses near and adjacent to landfills. Resource Recovery Systems were being considered as an alternate means of disposal.

In 1990 the County had four facilities:

- The major facility: a 1,500 acre sanitary

landfill, located on Young Pine Road.

- Porter Transfer Station (west Orange County)
- Tangerine Transfer Station (northwest Orange County) This site has been closed.
- McLeod Road Transfer Station (City of Orlando but operated by Orange County)

At the time of the 1990 Plan, the County did not operate a garbage pick-up service. But it was responsible for maintaining full service refuse pick-up throughout unincorporated County. To achieve this requirement Orange County contracts with private haulers for solid waste pick-up at single-family residences.

Past Evaluation and Appraisals

The 2000 Evaluation and Appraisal Update to the 1990 Comprehensive Plan recommended changes to the element.

| The following meetings and hearings have been held for this proposal: | | |
|---|---------------------------------|--|
| Report/Public Hearing | Outcome | |
| ✓ Staff Report | Recommend Transmittal | |
| ✓ LPA Transmittal August 20, 2020 | Continued to September 17, 2020 | |
| ✓ LPA Transmittal September 17, 2020 | Recommend Transmittal (8-0) | |
| ✓ BCC Transmittal October 13, 2020 | Transmit (7-0) | |
| ✓ Agency Comments December 2020 | No Comments | |
| ✓ LPA Adoption December 17, 2020 | Continue to January 21, 2021 | |
| ✓ LPA Adoption January 21, 2021 | Recommend Adoption (6-0) | |
| BCC Adoption | February 23, 2021 | |

Solid Waste Element - Introduction

These changes were mostly making changes to nomenclature. As part of this update, Objective SW1.7, along with policies, was added to the Element.

The 2006 Evaluation and Appraisal Report (July 11, 2006) assessed the successes and shortcoming of the Element. The review did not make any policy recommendations.

The 2009 Comprehensive Plan Update of the Solid Waste Element built upon the data and analysis in the 1990 Plan. The update included information about household and commercial recycling programs, and the household hazardous waste program.

Changes were not made to the Goals, Objectives, or Policies as part of the update.

Updates to the data and analysis section included information about Orange County's household hazardous waste program, that was instituted in 1990 to increase the protection of the health and environment of County citizens. The program collects non-regulated hazardous waste at two facilities, one at 5000 L.B. McLeod Road and the other at 5901 Young Pine Road.

In 1988 the Florida Resource Recovery and Management Act was amended to reduce the amount of solid waste disposed of in landfills through a mandatory recycling program. The legislation stipulated that counties must reduce the quantity of municipal source waste disposed in landfills.

There are seven permitted privately owned landfills in Orange County that are restricted to accepting either Class III solid waste or construction and demolition debris. Orange County is responsible for permitting five of the sites located in unincorporated Orange County and the City of Apopka is responsible for permitting two facilities located within their jurisdiction.

Orange County also offers curbside recycling which began in August 1990 to

single-family homes. Recyclables are collected and taken to the Recovered Materials Processing unit at the County Solid Waste Management Facility.

Residential yard trash collection and composting is offered to area households. A pilot program was initiated in September 1990.

In 1994 the County passed Ordinance 94-18 that mandated all commercial trash generators separate designated recyclable materials and make them available for recycling.

The County offers opportunities for disposal of household hazardous waste and the educational efforts are extensive.

Summary of Proposed Changes

Orange County Utilities Department is responsible for operation of the County's refuse disposal facilities. The Environmental Protection Division is responsible for the permitting of privately operated solid waste management facilities within unincorporated Orange County. Refuse management and transfer operations are conducted at the County solid waste management facility and transfer station sites by the Solid Waste Division of the Utilities Department. The focus of this division is to adequately operate and maintain solid waste management services and facilities, and ensure compliance with permitting requirements.

Reasons for policy deletions and revisions can be found in the attached table that details staff analysis of the objectives and policies of this element.

The staff report includes a redline copy of the proposed changes. As part of the redline changes there are notes in the column explaining the reason for the proposed change. Following the redline version is a "**clean**" version of the proposed changes, reflecting how the element would read if the changes are adopted.

Solid Waste Element Goals, Objectives and Policies

GOAL SW1 Orange County shall provide efficient and environmentally sound end-of-life resource management (e.g., solid waste disposal and recycling service) to accommodate existing and future demand.

Recommend revising to reflect changes in how garbage and disposal is added. Now focused on end of life resource management.

OBJ SW1.1 Orange County shall ~~provide adequate solid waste disposal facilities and capacity to operate and maintain an Integrated Solid Waste Resource Recovery System (System) comprised of transfer stations, landfills, recycling facilities, and other resource recovery facilities to provide adequate end-of-life resource management to accommodate existing and future demands by implementing the following policies.~~

Recommend revising to incorporate Integrated Solid Waste Resource Recovery System as this describes what is offered which is a system incorporates society, environmental, and cost effectiveness of management.

POLICIES

SW1.1.1 Improvements to solid waste facilities shall be identified and prioritized for review with each Solid Waste Division's Capital Improvements Program and each five year Capital Improvements Program. (Added 12/00, Ord. 00-25)

SW1.1.2 ~~The additional acreage for landfill operations shall be designed to maximize the expected life for this the facility and meet solid waste regulations for landfill disposal-Orange County Landfill~~ improvements shall be designed to maximize the expected life for the Class I and Class III Landfills and meet applicable regulations and the necessary environmental standards.

SW1.1.3 Solid waste disposal and transfer station areas shall be acquired at the earliest determination of need to avoid increasing land cost.

SW1.1.4 Future solid waste transfer stations and disposal sites shall be located so they can provide ~~efficient and cost-effective management of waste~~ sustainable, environmentally and economically responsible management of end-of-life materials in accordance with Local, State and Federal regulations.

Recommend substituting sustainability oriented language rather than cost-efficient/effective.

SW1.1.5 A standard of 6.0 pounds/day/person for development shall be the level of service standard used to determine the availability of facility capacity for solid waste services for development in unincorporated Orange County. (Added 12/00, Ord. 00-25)

In 2019 the solid waste system received 6.8 pounds per person per day in unincorporated Orange County.

- | | | |
|----------------------------------|--|--|
| SW1.1.6 | The operation of the Countywide Integrated Solid Waste Management System shall be funded by means of user fees, program oriented State funds and available Federal grants. (Added 12/00, Ord. 00-25) | Propose revising to allow the option of using other system fees. |
| SW1.1.7 | Orange County shall maintain a rate structure that is fair to both consumers and collectors, and that covers the cost of operating, constructing, and maintaining capacity of the Integrated Solid Waste Management system <u>System</u> . (Added 12/00, Ord. 00-25) | |
| SW1.1.8 | Orange County shall monitor the system for residential and commercial solid waste collection to ensure that the most efficient and cost-effective <u>sustainable, environmentally and economically responsible</u> service is being provided to its customers. (Added 12/00, Ord. 00-25) | |
| SW1.1.9 <u>1.2.1</u> | Orange County shall continue to monitor the financial and environmental feasibility of operating a solid waste management system. The system shall be adjusted from time to time in the interest of maintaining the most efficient, cost-effective sustainable, environmentally and economically responsible operation possible. (Added <u>Amended 12/00, Ord. 00-25)</u> | Staff recommends moving the policy from Objective SW1.2 to under Objective SW1.1 |
| SW1.1.10 <u>1.2.2</u> | Orange County shall continue to promote private sector participation in resource recovery systems to the extent feasible. (Added <u>Amended 12/00, Ord. 00-25)</u> | Staff recommends moving the policy from Objective SW1.2 to under Objective SW1.1 |

SW~~1.1.111.1.9~~ Orange County shall maintain full service refuse pick-up throughout unincorporated Orange County, in accordance with Chapter 32 of the Orange County Code. (Added 12/00, Ord. 00-25)

SW~~1.1.121.1.10~~ Orange County shall continue to prohibit jurisdictions located outside of the Orange County's geographic boundary from utilizing the Orange County Landfill (Per Resolution 90-SW-01) in order to preserve capacity for Orange County and avoid higher rates for Orange County residents. Exceptions for extra jurisdictional users must be approved by the Board of County Commissioners and implemented pursuant to interlocal agreement specifying the quantity and duration of such disposal. Municipalities located within the geographic boundaries of Orange County shall retain access to the Orange County Landfill by entering into interlocal agreements with the County. (Added 12/00, Ord. 00-25)

SW~~1.1.131.1.11~~ ~~In order to maximize the use of the Orange County Landfill in a fiscally sound and efficient manner, Orange County shall implement the findings of the Solid Waste Division's Business Plan by 2004. (Added 12/00, Ord. 00-25)~~ In order to maximize the use of the System in a fiscally sound and efficient manner, Orange County shall implement the findings of the Solid Waste Division's most recent Business Plan.

Staff recommends revising the policy, the business plan was implemented and another implemented since the policy was adopted.

SW~~1.1.141.1.12~~ Orange County shall continue to monitor and evaluate the available capacity at the Orange County Landfill for the purpose of meeting ~~our~~ concurrency system management requirements. In order to plan for and to ~~insure~~ ensure adequate capacity for existing and new developments in Orange County, municipalities within Orange County utilizing the Orange County Landfill for the purposes of concurrency and solid waste facility capacity and availability per Chapter 163, Florida Statutes, must enter into interlocal agreements committing appropriate quantities of solid waste to the Orange County Landfill. (Added 12/00, Ord. 00-25)

| SW~~1.1.151.1.13~~ The County shall encourage and support the
| permitting of Class III or Construction and
Demolition recycling facilities or landfills over a
wide geographic area to best serve the public and
support the efforts of the waste management
industry to provide waste management services in
a timely, economically efficient manner and to
preserve capacity at the Orange County Landfill.
(Added 12/00, Ord. 00-25)

OBJ SW1.2 Orange County shall continue to implement alternate means of solid waste management to reduce landfill disposal, and to ban the disposal of yard waste in Orange County's Class I landfill and any other existing or future lined landfills maintained by Orange County. (Added 12/00, Ord. 00-25). (Added Amended 12/00, Ord. 00-25)

Staff recommends revising as Statutory changes no longer require Class I landfills to prohibit yard waste. Also, combining Objective SW1.6 with SW1.2.

POLICIES

SW1.2.1 ~~RESERVED~~ Orange County shall continue to monitor the financial and environmental feasibility of operating a solid waste management system. The system shall be adjusted from time to time in the interest of maintaining the most efficient, cost-effective operation possible. (Added 12/00, Ord. 00-25)

Recommend moving this policy under Objective SW1.1.

SW1.2.2 ~~RESERVED~~ Orange County shall continue to promote private sector participation in resource recovery systems to the extent feasible. (Added 12/00, Ord. 00-25)

Staff recommends moving the policy from Objective SW1.2 to under Objective SW1.1

SW1.2.3 Orange County shall continue to implement solid waste recycling programs for items such as paper, newspapers, plastics, aluminum and metal cans and glass goods. Privately operated landfills shall be required to continue to participate in this effort. (Added 12/00, Ord. 00-25)

SW1.2.4 Orange County shall encourage and assist local governments that dispose of waste in the County landfill, to implement recycling programs.

SW1.2.5 Orange County shall continue to implement and enhance its public awareness and education program to increase and maintain public participation in the County's Resource Recovery Programs. (Added 12/00, Ord. 00-25)

SW1.2.6 ~~RESERVED~~ Orange County shall seek to establish interlocal agreements with the local governments in the County to promote coordinated recycling efforts. (Added 12/00, Ord. 00-25)

Recommend deleting because action has not been taken on this.

SW1.2.7 Orange County shall support the establishment of a wallboard recycling facility and discourage the land filling of wallboard from private and public disposal facilities. (Added 12/00, Ord. 00-25)

SW1.2.81-6-1 The County shall require all municipalities that use the Orange County Landfill for solid waste disposal to separately collect and dispose of their yard trashwaste. (~~Added~~Renumbered 12/00, Ord. 00-25)

SW1.2.91-6-2 The County shall continue to implement a separate disposal and/or composting program for yard trashwaste at approved sites. (~~Added~~Renumbered 12/00, Ord. 00-25)

SW1.2.101-6-3 The County shall require its existing franchise ~~and commercial haulers~~ to separate and deliver yard trashwaste to approved sites. (~~Added~~Renumbered 12/00, Ord. 00-25)

SW1.2.111-6-4 The County shall continue its educational program to increase awareness of the benefits of backyard composting of yard trashwaste. (~~Added~~Renumbered 12/00, Ord. 00-25)

SW1.2.121-6-5 The County's educational program shall continue to use, but is not limited to, public service announcements, mail outs and demonstration projects. (~~Added~~Renumbered 12/00, Ord. 00-25)

Staff recommends combining Policies contained under Objective SW1.6 with Objectives SW1.2 because the objectives are similar.

OBJ SW1.3 Orange County shall improve its intergovernmental coordination efforts for establishing fees, locating transfer stations, and controlling the movement of waste within the County. ~~This objective shall be made measurable by the following policies.~~

POLICIES

- SW1.3.1 Orange County shall continue to encourage municipalities to operate their solid waste collection programs within their incorporated boundaries.
- SW1.3.2 Orange County shall continue to monitor and modify, if necessary, franchise areas to make the County's collection system efficient. (Added 12/00, Ord. 00-25)
- SW1.3.3 Orange County shall enter into interlocal agreements for solid waste disposal with other municipalities in order to maximize the long term capacity and economic efficiency of the Orange County Landfill. The County shall encourage specific commitments to be incorporated in to the interlocal agreements, examples of commitments include but are not limited to tipping rights at the transfer station, guaranteed access to the County's recycling processing facilities and long-term predictable disposal capacity and pricing. (Added 12/00, Ord. 00-25)
- SW1.3.4 The County shall require licensed commercial waste haulers to submit reports of disposal deliveries by tonnage and location source to the Solid Waste Division in a timely manner. (Added 12/00, Ord. 00-25)

OBJ SW1.4 Orange County shall require that landfill activities be operated in an environmentally sound manner for existing and future landfills that are operated and maintained by Orange County. ~~This objective shall be made measurable by the following policies.~~ (Added 12/00, Ord. 00-25)

POLICIES

- SW1.4.1 Orange County shall line all future solid waste disposal cells at the existing and future Class I landfill sites to reduce the potential of leachate seepage pursuant to Chapter 62-701, Florida Administrative Code. (Added 12/00, Ord. 00-25)
- SW1.4.2 Groundwater monitoring wells shall be added to the landfill as expansion of the site occurs. All future Class I and Class III landfills shall have groundwater monitoring wells as required by Chapter 62-701, Florida Administrative Code. Code and the Solid Waste Management Ordinance. (Added 12/00, Ord. 00-25)
- SW1.4.3 Orange County shall continue to operate a leachate collection and disposal system at the Orange County Landfill that is designed to prevent groundwater and surface water contamination consistent with local, State and Federal laws and regulations. All future Class I landfills shall be subject to this policy. (Added 12/00, Ord. 00-25)
- SW1.4.4 In the interest of protecting the environment and economic efficiency, the County shall continue to pursue the expansion of its landfill gas-to-energy system. (Added 12/00, Ord. 00-25)

OBJ SW1.5 Orange County shall continue to require that all existing and future privately owned solid waste management activities be operated in an environmentally sound manner. ~~This objective shall be made measurable by the following policies.~~ (Added 12/00, Ord. 00-25)

POLICIES

SW1.5.1 Orange County shall continue to regulate private solid waste management facilities through the Solid Waste Management Ordinance, as amended, and the Zoning Code, as amended. (Added 12/00, Ord. 00-25)

SW1.5.2 ~~RESERVED As stipulated in the Solid Waste Management Ordinance, Orange County shall continue to require applicants to submit a proposed final use plan for the site.~~ (Added 12/00, Ord. 00-25)

Staff recommends deleting the policy because it is in the Land Development Code, Chapter 32, Article V, Section 32-211-32-244

SW1.5.3 The County shall encourage the use of former privately owned landfill sites to uses that provide benefit to the public whenever possible. Landfill owners shall include the proposed use in the post-closure plan. This policy shall not be construed to mean that the County accepts ownership, management, or liability of the landfill site. (Added 12/00, Ord. 00-25)

SW1.5.4 The County shall review ~~the need to update and~~ adjust the processing fee schedule for private solid waste management facilities. ~~If necessary, the fee schedule shall be adjusted as appropriate.~~ (Added 12/00, Ord. 00-25)

OBJ SW1.6 ~~**RESERVED Orange County shall continue to implement alternate means of solid waste management to ban the disposal of yard trash in the Orange County Landfill and any other existing or future lined landfills maintained by Orange County. (Added 12/00, Ord. 00-25)**~~

Staff recommends combining Objective SW1.6 and the related policies with Objective SW 1.2 because of the similarity of the objectives.

POLICIES

- SW1.6.1 ~~RESERVED The County shall require all municipalities that use the Orange County Landfill for solid waste disposal to separately collect and dispose of their yard trash. (Added 12/00, Ord. 00-25)~~
- SW1.6.2 ~~RESERVED The County shall continue to implement a separate disposal and/or composting program for yard trash at approved sites. (Added 12/00, Ord. 00-25)~~
- SW1.6.3 ~~RESERVED The County shall require its existing franchise and commercial haulers to separate and deliver yard trash to approved sites. (Added 12/00, Ord. 00-25)~~
- SW1.6.4 ~~RESERVED The County shall continue its educational program to increase awareness of the benefits of backyard composting of yard trash. (Added 12/00, Ord. 00-25)~~
- SW1.6.5 ~~RESERVED The County's educational program shall continue to use, but is not limited to, public service announcements, mail-outs and demonstration projects. (Added 12/00, Ord. 00-25)~~

Legislature removed the ban, need gas recovery to place yard waste in a lined landfill. Prefer not to put yard waste in the landfill to save space and it is good practice.

OBJ SW1.7 Orange County shall ensure compatibility of land uses when considering approvals of new or expanding existing landfills. This objective shall be made measurable by the following policies.-(Added 12/00, Ord. 00-25)

POLICIES

- SW1.7.1 All new landfills shall be allowed only in areas with Future Land Use designations of Rural/Agricultural and/or Industrial. ~~This policy is not intended to restrict landfills from locating on parcels within the Urban Service Area boundary.~~ (Added 12/00, Ord. 00-25)
- SW1.7.2 The County shall review its technical standards of solid waste management facilities contained in the Land Development Code from time to time and amend the standards as necessary. (Added 12/00, Ord. 00-25)
- SW1.7.3 New landfills shall be subject to the Solid Waste Management Ordinance, as amended, pertaining to site requirements that are designed to promote compatible uses near landfills. The County shall not support the siting of landfills near existing or proposed residential areas that would be adversely impacted by landfill activities. (Added 12/00, Ord. 00-25)
- SW1.7.4 New developments of urban residential densities shall be subject to the Zoning Code, as amended, and the Solid Waste Management Ordinance, as amended pertaining to site requirements that are designed to promote compatible uses near landfills. The County shall not support the siting of developments at urban residential densities that would be adversely impacted by existing solid waste management activities. (Added 12/00, Ord. 00-25)

Staff recommends revising the policy to delete the last sentence because it is implied that landfills are allowed in the Urban Service Area if they are permitted in areas with the Future Land Use Industrial (I).

GOAL SW2 Orange County shall protect the health, safety, and welfare of the public from the harmful effects of hazardous waste. (Added 12/00, Ord. 00-25)

OBJ SW2.1 Orange County shall ensure the proper management of hazardous wastes. ~~This objective shall be made measurable by the following policies:~~

POLICIES

SW2.1.1 ~~RESERVED. Orange County shall cooperate with all State and Federal authorities in the regulation and disposal of hazardous wastes by establishing or expanding programs at the local level.~~

Staff recommends deleting –this policy is contained in the Intergovernmental Coordination Element, Policy ICE1.12.2.

SW2.1.2 Orange County shall continue to implement the Small Quantity Generator Notification Program and the Local Hazardous Waste Program as required by the State for the monitoring and disposal of hazardous wastes generated by local businesses or other sources.

SW2.1.3 ~~Orange County shall continue to operate a collection and temporary storage facility for household and "conditionally exempt" generated hazardous waste.~~ Orange County shall continue to operate a program to collect, temporarily store, and assure the proper disposal of household generated chemicals, and provide assistance to very small quantity generators so that they may dispose of their hazardous waste properly.

SW2.1.4 Orange County shall support the Department of Environmental Protection’s efforts to identify and improve the handling of hazardous waste from households, ~~by these household hazardous wastes and temporarily storing them prior to disposal/recycling at the designated temporary hazardous waste site at the County Landfill and distributing educational material on the subject.~~

Staff recommends revising Policy to clarify the intent.

SW2.1.5

~~The County will evaluate the hazards posed by new solid waste facilities and expansions or extension requests of existing facilities within the Wekiva Study Area (WSA). The County will study appropriate siting criteria and other issues for solid waste transfer stations, hazardous and toxic materials treatment and disposal sites, and landfills. The County shall adopt regulations, as needed, to limit or exclude such facilities within portions of the WSA by December 31, 2008. (Added 12/07, Ord. 2007-20) The County shall limit or exclude new or expanded solid waste facilities and hazardous waste treatment storage and disposal facilities within the Wekiva Study Area (WSA).~~

The WSA is identified as an area subject to additional protections and concerns with facilities that might impact groundwater/recharge water to the springs. Previous version of the element excluded solid waste facilities from the WSA

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The following pages reflect the Solid Waste Element should the proposed changes be adopted.

Solid Waste Element – Text if Adopted

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Solid Waste Element Goals, Objectives and Policies

GOAL SW1 Orange County shall provide efficient and environmentally sound end-of-life resource management (e.g., solid waste disposal and recycling service) to accommodate existing and future demand.

OBJ SW1.1 Orange County shall operate and maintain an Integrated Solid Waste Resource Recovery System (System) comprised of transfer stations, landfills, recycling facilities, and other resource recovery facilities to provide adequate end-of-life resource management to accommodate existing and future demands by implementing the following policies.

POLICIES

SW1.1.1 Improvements to solid waste facilities shall be identified and prioritized for review with each Solid Waste Division's Capital Improvements Program and each five year Capital Improvements Program. (Amended 12/00, Ord. 00-25)

SW1.1.2 Orange County Landfill improvements shall be designed to maximize the expected life for the Class I and Class III Landfills and meet applicable regulations and environmental standards.

SW1.1.3 Solid waste disposal and transfer station areas shall be acquired at the earliest determination of need to avoid increasing land cost.

SW1.1.4 Future solid waste transfer stations and disposal sites shall be located so they can provide sustainable, environmentally and economically responsible management of end-of-life materials in accordance with Local, State and Federal regulations.

SW1.1.5 A standard of 6.0 pounds/day/person for development shall be the level of service standard used to determine the availability of facility capacity for solid waste services for development in unincorporated Orange County. (Added 12/00, Ord. 00-25)

- SW1.1.6 The operation of the System shall be funded by means of fees, program oriented State funds and available Federal grants. (Added 12/00, Ord. 00-25)
- SW1.1.7 Orange County shall maintain a rate structure that is fair to both consumers and collectors, and that covers the cost of operating, constructing, and maintaining capacity of the System. (Added 12/00, Ord. 00-25)
- SW1.1.8 Orange County shall monitor the system for residential and commercial solid waste collection to ensure that the most sustainable, environmentally and economically responsible service is being provided to its customers. (Added 12/00, Ord. 00-25)
- SW1.1.9 Orange County shall continue to monitor the financial and environmental feasibility of operating a solid waste management system. The system shall be adjusted from time to time in the interest of maintaining the most sustainable, environmentally and economically responsible operation possible. (Added 12/00, Ord. 00-25)
- SW1.1.10 Orange County shall continue to promote private sector participation in resource recovery systems to the extent feasible. (Added Amended 12/00, Ord. 00-25)
- SW1.1.11 Orange County shall maintain full service refuse pick-up throughout unincorporated Orange County, in accordance with Chapter 32 of the Orange County Code. (Added 12/00, Ord. 00-25)
- SW1.1.12 Orange County shall continue to prohibit jurisdictions located outside of the Orange County's geographic boundary from utilizing the Orange County Landfill (Per Resolution 90-SW-01) in order to preserve capacity for Orange County and avoid higher rates for Orange County residents. Exceptions for extra jurisdictional users must be approved by the Board of County Commissioners and implemented pursuant to interlocal agreement specifying the quantity and duration of such disposal. Municipalities located within the geographic boundaries of Orange County shall retain access to the Orange County Landfill by entering into interlocal agreements with the County. (Added 12/00, Ord. 00-25)
- SW1.1.13 In order to maximize the use of the System in a fiscally sound and efficient manner, Orange County shall implement the findings of the Solid Waste Division's most recent Business Plan.
- SW1.1.14 Orange County shall continue to monitor and evaluate the available capacity at the Orange County Landfill for the purpose of meeting concurrency system management requirements. In order to plan for and to ensure adequate capacity for existing and new developments in Orange County, municipalities within Orange County utilizing the Orange County Landfill for the purposes of concurrency and solid waste facility capacity and availability per Chapter 163, Florida Statutes, must enter into interlocal agreements committing appropriate quantities of solid waste to the Orange County Landfill. (Added 12/00, Ord. 00-25)
- SW1.1.15 The County shall encourage and support the permitting of Class III or Construction and Demolition recycling facilities or landfills over a wide geographic area to best serve the public and support the efforts of the waste management industry to provide waste management services in a timely, economically efficient manner and to preserve capacity at the Orange County Landfill. (Added 12/00, Ord. 00-25)

OBJ SW1.2 Orange County shall continue to implement alternate means of solid waste management to reduce landfill disposal, and to ban the disposal of yard waste in Orange County's Class I landfill and any other existing or future lined landfills maintained by Orange County. (Added 12/00, Ord. 00-25)

POLICIES

SW1.2.1 RESERVED

SW1.2.2 RESERVED

SW1.2.3 Orange County shall continue to implement solid waste recycling programs for items such as paper, newspapers, plastics, aluminum and metal cans and glass goods. Privately operated landfills shall be required to continue to participate in this effort. (Added 12/00, Ord. 00-25)

SW1.2.4 Orange County shall encourage and assist local governments that dispose of waste in the County landfill, to implement recycling programs.

SW1.2.5 Orange County shall continue to implement and enhance its public awareness and education program to increase and maintain public participation in the County's Resource Recovery Programs. (Added 12/00, Ord. 00-25)

SW1.2.6 RESERVED

SW1.2.7 Orange County shall support the establishment of a wallboard recycling facility and discourage the land filling of wallboard from private and public disposal facilities. (Added 12/00, Ord. 00-25)

SW1.2.8 The County shall require all municipalities that use the Orange County Landfill for solid waste disposal to separately collect and dispose of their yard waste. (Renumbered 12/00, Ord. 00-25)

SW1.2.9 The County shall continue to implement a separate disposal and/or composting program for yard waste at approved sites. (Renumbered 12/00, Ord. 00-25)

SW1.2.10 The County shall require its existing franchise haulers to separate and deliver yard waste to approved sites. (Renumbered 12/00, Ord. 00-25)

SW1.2.11 The County shall continue its educational program to increase awareness of the benefits of backyard composting of yard waste. (Renumbered 12/00, Ord. 00-25)

SW1.2.12 The County's educational program shall continue to use, but is not limited to, public service announcements, mail outs and demonstration projects. (Renumbered 12/00, Ord. 00-25)

OBJ SW1.3 Orange County shall improve its intergovernmental coordination efforts for establishing fees, locating transfer stations, and controlling the movement of waste within the County.

POLICIES

- SW1.3.1 Orange County shall continue to encourage municipalities to operate their solid waste collection programs within their incorporated boundaries.
- SW1.3.2 Orange County shall continue to monitor and modify, if necessary, franchise areas to make the County's collection system efficient. (Added 12/00, Ord. 00-25)
- SW1.3.3 Orange County shall enter into interlocal agreements for solid waste disposal with other municipalities in order to maximize the long term capacity and economic efficiency of the Orange County Landfill. The County shall encourage specific commitments to be incorporated in to the interlocal agreements, examples of commitments include but are not limited to tipping rights at the transfer station, guaranteed access to the County's recycling processing facilities and long-term predictable disposal capacity and pricing. (Added 12/00, Ord. 00-25)
- SW1.3.4 The County shall require licensed commercial waste haulers to submit reports of disposal deliveries by tonnage and location source to the Solid Waste Division in a timely manner. (Added 12/00, Ord. 00-25)

OBJ SW1.4 Orange County shall require that landfill activities be operated in an environmentally sound manner for existing and future landfills that are operated and maintained by Orange County. (Added 12/00, Ord. 00-25)

POLICIES

SW1.4.1 Orange County shall line all future solid waste disposal cells at the existing and future Class I landfill sites to reduce the potential of leachate seepage pursuant to Chapter 62-701, Florida Administrative Code. (Added 12/00, Ord. 00-25)

SW1.4.2 Groundwater monitoring wells shall be added to the landfill as expansion of the site occurs. All future Class I and Class III landfills shall have groundwater monitoring wells as required by Chapter 62-701, Florida Administrative Code. (Added 12/00, Ord. 00-25)

SW1.4.3 Orange County shall continue to operate a leachate collection and disposal system at the Orange County Landfill that is designed to prevent groundwater and surface water contamination consistent with local, State and Federal laws and regulations. All future Class I landfills shall be subject to this policy. (Added 12/00, Ord. 00-25)

SW1.4.4 In the interest of protecting the environment and economic efficiency, the County shall continue to pursue the expansion of its landfill gas-to-energy system. (Added 12/00, Ord. 00-25)

OBJ SW1.5 Orange County shall continue to require that all existing and future privately owned solid waste management activities be operated in an environmentally sound manner. (Added 12/00, Ord. 00-25)

POLICIES

SW1.5.1 Orange County shall continue to regulate private solid waste management facilities through the Solid Waste Management Ordinance, as amended, and the Zoning Code, as amended. (Added 12/00, Ord. 00-25)

SW1.5.2 RESERVED

SW1.5.3 The County shall encourage the use of former privately owned landfill sites to uses that provide benefit to the public whenever possible. Landfill owners shall include the proposed use in the post-closure plan. This policy shall not be construed to mean that the County accepts ownership, management, or liability of the landfill site. (Added 12/00, Ord. 00-25)

SW1.5.4 The County shall review and adjust the processing fee schedule for private solid waste management facilities.

OBJ SW1.6 RESERVED
POLICIES

- SW1.6.1 RESERVED
- SW1.6.2 RESERVED
- SW1.6.3 RESERVED
- SW1.6.4 RESERVED
- SW1.6.5 RESERVED

OBJ SW1.7 Orange County shall ensure compatibility of land uses when considering approvals of new or expanding existing landfills. (Added 12/00, Ord. 00-25)

POLICIES

- SW1.7.1 All new landfills shall be allowed only in areas with Future Land Use designations of Rural/Agricultural or Industrial. (Added 12/00, Ord. 00-25)
- SW1.7.2 The County shall review its technical standards of solid waste management facilities contained in the Land Development Code from time to time and amend the standards as necessary. (Added 12/00, Ord. 00-25)
- SW1.7.3 New landfills shall be subject to the Solid Waste Management Ordinance, as amended, pertaining to site requirements that are designed to promote compatible uses near landfills. The County shall not support the siting of landfills near existing or proposed residential areas that would be adversely impacted by landfill activities. (Added 12/00, Ord. 00-25)
- SW1.7.4 New developments of urban residential densities shall be subject to the Zoning Code, as amended, and the Solid Waste Management Ordinance, as amended pertaining to site requirements that are designed to promote compatible uses near landfills. The County shall not support the siting of developments at urban residential densities that would be adversely impacted by existing solid waste management activities. (Added 12/00, Ord. 00-25)

GOAL SW2 **Orange County shall protect the health, safety, and welfare of the public from the harmful effects of hazardous waste. (Added 12/00, Ord. 00-25)**

OBJ SW2.1 **Orange County shall ensure the proper management of hazardous wastes.**

POLICIES

SW2.1.1 RESERVED

SW2.1.2 Orange County shall continue to implement the Small Quantity Generator Notification Program and the Local Hazardous Waste Program as required by the State for the monitoring and disposal of hazardous wastes generated by local businesses or other sources.

SW2.1.3 Orange County shall continue to operate a program to collect, temporarily store, and assure the proper disposal of household generated chemicals, and provide assistance to very small quantity generators so that they may dispose of their hazardous waste properly.

SW2.1.4 Orange County shall support the Department of Environmental Protection's efforts to identify and improve the handling of hazardous waste from households.

SW2.1.5 The County shall limit or exclude new or expanded solid waste facilities and hazardous waste treatment storage and disposal facilities within the Wekiva Study Area (WSA).

FIRE RESCUE ELEMENT 2019-2-C-CP-2

Background Information

The Fire Rescue Element is considered an optional element of the comprehensive plan by the State enabling legislation.

The purpose of the Element is to focus on services provided by the Orange County Fire Rescue Department and to facilitate long range planning for adequate fire protection and prevention, public education, emergency medical response, and disaster coordination services.

Beginning with the 1980 Growth Management Plan, which laid the foundation to the 1990 Comprehensive Plan, the County evaluated and planned for fire protection and emergency rescue services as a sub-element in the Community Facilities Element. The Goal of this element was to “Provide adequate County-wide fire protection, emergency rescue service and other related emergency services which cover the health, safety and welfare of Orange County citizens in the most cost-efficient manner.” This sub-element included an overview of the services provided, the number and location of fire/rescue stations along with the equipment available, and information about the interlocal agreements to provide or receive assistance for other jurisdictions.

Past Evaluation and Appraisals

The 2000 Evaluation and Appraisal Update to the 1991 Comprehensive Plan recommended deletion of the Community Facilities and Services Element.

The 2006 Evaluation and Appraisal Report (July 11, 2006) assessed the successes and shortcoming of the Element. The review did not make any policy recommendations. No changes were made to the Fire Rescue Element as part of the 2009 Comprehensive Plan Update. Included in this update was a list of the programs and services provided by Orange County Fire Rescue Department, station and equipment distribution, vehicle replacement criteria, emergency response time, and other roles.

The following meetings and hearings have been held for this proposal:

| Report/Public Hearing | Outcome |
|---|------------------------------|
| ✓ Staff Report | Recommend Transmittal |
| ✓ LPA Transmittal September 19, 2019 | Recommend Transmittal (8-0) |
| ✓ BCC Transmittal October 22, 2019 | Transmit (7-0) |
| ✓ Agency Comments November | No Comments |
| ✓ LPA Adoption December 17, 2020 | Continue to January 21, 2021 |
| ✓ LPA Adoption January 21, 2021 | Recommend Adoption (6-0) |
| BCC Adoption | February 23, 2021 |

Orange County Fire Rescue Accreditation

Orange County Fire Rescue is recognized as an Accredited Fire Agency by the Commission on Fire Accreditation International, one of only 239 agencies accredited through CFAI worldwide. Also, Orange County Fire Rescue recognizes the service standards and requirements of various professional and regulatory agencies including the Insurance Services Office (ISO), and the National Fire Protection Association (NFPA). Orange County Fire Rescue has an ISO rating of 1, which is the highest rating.

Performance standards for Fire Rescue are set as part of the accreditation reviews. The policies included in the Comprehensive Plan reflect these standards and demonstrate an adoption of them by Orange County.

Summary of Proposed Changes

Staff from Orange County Fire Rescue and the Planning Division collaborated on the review and proposed amendments to the Fire Rescue Element policies.

The Fire Rescue Element contains four goals, ten objectives, and thirty-two policies. The majority of the policies are retained, twenty are revised, and one is deleted.

Reasons for policy deletions and revisions can be found in the attached table that details staff analysis of the objectives and policies of this element.

Orange County Fire Rescue Element Goals, Objectives and Policies

This document sets out the recommended standards, goals and objectives deemed to be necessary for the effective and efficient operation of the Orange County Fire Rescue Department. It must be recognized, however, that in isolated cases, there may be deviations, or standards may be waived due to significant operational, financial, policy or other considerations.

GOAL FR1 System Evaluation – Emergency Response. To provide effective fire rescue emergency services within a comprehensive program that is responsive to the needs of residents, visitors and those in communities that we assist.

OBJ FR1.1 Resource Evaluation – Emergency Response. Orange County Fire Rescue shall maintain quality assurance standards and resource evaluation measures for its emergency resources and systems that serve the needs of the community.

POLICIES

FR1.1.1 Orange County Fire Rescue shall ensure that the County is served by trained emergency personnel and shall periodically evaluate personnel and program performance in serving the needs of the community in line with strategic planning and customer service goals as outlined in the Standards of Coverage and Self-Assessment Manual document approved for accreditation through the Center for Public Safety Excellence (CPSE).

Staff recommends revising the policy to reflect the name of the manual from Standards of Coverage and Self-Assessment document to Standards of Cover and Self-Assessment Manual.

FR1.1.2

Orange County Fire Rescue shall periodically review and update fire station locations, staffing needs and equipment deployment plans to ensure efficiency and effectiveness of resources. It shall evaluate resource and deployment strategies based on:

- Periodic review of all elements of the total response time~~reflex times~~
- Quarterly trend analysis and station response patterns
- Periodic evaluation of alarm activity to assess staffing and equipment allocations
- Quarterly review of data as part of the annual budgetary process
- Review of potential and actual growth in alarm activity
- Review and tracking of citizen complaints

Staff recommends revising to reflect a change in language from reflex times to total response time. This change is based on changes to the wording from the Center for Public Safety Excellence.

OBJ FR1.2 Service Standard – Fire Rescue Emergency Response. Orange County Fire Rescue shall maintain service standards set by the Fire Rescue Department and deemed to be necessary for effective emergency response, including the adoption of a formal document that outlines performance criteria for emergency response, called the Standards of Cover and Self-Assessment Manual. This document manual is required as a part of agency accreditation by the Center for Public Safety Excellence.

Staff recommends revising the policy to reflect the adoption of Standards of Cover and Self-Assessment Manual.

POLICIES

FR1.2.1 Orange County Fire Rescue shall maintain an initial emergency Fire Rescue response capability within the County’s Municipal Special Taxing Unit (MSTU) area with a targeted reflex time of eight minutes for 80% of calls in the Urban Response Area, and a targeted reflex time of nine minutes and thirty seconds 75% of the time in the Rural Response Area. On an annual basis the Orange County Fire Rescue Department will conduct an analysis of the each response district’s population density. These response districts are categorized into:

Staff recommends revising to reflect an adopted change in methodology for response times.

- Urban High: More than 3,000 persons per square mile
- Urban Low: 1,201 to 3,000 persons per square mile
- Rural High: 11 to 1,200 persons per square mile
- Rural Low: 10 or fewer persons per square mile

Orange County Fire Rescue shall adopt internal performance standards that will track other aspects of emergency response performance. Performance standards are evaluated periodically and are included in the adopted Standards of Cover document Manual.

FR1.2.2 Orange County Fire Rescue will strive for an initial emergency Fire Rescue response capability within the County's Municipal Special Taxing Unit (MSTU) area so as to meet the following travel time targets for 90% of emergency calls:

- Urban High: 5:00 minutes
- Urban Low: 7:00 minutes
- Rural High: 9:00 minutes
- Rural Low: 13:00 minutes

Staff recommends introducing a new policy to reflect changes based on travel time based on density.

FR1.2.3 Orange County Fire Rescue will strive to have firefighters meet standards established through National Fire Protection Association (NFPA) 1710 for turnout by donning appropriate protective gear, boarding the apparatus, and beginning the response within the following time targets for 90% of emergency incidents, as measured from the time of unit dispatch:

- Fire: 80 seconds
- EMS: 60 seconds

Staff recommends introducing a new policy to reflect new standards.

FR1.2.24

The determination of where to construct new Fire Rescue facilities will be based on, but not limited to, the following:

- adherence to established ~~reflex-total~~ response time standards as determined by a Geographic Information System (GIS) data, and projected ~~reflex-response~~ times from the projected new station location
- adherence to the ~~fire station master plan document~~ Fire Station Location Study and the need to achieve a five mile separation between stations
- minimal County response overlap to ensure workload equalization
- minimal response overlaps between County and various city stations
- consideration of current and future impact(s) of Joint Planning Agreements (JPA)
- consideration of city annexation and general growth patterns
- availability of suitable land/property in area
- projected alarm activity (number of alarms) generated in a geographic area
- opportunities for joint stations
- new development beyond five miles of existing fire stations

Staff recommends revising the policy to reflect changes in the terminology for response time from reflex to total response time. Recommend adding beyond five miles because distance from fire stations affect property insurance rates.

FR1.2.35

The determination of when to construct new Fire Rescue facilities will be based on, but not limited to, all or any combination of the following:

- when a major development is in construction phase and a fire station is planned
- When an analysis of ~~reflex-response~~ time data indicates that the area cannot meet the department's reliability model for the predicted availability of the first due unit
- when stations in adjoining response areas show escalation of alarms and response time and when adding a second response unit to an existing station will not meet the service response need
- when annexation of the area appears unlikely

Staff recommend revising the policy to update reflex time to response time.

FR1.2.46

The determination of when to decommission and close Fire Rescue facilities will be based on, but not limited to, all or any combination of the following:

- Reduction of service area due to annexation or other causes
- ability to contract with another service provider for adequate service delivery (or)
- Reduction in the number of calls and ability to serve the location from other existing OCFRD facilities

FR1.2.57

Orange County Fire Rescue shall provide an initial emergency response to Basic and Advanced Life Support medical calls in the Municipal ~~Special~~ Service Taxing Unit (MSTU) area.

OBJ FR1.3 Interlocal and Mutual Aid Agreements. Orange County Fire Rescue shall develop and maintain service agreements to ensure orderly interaction with neighboring agencies and jurisdictions when assistance is required.

POLICIES

FR1.3.1 Orange County Fire Rescue shall coordinate with adjacent counties and municipalities to create or maintain inter-local agreements for reciprocating service with Fire Rescue agencies and Departments to provide a reduction/avoidance of overlapping service areas, a fire response agreement and a compatible communications system.

FR1.3.2 In the absence of inter-local agreements, Orange County Fire Rescue shall periodically review the issue with neighboring jurisdictions, and, if necessary, take steps to establish or revise fee structures for services that may be provided to or received from jurisdictions or agencies that do not maintain agreements with the County.

OBJ FR1.4 Fire Communications. Orange County Fire Rescue shall maintain standards for emergency dispatch in accordance with appropriate national, state, county and departmental requirements.

POLICIES

- FR1.4.1 Orange County Fire Rescue shall maintain communication equipment and technology determined to be adequate to ensure efficient handling of incoming emergency calls for assistance.
- FR1.4.2 Orange County Fire Rescue shall ensure that the County is served 24 hours a day, seven days a week, by emergency dispatch personnel trained and certified in Emergency Medical Dispatch, including the ability to provide life saving medical instruction by telephone prior to rescue unit arrival.
- FR1.4.3 Orange County Fire Rescue shall maintain the State of Florida Emergency 911 Telephone Number Plan, Appendix 5.0, A 5-2, which requires a sufficient number of personnel to answer 90% of all incoming emergency 911 calls within ten seconds.
- FR1.4.4 Orange County Fire Rescue shall maintain the State of Florida Emergency Medical Services Communications Plan, Section 3.5 requirement for *one* radio operator, or a sufficient number of personnel in the operations room to monitor statewide and regional medical communication channels, and to provide countywide hospital status coordination.
- FR1.4.5 Orange County Fire Rescue shall maintain the National Fire Protection Association's (NFPA) requirements (NFPA 1221 [2-1.8.1.1]) for:
- One additional operator, or a sufficient number of personnel in the operations room, to transmit alarms to responding units within 60 seconds of completed receipt, and,
 - One Supervisor in the Communications Center on each shift.
- FR1.4.6 Orange County Fire Rescue shall maintain the departmental standard for one tactical radio operator for every 20,000 calls for service that are processed annually.

GOAL FR2 **System Evaluation – Non-Emergency Services. To provide non-emergency review and enforcement services through programs aimed at ensuring that the community complies with fire safety requirements and emergency prevention efforts.**

OBJ FR2.1 **Resource Evaluation – Non-Emergency Services. Orange County Fire Rescue shall maintain quality assurance standards and resource evaluation measures for its non-emergency resources and systems that serve the needs of the community.**

POLICY

FR2.1.1 Orange County Fire Rescue shall periodically evaluate personnel and programs that provide non-emergency services to meet community needs in line with strategic planning and customer service goals. It shall evaluate these resources and programs based on:

- Monthly monitoring of performance measures
- Customer surveys
- Benchmarking
- Quarterly review of data
- Review and tracking of citizen complaints

OBJ FR2.2 Service Standard – Non-Emergency Services. Orange County Fire Rescue shall maintain standards set by the Department and deemed to be necessary for effective non-emergency functions.

POLICIES

FR2.2.1 Orange County Fire Rescue shall ensure that its Office of the Fire Marshal Bureau (OFM) conducts mandatory inspections annually and according to standards set by the Department as required, of day care centers, assisted living facilities, group homes for the developmentally disabled, residential treatment facilities, hospitals and nursing homes.

FR2.2.2 Orange County Fire Rescue shall ensure that its Office of the Fire Marshal Bureau (OFM) conducts inspections as follows:

~~Priority 1 Occupancies~~ High Risk Occupancies— annually, or according to departmental standards. (Properties with potential for high loss of life and/or property value, such as including: Charter Schools, Public School Alternative Educational Facilities, Community Colleges, Private Schools, State of Florida Licensed Assisted Living Facilities, Correctional Facilities, Hospitals, State of Florida Licensed Nursing Homes, State of Florida Licensed Day Cares, Residential Child Care Facilities, Adult Family Care Homes, Unlicensed (Exempt) Day Cares, Residential Board and Care, State of Florida Licensed Drug Treatment Centers, State of Florida Licensed Crisis Centers, and State of Florida Licensed Facilities for the Developmentally Disabled;)

~~Priority II, III, IV, V, and VI Occupancies~~ Moderate and Low Risk Occupancies— Specific inspections of these facilities are conducted due to complaints or other specific reasons. Inspections of these occupancies are conducted by the Office of the Fire Marshal according to standards set by the Department, based upon available resources.

FR2.2.3 Orange County Fire Rescue Department shall ensure that ~~submittals for~~ fire plan reviews are completed in a timely manner and according to County adopted performance measures.

Staff recommends revising to reflect a change in language in the CPSE.

Staff recommends revising the policy to clarify it by adding “according to County adopted performance measures.”

FR2.2.4 Orange County Fire Rescue Department shall implement and maintain all federal, state and departmental standards and plans intended to mitigate the impact of wildfire disasters in Orange County.

FR2.2.5 Orange County Fire Rescue Department shall hire, offer in service training, and take steps to maintain the staffing, reserves and efficiency levels needed to provide assistance to citizens ~~affected by fire rescue related emergency situations as related to building services, fire prevention, and fire safety education.~~

Staff recommends revising the policy to reflect current practice.

OBJ FR2.3 Vehicle/Apparatus Replacement Plan. Orange County Fire Rescue Department shall maintain a departmental vehicle/apparatus replacement plan that includes a criteria-based method of replacement to ensure that only safe and dependable emergency response vehicles are kept in service.

Staff recommends revising to update to include the replacement criteria in the policy.

POLICIES

FR2.3.1 Orange County Fire Rescue shall continue to maintain a departmental vehicle/apparatus replacement plan that includes a criteria-based method of replacement to ensure that only safe and dependable emergency response vehicles are kept in service. The replacement criteria includes:

- Mileage,
- Age, and
- Replacement cost.

Staff recommends revising to include the replacement criteria.

GOAL FR3 PUBLIC EDUCATION AND AWARENESS. To promote fire safety and basic health awareness in the community.

OBJ FR3.1 Public Education – Safety Issues. Orange County Fire Rescue shall maintain and promote fire safety education and awareness programs within the community.

POLICIES

FR3.1.1 Orange County Fire Rescue shall develop and promote appropriate and timely fire safety related programs through schools, public facilities and other means aimed at reaching the County's most at-risk population.

OBJ FR3.2 Public Education and Assistance – Basic Health Issues. Orange County Fire Rescue shall maintain and promote basic health awareness programs within the community.

FR3.2.1 Orange County Fire Rescue shall develop and promote basic health safety related programs through schools, public facilities and other means aimed at reaching the County’s school age and adult population and specific at-risk groups.

FR3.2.2 Orange County Fire Rescue shall foster alliances and joint efforts with community agencies and groups that share the same vision of a safe, healthy community.

GOAL FR4 Disaster Preparedness and Coordination. To provide comprehensive emergency management, preparedness and mitigation services to County residents, visitors and those in other communities that we assist.

OBJ FR4.1 Emergency Management. Orange County Fire Rescue's Office of Emergency Management shall maintain all mandatory federal, state and departmental emergency management service standards and plans intended to prepare for, respond to, recover from, and mitigate the impacts of disasters that could adversely affect the health, safety and/or general welfare of the citizens of and visitors to Orange County.

POLICIES

FR4.1.1 The Office of Emergency Management shall take the steps listed below to reduce the vulnerability of people and communities of this County to damage, injury, and loss of life and property resulting from natural, technological or manmade emergencies, catastrophes, or hostile military or paramilitary action.

- Training
- Exercises
- Public Presentations

Staff recommends revising to list the specific steps to reduce the vulnerability of people.

FR4.1.2 The Office of Emergency Management shall prepare for prompt and efficient response and recovery to protect lives and property affected by emergencies through the following:

- Maintaining the state mandated Comprehensive Emergency Plan (CEMP)
- Maintaining and operating the County's Emergency Operations Center (EOC)
- Subject matter experts

Staff recommends revising to include the methods for prompt response.

FR4.1.3 ~~RESERVED. The Office of Emergency Management shall respond to emergencies using all systems, plans and resources necessary to preserve the health, safety and welfare of the citizens of and visitors to Orange County.~~

Staff recommends deleting because it is the purpose of the Office of Emergency Management.

| | | |
|---------|---|--|
| FR4.1.4 | <p>The Office of Emergency Management shall coordinate recovery from emergencies by providing for the rapid and <u>provide for the</u> orderly start of restoration and rehabilitation of persons and property affected by emergencies.</p> | <p>Staff recommends revising the policy for clarity.</p> |
| FR4.1.5 | <p>The Office of Emergency Management shall provide an emergency management system embodying all aspects of pre-emergency preparedness and post emergency response, recovery, and mitigation.</p> | |
| FR4.1.6 | <p>The Office of Emergency Management shall take steps to minimize damage to property, material shortages, and service system disruptions that would have an adverse impact on the residents, the economy, and the wellbeing of the County. <u>These steps include:</u></p> <ul style="list-style-type: none"> • <u>Prevention</u> • <u>Preparedness</u> • <u>Response</u> • <u>Recovery</u> • <u>Mitigation</u> | <p>Staff recommends listing the steps used to minimize damage to property.</p> |
| FR4.1.7 | <p>The Office of Emergency Management shall manage emergency operations within the County by coordinating the use of resources available from municipal governments, private industry, civic and volunteer organizations, and State and Federal agencies.</p> | |

The following pages reflect the Fire Rescue Element should the proposed changes be adopted.

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Orange County Fire Rescue Element Goals, Objectives and Policies

This document sets out the recommended standards, goals and objectives deemed to be necessary for the effective and efficient operation of the Orange County Fire Rescue Department. It must be recognized, however, that in isolated cases, there may be deviations, or standards may be waived due to significant operational, financial, policy or other considerations.

GOAL FR1 System Evaluation – Emergency Response. To provide effective fire rescue emergency services within a comprehensive program that is responsive to the needs of residents, visitors and those in communities that we assist.

OBJ FR1.1 Resource Evaluation – Emergency Response. Orange County Fire Rescue shall maintain quality assurance standards and resource evaluation measures for its emergency resources and systems that serve the needs of the community.

POLICIES

FR1.1.1 Orange County Fire Rescue shall ensure that the County is served by trained emergency personnel and shall periodically evaluate personnel and program performance in serving the needs of the community in line with strategic planning and customer service goals as outlined in the Standards of Cover and Self-Assessment Manual approved for accreditation through the Center for Public Safety Excellence (CPSE).

FR1.1.2 Orange County Fire Rescue shall periodically review and update fire station locations, staffing needs and equipment deployment plans to ensure efficiency and effectiveness of resources. It shall evaluate resource and deployment strategies based on:

- Periodic review of all elements of the total response time
- Quarterly trend analysis and station response patterns
- Periodic evaluation of alarm activity to assess staffing and equipment allocations
- Quarterly review of data as part of the annual budgetary process
- Review of potential and actual growth in alarm activity
- Review and tracking of citizen complaints

Fire Rescue Element – Text if Adopted

OBJ FR1.2 Service Standard – Fire Rescue Emergency Response. Orange County Fire Rescue shall maintain service standards set by the Fire Rescue Department and deemed to be necessary for effective emergency response, including the adoption of the Standards of Cover and Self-Assessment Manual. This manual is required as a part of agency accreditation by the Center for Public Safety Excellence.

POLICIES

FR1.2.1 On an annual basis the Orange County Fire Rescue Department will conduct an analysis of each response district’s population density. These response districts are categorized into:

- Urban High: More than 3,000 persons per square mile
- Urban Low: 1,201 to 3,000 persons per square mile
- Rural High: 11 to 1,200 persons per square mile
- Rural Low: 10 or fewer persons per square mile

Orange County Fire Rescue shall adopt internal performance standards that will track other aspects of emergency response performance. Performance standards are evaluated periodically and are included in the adopted Standards of Cover Manual.

FR1.2.2 Orange County Fire Rescue will strive for an initial emergency Fire Rescue response capability within the County’s Municipal Special Taxing Unit (MSTU) area so as to meet the following travel time targets for 90% of emergency calls:

- Urban High: 5:00 minutes
- Urban Low: 7:00 minutes
- Rural High: 9:00 minutes
- Rural Low: 13:00 minutes

FR1.2.3 Orange County Fire Rescue will strive to have firefighters meet standards established through National Fire Protection Association (NFPA) 1710 for turnout by donning appropriate protective gear, boarding the apparatus, and beginning the response within the following time targets for 90% of emergency incidents, as measured from the time of unit dispatch:

- Fire: 80 seconds
- EMS: 60 seconds

FR1.2.4 The determination of where to construct new Fire Rescue facilities will be based on, but not limited to, the following:

- adherence to established total response time standards as determined by Geographic Information System (GIS) data, and projected response times from the projected new station location
- adherence to the Fire Station Location Study
- minimal County response overlap to ensure workload equalization
- minimal response overlaps between County and various city stations
- consideration of current and future impact(s) of Joint Planning Agreements (JPA)
- consideration of city annexation and general growth patterns
- availability of suitable land/property in area

- projected alarm activity (number of alarms) generated in a geographic area
- opportunities for joint stations
- new development beyond five miles of existing fire stations

- FR1.2.5 The determination of when to construct new Fire Rescue facilities will be based on, but not limited to, all or any combination of the following:
- when a major development is in construction phase and a fire station is planned
 - When an analysis of response time data indicates that the area cannot meet the department's reliability model for the predicted availability of the first due unit
 - when stations in adjoining response areas show escalation of alarms and response time and when adding a second response unit to an existing station will not meet the service response need
 - when annexation of the area appears unlikely

- FR1.2.6 The determination of when to decommission and close Fire Rescue facilities will be based on, but not limited to, all or any combination of the following:
- Reduction of service area due to annexation or other causes
 - ability to contract with another service provider for adequate service delivery (or)
 - Reduction in the number of calls and ability to serve the location from other existing OCFRD facilities

- FR1.2.7 Orange County Fire Rescue shall provide an initial emergency response to Basic and Advanced Life Support medical calls in the Municipal Service Taxing Unit (MSTU) area.

OBJ FR1.3 Interlocal and Mutual Aid Agreements. Orange County Fire Rescue shall develop and maintain service agreements to ensure orderly interaction with neighboring agencies and jurisdictions when assistance is required.

POLICIES

FR1.3.1 Orange County Fire Rescue shall coordinate with adjacent counties and municipalities to create or maintain inter-local agreements for reciprocating service with Fire Rescue agencies and Departments to provide a reduction/avoidance of overlapping service areas, a fire response agreement and a compatible communications system.

FR1.3.2 In the absence of inter-local agreements, Orange County Fire Rescue shall periodically review the issue with neighboring jurisdictions, and, if necessary, take steps to establish or revise fee structures for services that may be provided to or received from jurisdictions or agencies that do not maintain agreements with the County.

OBJ FR1.4 Fire Communications. Orange County Fire Rescue shall maintain standards for emergency dispatch in accordance with appropriate national, state, county and departmental requirements.

POLICIES

- FR1.4.1 Orange County Fire Rescue shall maintain communication equipment and technology determined to be adequate to ensure efficient handling of incoming emergency calls for assistance.
- FR1.4.2 Orange County Fire Rescue shall ensure that the County is served 24 hours a day, seven days a week, by emergency dispatch personnel trained and certified in Emergency Medical Dispatch, including the ability to provide life saving medical instruction by telephone prior to rescue unit arrival.
- FR1.4.3 Orange County Fire Rescue shall maintain the State of Florida Emergency 911 Telephone Number Plan, Appendix 5.0, A 5-2, which requires a sufficient number of personnel to answer 90% of all incoming emergency 911 calls within ten seconds.
- FR1.4.4 Orange County Fire Rescue shall maintain the State of Florida Emergency Medical Services Communications Plan, Section 3.5 requirement for *one* radio operator, or a sufficient number of personnel in the operations room to monitor statewide and regional medical communication channels, and to provide countywide hospital status coordination.
- FR1.4.5 Orange County Fire Rescue shall maintain the National Fire Protection Association's (NFPA) requirements (NFPA 1221 [2-1.8.1.1]) for:
- One additional operator, or a sufficient number of personnel in the operations room, to transmit alarms to responding units within 60 seconds of completed receipt, and,
 - One Supervisor in the Communications Center on each shift.
- FR1.4.6 Orange County Fire Rescue shall maintain the departmental standard for one tactical radio operator for every 20,000 calls for service that are processed annually.

GOAL FR2 System Evaluation – Non-Emergency Services. To provide non-emergency review and enforcement services through programs aimed at ensuring that the community complies with fire safety requirements and emergency prevention efforts.

OBJ FR2.1 Resource Evaluation – Non-Emergency Services. Orange County Fire Rescue shall maintain quality assurance standards and resource evaluation measures for its non-emergency resources and systems that serve the needs of the community.

POLICY

FR2.1.1 Orange County Fire Rescue shall periodically evaluate personnel and programs that provide non-emergency services to meet community needs in line with strategic planning and customer service goals. It shall evaluate these resources and programs based on:

- Monthly monitoring of performance measures
- Customer surveys
- Benchmarking
- Quarterly review of data
- Review and tracking of citizen complaints

OBJ FR2.2 Service Standard – Non-Emergency Services. Orange County Fire Rescue shall maintain standards set by the Department and deemed to be necessary for effective non-emergency functions.

POLICIES

FR2.2.1 Orange County Fire Rescue shall ensure that its Office of the Fire Marshal Bureau (OFM) conducts mandatory inspections annually and according to standards set by the Department as required, of day care centers, assisted living facilities, group homes for the developmentally disabled, residential treatment facilities, hospitals and nursing homes.

FR2.2.2 Orange County Fire Rescue shall ensure that its Office of the Fire Marshal Bureau (OFM) conducts inspections as follows:

High Risk Occupancies– annually, or according to departmental standards. (Properties with potential for high loss of life and/or property value, such as: Charter Schools, Public School Alternative Educational Facilities, Community Colleges, Private Schools, State of Florida Licensed Assisted Living Facilities, Correctional Facilities, Hospitals, State of Florida Licensed Nursing Homes, State of Florida Licensed Day Cares, Residential Child Care Facilities, Adult Family Care Homes, Unlicensed (Exempt) Day Cares, Residential Board and Care, State of Florida Licensed Drug Treatment Centers, State of Florida Licensed Crisis Centers, and State of Florida Licensed Facilities for the Developmentally Disabled)

Moderate and Low Risk Occupancies– Specific inspections of these facilities are conducted due to complaints or other specific reasons. Inspections of these occupancies are conducted by the Office of the Fire Marshal according to standards set by the Department, based upon available resources.

FR2.2.3 Orange County Fire Rescue Department shall ensure that fire plan reviews are completed in a timely manner and according to County adopted performance measures.

FR2.2.4 Orange County Fire Rescue Department shall implement and maintain all federal, state and departmental standards and plans intended to mitigate the impact of wildfire disasters in Orange County.

FR2.2.5 Orange County Fire Rescue Department shall hire, offer in service training, and take steps to maintain the staffing, reserves and efficiency levels needed to provide assistance to citizens as related to building services, fire prevention, and fire safety education.

OBJ FR2.3 Vehicle/Apparatus Replacement Plan. Orange County Fire Rescue Department shall maintain a departmental vehicle/apparatus replacement plan.

POLICIES

FR2.3.1 Orange County Fire Rescue shall continue to maintain a departmental vehicle/apparatus replacement plan that includes a criteria-based method of replacement to ensure that only safe and dependable emergency response vehicles are kept in service. The replacement criteria includes:

- Mileage,
- Age, and
- Replacement cost.

GOAL FR3 PUBLIC EDUCATION AND AWARENESS. To promote fire safety and basic health awareness in the community.

OBJ FR3.1 Public Education – Safety Issues. Orange County Fire Rescue shall maintain and promote fire safety education and awareness programs within the community.

POLICIES

FR3.1.1 Orange County Fire Rescue shall develop and promote appropriate and timely fire safety related programs through schools, public facilities and other means aimed at reaching the County’s most at-risk population.

OBJ FR3.2 Public Education and Assistance – Basic Health Issues. Orange County Fire Rescue shall maintain and promote basic health awareness programs within the community.

FR3.2.1 Orange County Fire Rescue shall develop and promote basic health safety related programs through schools, public facilities and other means aimed at reaching the County’s school age and adult population and specific at-risk groups.

FR3.2.2 Orange County Fire Rescue shall foster alliances and joint efforts with community agencies and groups that share the same vision of a safe, healthy community.

GOAL FR4 Disaster Preparedness and Coordination. To provide comprehensive emergency management, preparedness and mitigation services to County residents, visitors and those in other communities that we assist.

OBJ FR4.1 Emergency Management. Orange County Fire Rescue’s Office of Emergency Management shall maintain all mandatory federal, state and departmental emergency management service standards and plans intended to prepare for, respond to, recover from, and mitigate the impacts of disasters that could adversely affect the health, safety and/or general welfare of the citizens of and visitors to Orange County.

POLICIES

FR4.1.1 The Office of Emergency Management shall take the steps listed below to reduce the vulnerability of people and communities of this County to damage, injury, and loss of life and property resulting from natural, technological or manmade emergencies, catastrophes, or hostile military or paramilitary action.

- Training
- Exercises
- Public Presentations

FR4.1.2 The Office of Emergency Management shall prepare for prompt and efficient response and recovery to protect lives and property affected by emergencies through the following:

- Maintaining the state mandated Comprehensive Emergency Plan (CEMP)
- Maintaining and operating the County’s Emergency Operations Center (EOC)

FR4.1.3 RESERVED

FR4.1.4 The Office of Emergency Management shall coordinate and provide for the orderly start of restoration and rehabilitation of persons and property affected by emergencies.

FR4.1.5 The Office of Emergency Management shall provide an emergency management system embodying all aspects of pre-emergency preparedness and post emergency response, recovery, and mitigation.

FR4.1.6 The Office of Emergency Management shall take steps to minimize damage to property, material shortages, and service system disruptions that would have an adverse impact on the residents, the economy, and the wellbeing of the County. These steps include:

- Prevention
- Preparedness
- Response
- Recovery
- Mitigation

FR4.1.7 The Office of Emergency Management shall manage emergency operations within the County by coordinating the use of resources available from municipal governments, private industry, civic and volunteer organizations, and State and Federal agencies.

PUBLIC SCHOOLS FACILITIES ELEMENT 2020-2-C-CP-5

Background Information

The Public Schools Facilities Element is considered an optional element of the Comprehensive Plan by the State enabling legislation.

The purpose of the Element is to coordinate planning between the Orange County School Board (OCPS) and Orange County. The coordination should facilitate the construction of school facilities concurrent with residential development and concurrent with the availability of service and facilities, and to provide for the joint use of facilities.

Beginning with the 1980 Growth Management Plan, which laid the foundation to the 1990 Comprehensive Plan, the County evaluated and planned for public schools, and the education sub-element was included as part of the Community Facilities Element. The Goal of this element was to “coordinate and plan with the Orange County School Board for the provision of adequate and readily accessible educational sites and the timely construction of school facilities.” This sub-element included an overview of the services provided, issues facing OCPS, facility coordination, and funding sources. Since the 1980 Growth Management Plan, school capacity has been a primary concern between OCPS and Orange County. These are separate governmental agencies and operate independently. Where Orange County approves development which often results in an increase of school age population, OCPS builds the schools.

The Community Facilities Element was

part of the 1990 Comprehensive Plan as an optional element and included an Education sub-element.

Past Evaluation and Appraisals

The 2000 Evaluation and Appraisal Update to the 1991 Comprehensive Plan recommended deletion of the Community Facilities and Services Element.

In 1997, the Orange County Planning Division, in conjunction with Orange County Public Schools, drafted the Public Schools Facilities Element of the Comprehensive Plan. The unprecedented growth of the County since 1950 had presented many positive opportunities and challenges; one was the overcrowding of schools. It is in the report accompanying the element that the staff considered the school-community connection. A review of planning literature found numerous references to the physical connection between school facilities and the

| The following meetings and hearings have been held for this proposal: | | |
|---|------------------------------|--|
| Report/Public Hearing | Outcome | |
| ✓ Staff Report | Recommend Transmittal | |
| ✓ LPA Transmittal September 17, 2020 | Recommend Transmittal (8-0) | |
| ✓ BCC Transmittal October 13, 2020 | Transmit (7-0) | |
| ✓ Agency Comments December 2020 | No Comments | |
| ✓ LPA Adoption December 17, 2020 | Continue to January 21, 2021 | |
| ✓ LPA Adoption January 21, 2021 | Recommend Adoption (6-0) | |
| BCC Adoption | February 23, 2021 | |

community. Many of the Goals, Objectives, and Policies that resulted from this study reflect the school-community connection.

The 2006 Evaluation and Appraisal Report (EAR) (July 11, 2006) found that the County generally met its Public Schools Facilities Element objectives. The majority of the changes related to existing school conditions, the requirements of a new Senate Bill (Senate Bill 360) implementing school concurrency, and the Orange County Charter Amendment requiring joint County and municipal approval of zoning or comprehensive plan amendments affecting overcrowded public schools.

No changes were made to the Public School Facility Element as part of the 2006 EAR Update.

Amendment 2017-2-B-CP-1 introduced amendments to the Public Schools Facilities Element that were adopted by the Board of County Commissioners November 14, 2017. These Amendments reflected a review of Orange County Public Schools School siting criteria that led to an ordinance amending Chapter 38 of the Land Development Code. These changes modified zoning categories where schools are permitted or are a special exception, prohibited new high schools in rural settlements, reduced the minimum acreage required for schools, reflected revised school siting standards, and modified location and site development criteria. The current review of land use, public school, and intergovernmental coordination policies found some redundancies and needed modifications to help effectuate code revision and to be consistent with current siting practices.

Summary of Proposed Changes

Staff from Orange County Public Schools and the Planning Division collaborated on the review and proposed amendments to the Public Schools Facilities Element policies.

The Public Schools Facilities Element contains six goals, sixteen objectives, and one hundred twelve policies.

Reasons for policy deletions and revisions can be found in the attached report that details staff analysis of the objectives and policies of this element.

The following includes a redline copy of the proposed changes. As part of the redline changes there are notes in the column explaining the reason for the proposed change. Following the redline version is a “**clean**” version of the proposed changes, reflecting how the element would read if the changes are adopted.

Public Schools Facilities Element Goals, Objectives and Policies

GOAL PS1 Provide a community of support for the positive development and growth of all children. (Added 10/97, Ord. 97-18)

OBJ PS1.1 ~~Strengthen family and children's services.~~ Support and encourage the involvement of communities, community agencies, businesses, and families in an effective range of programs and activities which support families and children in conjunction with School Board facilities and programs.

Staff recommends revising the objective by rewriting PS1.1.1 as the objective.

POLICIES

PS1.1.1 ~~RESERVED Support and encourage the involvement of communities, community agencies, businesses and families in an effective range of programs and activities which support families and children in conjunction with School Board facilities and programs.~~

Staff recommends replacing OBJ PS1.1 with policy PS1.1.1.

PS1.1.2 Support and encourage community and business partnerships for educational support services, to include, but not be limited to, magnet programs, work training, and job placement.

PS1.1.3 Support and encourage volunteer services to provide children and student services.

PS1.1.4 Continue to coordinate County sponsored family and children services at school facilities.

GOAL PS2 **Make public schools the cornerstones of community planning and design. (See OBJ FLU8.7 for the meaning of the terms “public schools”, “schools”, “public school facilities”, “educational facilities,” and the like.)**
(Amended 11/17, Ord. 17-19)

Staff recommends revising the objective to delete the reference to the definition to instead include it in the glossary.

OBJ PS2.1 **Enhance ~~community communities~~ neighborhood design through the joint use of educational facilities by encouraging the location of parks, recreation, and community facilities, in new and existing communities, in conjunction with school sites.**

Staff recommends revising the objective to include Policy PS2.1.1.

POLICIES

PS2.1.1 ~~RESERVED. Encourage the location of parks, recreation and community facilities in new and existing communities in conjunction with school sites.~~

Staff recommends deleting the policy and combining it with Objective PS2.1

PS2.1.2 Where feasible, Orange County Public Schools (OCPS) and Orange County shall work jointly to co-locate public facilities such as parks, libraries, and community centers with public schools. Where such co-location occurs, both entities shall establish an ongoing management relationship via written agreement that permits the school’s use of the public facilities and the public’s use of school facilities for community meetings and sports activities. OCPS reserves the right to impose reasonable restrictions on interconnectivity to ensure the safety and security of students and school facilities. (Added 06/08, Ord. 8/11)

PS2.1.3 Upon notice from the Orange County School Board that it is considering contracting for a school site, promptly notify the School Board of the County’s interest, if any, in joint acquisition for other public facilities.

PS2.1.4 Coordinate with the Orange County School Board to jointly fund and design new school facilities for joint-use such as community meeting sites, and community-based recreational activities.

PS2.1.5 Encourage the business community and other private organizations to coordinate with ~~the~~ Orange County and the Orange County School Board to jointly fund and design community-based services and facilities (i.e. recreational facilities) in conjunction with existing and proposed school sites.

PS2.1.6 ~~RESERVED. Link schools, parks, libraries and other public facilities with bikeways, trails, and sidewalks.~~

PS2.1.7 Support and encourage community based programs for children's athletics, performing arts, and after-school enrichment in conjunction with school facilities.

Staff recommends deleting this policy and moving it under policy PS2.1.6 under OBJ PS2.2.

OBJ PS2.2 Enhance community/neighborhood design through effective school facility design and siting standards.

POLICIES

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|---------|--|---|
| PS2.2.1 | <p>Work to identify new school sites that will provide logical focal points for community activities, and serve as the cornerstone for innovative urban design standards, <u>and are is compatible with the Future Land Use Map and with land uses surrounding proposed school sites.</u> (Amended 11/17, Ord. 17-19)</p> | <p>Staff recommends revising this policy to include language from PS2.2.8.</p> |
| PS2.2.2 | <p>Provide school sites and facilities within planned neighborhoods, unless precluded by existing development patterns. <u>Orange County shall coordinate with the Orange County School Board to provide school sites and facilities within planned neighborhoods, unless precluded by existing development patterns.</u> (Duplicated in <u>FLU8.7.3</u>)(Added 12/00, Ord. 00-25, Policy 3.2.19.1)</p> | <p>Staff recommends revising the policy. It is duplicated in FLU8.7.3. As per 02/14/18 meeting with Orange County Public Schools keep the policy in both locations.</p> |
| PS2.2.3 | <p><u>Unless otherwise prohibited or precluded by existing development patterns, Orange County shall support and encourage the location of new elementary, K-8, and middle schools, internal to new and existing residential neighborhoods and</u> and <u>the County shall coordinate with the Orange County School Board to identify locations for new high schools on the periphery of residential neighborhoods, where access to major roads is available,</u> unless otherwise prohibited. (Amended 11/17, Ord. 17-19)</p> | <p>Staff recommends revising the policy to include PS2.2.4. Both policies address school siting criteria.</p> |
| PS2.2.4 | <p>RESERVED <u>Coordinate with the School Board to identify the locations for new high schools on the periphery of residential neighborhoods, where access to major roads is available.</u></p> | <p>Staff recommends deleting the policy to include it in PS2.2.3. Both policies address school siting criteria.</p> |
| PS2.2.5 | <p>Support and coordinate with School Board efforts to locate new elementary schools within reasonable walking distance of the dwelling units served by the school.</p> | |
| PS2.2.6 | <p>Include language in the Land Development Code stipulating that the School Board shall not acquire New school sites in residential subdivisions that shall not create remnant parcels not suitable in size, shape and location for the uses depicted on the Future Land Use Map and/or permitted by the existing zoning district designation.</p> | <p>Staff recommends revising the policy because it is adopted into the Code, Section 38-1755.</p> |

PS2.2.7 Support the Orange County School Board in locating appropriate school services, ancillary facilities, and services throughout the county ~~such as administrative offices, night classes and adult education, in alternative locations, such as but not limited to commercial plazas, shopping malls and community centers.~~

Staff recommends revising the policy to remove the list of ancillary facilities and potential locations of services.

PS2.2.8 In an effort to enhance local communities and neighborhoods, Orange County will participate with OCPS in the school siting, design and development process so that the school serves as a focal point for the community and is compatible with the Future Land Use Map and with land uses surrounding proposed school sites. (Added 06/08, Ord. 08-11)

PS2.1.6 Link schools, parks, libraries and other public facilities with bikeways, trails, and sidewalks.

Staff recommends moving the policy from OBJ2.1 to OBJ2.2 because OBJ PS2.2 addresses school siting criteria.

GOAL PS3 ~~Provide safe and secure schools in healthy, well designed neighborhoods.~~

Staff recommends revising the Goal to delete "healthy well designed neighborhoods."

OBJ PS3.1 **Ensure security and safety of children.**

POLICIES

PS3.1.1 ~~RESERVED Continue to utilize the Land Development Code to ensure the compatibility of land uses adjacent to existing schools and reserved school sites, including uses serving an at risk clientele. (Added 6/02, Ord. 02-06)~~

Staff recommends deleting the policy because school siting requirements are listed in the Land Development Code and the Future Land Use Element.

PS3.1.2 Coordinate with the Orange County School Board to ensure that both existing educational facilities and proposed school sites are accessible from and integrated into a planned system of sidewalks, trails, and bikeways. This can be accomplished through the provision of interconnected pedestrian access between neighborhoods to allow direct access to school sites and drop-off locations.

Staff recommends revising the policy to incorporate Policy PS3.1.4.

PS3.1.3 Provide an annual program of improvements to ensure safe pedestrian/bicycle access to schools through the Student Pedestrian Safety Committee.

PS3.1.4 ~~RESERVED Provide interconnected pedestrian access between neighborhoods to allow direct access to school sites and bus drop-off locations.~~

Staff recommends deleting the policy and incorporating it with Policy PS3.1.2.

PS3.1.5 Provide assistance in developing traffic circulation plans to serve schools and the surrounding neighborhoods.

PS3.1.6 In cooperation with the Orange County School Board, develop and adopt design standards for school bus stops and turnarounds in new developments.

PS3.1.7 Turn lanes and signalization shall be provided at school entrances and at other locations near schools, where warranted, to provide safe access to students and the public. Responsibility for construction of school-related signalization and road construction at school entrances shall be the responsibility of Orange County Public Schools (OCPS). (Added 6/08, Ord. 08-11)

PS3.1.8 Program community development improvements in older or distressed neighborhoods near schools.

PS3.1.9 In accordance with Section 1006.23, Florida Statutes, and as funding permits, Orange County shall provide construction of sidewalks along roadways and trails connecting neighborhoods that are within two miles of schools to the school facility. Orange County Public Schools (OCPS) shall be responsible for the construction of sidewalks and trails on school property and shall provide connections to existing and future sidewalks and trails identified by the County. Also refer to T2.5.11.2 (Added 6/08, Ord. 08/11)

PS3.1.10 ~~RESERVED OCPS shall coordinate with Orange County in the construction of new public school facilities and in rehabilitation of existing public school facilities to serve as emergency shelters as required by Section 1013.372, Florida Statutes. (Added 6/08, Ord. 08/11)~~

Staff recommends deleting the policy because it is directed to Orange County Public Schools not to Orange County. This is required by Section 1013.372, Florida Statutes

OBJ PS3.2 Coordinate juvenile justice services with educational needs.

POLICIES

- PS3.2.1 Regularly identify and share information with school officials about juvenile offenders and potential risks to students.
- PS3.2.2 Coordinate with the Orange County School Board and appropriate youth service agencies to provide ongoing educational opportunities for juvenile offenders.
- PS3.2.3 Coordinate with school officials to provide effective programs for at-risk students, such as but not limited to, D.A.R.E.

GOAL PS4 Support Orange County School Board efforts to ensure that adequate capital facilities and technology resources are available to support the educational mission of public schools.

OBJ PS4.1 Support Orange County School Board programs to effectively and efficiently manage existing capital funds and resources.

POLICIES

PS4.1.1 Support Orange County School Board efforts to ensure sufficient capacity for current and future school enrollment by identifying capital needs for each campus, identifying available funding sources for school capital requirements and establishing a financially feasible capital improvements program for schools.

PS4.1.2 Support the Orange County School Board in encouraging the State to allow flexibility in state, local, and private sector participation in capital funding of public school facilities.

PS4.1.3 Consider development incentives (i.e. density bonus, expedited development review, etc.) for residential properties that are located within half (1/2) mile of an existing elementary school that has a school enrollment below 100% of the permanent core capacity, excluding portables, and the residential property is located in the subject school attendance zone. No development incentives shall be granted that would result in the school enrollment over 100% of the permanent capacity.

PS4.1.4 Orange County in consultation with Orange County Public Schools (OCPS) and Orange County Municipalities (Municipalities) shall review and update the school impact fee study at least once every four (4) years. (Added 6/02, Ord. 02-06; amended 6/08, Ord. 08-11)

PS4.1.5 ~~With the School Board, review and recommend amendments, as necessary, to the school impact fee ordinance, consistent with current applicable law.~~ Any amendments to the School Impact Fee Ordinance shall be developed with input from Orange County Public Schools (OCPS).

Staff recommends revising the policy so that it is easier to read and understand.

OBJ PS4.2 Support supplemental and alternative sources for school capital funding.

POLICIES

PS4.2.1 Research and support alternative funding for school capital needs, including, but not limited to, obtaining additional revenue from commercial and industrial development that creates employment and attracts residential growth.

PS4.2.2 Encourage the private sector to identify and implement creative solutions in developing adequate school facilities in residential developments.

PS4.2.3 ~~County programs and capital improvements which are consistent with and which meet the capital needs identified in the Orange County School Board campus planning program(s) will be given scheduling priority. The County will give priority in scheduling its programs and capital improvements which are consistent with and which meet the capital needs identified in the School Board campus planning program(s).~~

Staff recommends revising the policy to provide clarification to its intent.

PS4.2.4 Support the Orange County School Board by giving priority consideration to developments or property owners who provide incentives including, but not limited to, donation of site(s), reservation or sale of school sites at pre-development prices, construction of new facilities or renovations to existing facilities, and providing transportation alternatives.

PS4.2.5 Support legislation to require that ad valorem assessments begin at the time certificate of occupancy is issued.

PS4.2.6 Orange County will coordinate with the Orange County School Board to evaluate alternative funding sources such as, but not limited to analysis and reform of state and local assessment benefit districts, community development districts, additional sales tax, bonds, special service fees, documentary stamps, transfer taxes, and lease-purchase of facilities to fund for school capital needs and will consider support for changes to state legislation to provide for these options, as needed. Additional Alternative school capital funding mechanisms shall be considered on a countywide basis, including all municipalities. (Added 6/08, Ord. 08-11)

- PS4.2.7 Support the Orange County School Board's efforts to allow local governments or the private sector to construct school facilities and/or lease land or facilities to the School Board.
- PS4.2.8 Orange County supports Orange County School Board's evaluation of the use of Public Private Partnerships to finance school construction including but not limited to Real Estate Investment Trusts (REIT). (Added 6/08, Ord. 08-11)
- PS4.2.9 Orange County will support efforts by Orange County Public Schools (OCPS) to formally request additional funding from the State of Florida to meet class size reduction obligations. (Added 6/08, Ord. 08-11)

GOAL PS5 Promote and optimize intergovernmental cooperation for effective operation of the public school system in a multi-jurisdictional environment.

OBJ PS5.1 Maximize opportunities to share information.

POLICIES

PS5.1.1 ~~RESERVED. With the support of the School Board, encourage countywide consistency of local school elements and, as requested, assist municipalities in developing a local school element.~~

Staff recommends deleting the policy as it was accomplished. DEO has authority for this consistency review.

PS5.1.2 Cooperate with the School Board and other local jurisdictions and agencies to address and resolve multi-jurisdictional public school issues.

PS5.1.3 The Board of County Commissioners and the Orange County School Board shall endeavor to meet annually, but shall meet at least once every two years to review and discuss any issues of mutual concern. (Amended 11/17, Ord. 17-19)

PS5.1.4 ~~Orange County shall invite~~ invite an Orange County School Board representative to serve as an ex-officio member on the Orange County Development Review Committee.

PS5.1.5 Orange County shall assign a County representative to serve as an ex-officio member on the School Board Advance Planning Committee. Also, pursuant to Section 163.3174(1), Florida Statutes, Orange County's Local Planning Agency (LPA) shall include a representative of Orange County Public Schools (OCPS) appointed by the School Board as a nonvoting member of the LPA to attend those meetings at which the LPA considers comprehensive plan amendments and rezonings that would, if approved, increase residential density on the property that is the subject of the application. (Amended 11/17, Ord. 17-19)

PS5.1.6 For purposes of coordinating planning efforts, Orange County shall ~~annually initiate the compilation and provision~~ routinely provide to the ~~school board~~ School Board of the data and reports identified below.

Staff recommends revising the policy to remove the annual initiation to routinely provide because this does not occur annually.

- a. A summary and maps of projected build-out populations for all approved development in Orange County in a format reasonably suitable for assisting in development of school population projections and development of long range capital programs for schools and ancillary facilities.

b listing and maps showing all major capital improvements programmed for parks, recreation, pedestrian, and bike trails, libraries, children's services, and related improvements impacting schools or suitable for joint planning and design of improvements.

c. A bikeway/pedestrian plan for student access for each school in the County showing all improvements needed to serve students within two miles of all existing and proposed school sites and a schedule for construction of such projects.

d. For each school facility in the County, a schedule for all public construction impacting the campus. (Added 6/08, Ord. 08-11)

PS5.1.7 ~~Orange County School Board comments shall be sought and considered on comprehensive plan amendments and other land use decisions as provided for in Ch. 235.193(2), FS.~~

PS5.1.8 ~~Enter~~ enter into an agreement with the Orange County School Board for the School Board to annually provide to Orange County a general educational facilities report containing the following information:

a. School Board facilities and leases.

b. Sites owned by the School Board, sites under option, lease or reservation, and sites for which preliminary negotiations have been undertaken.

c. The School Board's approved program for capital improvements.

d. A summary of all five-year joint use programs conducted on school campuses or jointly on schools and adjacent property controlled by other governmental agencies.

e. An identification of educational facility needs and areas in the County which the School Board has identified as potentially suitable for site acquisition to meet those needs.

f. A listing of school properties declared surplus and of school facilities scheduled for replacement or demolition. (Added 6/08, Ord. 08-11)

PS5.1.9 Coordinate neighborhood planning and community development activities with school based faculty, school advisory committees, and neighborhood groups.

PS5.1.10 Pursuant to the adopted *First Amended and Restated Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency*, adopted in 2011, as it may be amended from time to time ("Interlocal Agreement"), a Technical Advisory Committee comprised of representatives from ~~the~~ Orange County, Municipalities, Orange County Public Schools (OCPS) and the East Central Florida Regional Planning Council shall be established to discuss issues of mutual concern. OCPS shall be responsible for arranging meetings, providing notification, and maintaining a written summary of meeting actions. (Added 6/08, Ord. 08-11, amended 11/17, Ord. 17-19)

PS5.1.11 The Technical Advisory Committee shall meet quarterly, or as needed, to discuss issues and formulate recommendations regarding coordination of land use and school facilities. Specific areas addressed by the committee shall include:

- a. Short and long-range planning, population and student projections, and future development trends;
- b. Co-location and joint-use opportunities, and ancillary infrastructure improvements needed to support the school facilities and ensure safe student access to schools;
- c. Planning for needed supporting infrastructure for schools such as utilities, roads, sidewalks, etc.;
- d. The need for new schools to meet the adopted level of service (LOS) within the adopted Concurrency Service Areas (CSAs) and the coordination of annual revisions to the ten (10) year District Capital Outlay Plan (DCOP); and
- e. Update of the District Capital Outlay Plan (DCOP) for inclusion in Orange County's Comprehensive Plan. (Added 6/08, Ord. 08/11)

PS5.1.12 Pursuant to the Interlocal Agreement referenced in Policy PS5.1.10, Orange County shall provide an update of information on approved developments, phases of development and estimated build out by phase to the Orange County Public Schools (OCPS) Planning Department on an as needed basis. (Added 6/08, Ord. 08/11; amended 11/17, Ord. 17-19)

PS5.1.13 Orange County shall review OCPS-generated future enrollment and growth projections on an annual basis and provide input to the OCPS Planning Department. (Added 6/08, Ord. 08/11)

OBJ PS5.2 Clearly identify in the Future Land Use Element and in the Land Development Code the land use categories in which schools shall be an allowable use.

POLICIES

- PS5.2.1 Within the Urban Service Area, public schools shall be allowed as set forth in Policy FLU8.7.5. (Amended 11/17, Ord. 17-19)
- PS5.2.2 Within a Rural Settlement or the Rural Service Area, public schools shall be allowed as set forth in ~~Policy FLU8.7.5, Policy FLU8.7.6 and FLU8.7.7; respectively.~~ (Amended 11/17, Ord. 17-19)
- PS5.2.3 In the event that the Orange County School Board determines a public school facility is required in an area designated Rural/Agricultural on the Future Land Use Map, an amendment to the Future Land Use Map shall be required. The School Board may request an amendment to the Future Land Use Map for a proposed school site at no cost.
- PS5.2.4 All new public school locations shall be subject to the terms and limitations established in the Public School Siting Regulations ordinance developed jointly by Orange County and the School Board, as they may be amended from time to time. (~~amended~~Amended 11/17, Ord. 17-19)
- PS5.2.5 ~~RESERVED. Orange County shall amend the Land Development Regulations to allow schools as permitted uses and special exceptions in appropriate categories, consistent with Future Land Use Policies FLU3.2.21, FLU3.2.21.1, and FLU3.2.21.2.~~
- PS5.2.6 Orange County shall protect existing schools from the intrusion of incompatible land uses through the development review process. (Added 6/08, Ord. 08-11; ~~amended~~Amended 06/17, Ord. 2017-12)
- PS5.2.7 Orange County and Orange County Public Schools (OCPS) shall, throughout the planning period, coordinate the siting of new public schools to ensure to the extent possible public school facilities are located to address the needs of future residential development, are coordinated with necessary services and infrastructure development, provide for safe learning environments, are consistent with the County's adopted Future Land Use Map and with other provisions of the Comprehensive Plan. (Added 6/08, Ord. 08-11)

Staff recommends deleting the policy as it is a reference to outdated Future Land Use Policies.

OBJ PS5.3 Establish expedited school siting processes.

POLICIES

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| PS5.3.1 | The school siting ordinance shall include With the School Board's consent, establish minimum standards and criteria for school sites, procedures for the review and coordination of plans for school sites, and an expedited review process for review and approval of public educational facilities not meeting minimum standards and criteria on otherwise approvable sites, which shall be incorporated into a school siting ordinance. | Staff recommends revising the policy to reflect the adoption of the school siting ordinance. |
| PS5.3.2 | RESERVED. The school siting ordinance shall establish procedures for the review and coordination of plans for school sites. (Added 6/08, Ord. 08/11) | Staff recommends deleting the policy, the school siting ordinance is adopted. |
| PS5.3.3 | RESERVED. For sites not meeting minimum standards and criteria, develop an expedited review process for review and approval of public educational facilities. | Staff recommends deleting the policy, the school siting ordinance is adopted. |
| PS5.3.4 | Orange County shall coordinate the timing of infrastructure improvements to be in place when new school facilities are constructed. | |
| PS5.3.5 | Where central water and sewer service is not available to a public school site, a temporary on-site water and sewer system may be approved consistent with Potable Water Policy PW1.2.8 and Wastewater Policy WW1.2.9, provided that connection to public supply shall be required when utilities are available to the site. Schools located in a Rural Settlement shall also be subject to FLU8.7.8. (amendedAmended 11/17, Ord. 17-19) | |
| PS5.3.6 | Applications for Future Land Use Map amendments, rezonings, <u>variances</u> , conditional use/special exceptions, and site plans for schools shall be given priority status. <u>Orange County Public Schools (OCPS)</u> shall not be required to pay application fees or impact fees for the development of public school facilities, provided, however, OCPS shall not be exempt from payment of capital connection fees for water and wastewater. (Added 6/08, Ord. 08/11) | |

OBJ PS5.4 Ensure effective processes for reserving school sites.

POLICIES

- PS5.4.1 Review and update reservation requirements to insure that school sites are identified prior to changes in urban service ~~lines~~area, land use, zoning, or approval of projects generating new students.
- PS5.4.2 Coordinate with the Orange County School Board to establish procedures and standards for school siting as part of area wide planning studies.
- PS5.4.3 Consider entering into a developer's agreement whereby a portion of property dedicated to the County may be donated or leased to the Orange County School Board to develop public schools facilities.
- PS5.4.4 ~~In concert with OCPS, Orange County shall~~may consider ~~providing~~developing incentives (such as but not limited to, density credits, priority with capital improvement projects and development approval preferences) to developments that donate land (or cash in lieu of land), for new or existing OCPS facilities ~~public school sites~~.
- PS5.4.5 ~~RESERVED. Review standards for school site appraisal and acquisition to insure that school site appraisals are determined on predevelopment prices and that costs are not inflated by the reservation process or by values arising from approvals based on the presumed availability of schools.~~
- PS5.4.6 Before disposing of surplus property, Orange County will offer first right of refusal for surplus County property to the Orange County School Board.
- PS5.4.7 Orange County will ~~§~~support Orange County School Board efforts to identify long-range school site needs and select sites based on the criteria established in this element and in the Public School Siting Ordinance. (Added 6/08, Ord. 08-11)
- PS5.4.8 Coordinate with the Orange County School Board ~~to review and update the school concept plans annually~~ to ensure the identified proposed new school sites are based on the best available growth and development patterns and related data. (Added 6/08, Ord. 08-11)

PS5.4.9 Where the Orange County School Board elects to advance funds to construct off-site road and utility improvements as part of school construction, Orange County shall provide for timely reimbursement of all funds advanced for projects included in ~~the Orange County's~~ Capital Improvement Program or from benefiting private developers if the project was not to be funded by the County. Reimbursement of above-stated funds shall be allowed through individual agreements made between Orange County and the School Board.

PS5.4.10 Orange County shall Give give priority consideration to land use, zoning, and development approvals in areas where school sites adequate to serve potential growth have been donated or set aside for purchase by the School Board at raw land (pre-development approval) prices reflected in written agreements approved by the Orange County School Board.

GOAL PS6 **Orange County shall establish plans, regulations and programs, in conjunction with Orange County Public Schools (OCPS) to facilitate the future availability of public school facilities to serve residents, consistent with the adopted level of service for public schools and with State of Florida concurrency statutes and regulations. (Added 6/08, Ord. 08-11)**

OBJ PS6.1 **Orange County shall coordinate with Orange County Public Schools (OCPS) to implement a Concurrency Management System that ensures adequate classroom capacity to accommodate the impacts of new residential development throughout the planning period. (Added 6/08, Ord. 08-11)**

POLICIES

PS6.1.1 The Concurrency Management System shall include standards and procedures to ensure that new residential development complies with the Level of Service (LOS) standards provided in the Interlocal Agreement between Orange County Public Schools (OCPS), the Municipalities, and the County, and the adopted Capital Improvements Element (CIE). The adopted LOS shall be used to determine the available capacity of Elementary, Middle, and High Schools within the designated Concurrency Service Area (CSA) where the development is proposed. ~~The adopted LOS must be achieved in all CSAs for each school type by end of the five-year period, except for backlogged CSAs that have been included in an adopted Long Term Concurrency Management System for Schools pursuant to CIE Policy CIE1.3-18.~~ (Added 6/08, Ord. 08-11; amended 04/05, Ord. 11-03)

Staff recommends revising, per OCPS the long term concurrency management system is no longer required.

PS6.1.2 The County shall utilize the Orange County Public Schools (OCPS) calculation of school capacity, which is annually determined by OCPS using the Adjusted Florida Inventory of School Houses (FISH) Capacity for each school and Concurrency Service Area (CSA) within the school district. Consistent with the Interlocal Agreement, Adjusted FISH Capacity shall be defined as the number of students who can be served in a permanent public school facility as provided in FISH adjusted to account for the design capacity of Modular or In-Slot Classrooms on the campuses designed as Modular or In-Slot schools, but not to exceed Core Capacity. (Added 6/08, Ord. 08-11)

PS6.1.3

The level of service (LOS) standards, except for backlogged facilities as provided in Capital Improvements Element (CIE) Policy CIE1.3.18, to implement school concurrency shall be calculated as a percentage of the Adjusted Florida Inventory of School Houses (FISH) Capacity as follows: (Added 6/08, Ord. 08-11)

- a. Elementary: 110% of Adjusted FISH using Modified Middle School Attendance Zones as Concurrency Service Areas (CSAs)
- b. Middle: 100% of Adjusted FISH using Middle School Attendance Zones as CSAs
- c. High, including ninth grade centers: 100% of Adjusted FISH using High School Attendance Zones as CSAs (Note: Adjusted permanent FISH for high schools does not include in-slots).

The LOS for OCPS' K-8 schools shall be incorporated in the adopted LOS for elementary and middle school CSAs in the following manner: ~~All grades~~ Grades K-5 of Arbor Ridge K-8 and Windy Ridge K-8 shall be incorporated in the adopted LOS for elementary schools. For ~~Blankner K-8~~ all other K-8 (and any PS-8 schools), grades kindergarten through five shall be included in the adopted LOS for elementary schools and grades six through eight shall be included in the adopted LOS for middle schools. (Added 04/10, Ord. 10-03)

PS6.1.4

Any changes or modifications to the adopted Level of Service (LOS) shall follow the process and guidelines as outlined in the Interlocal Agreement referenced in Policy PS5.1.10. (Added 6/08, Ord. 08-11; amended 11/17, Ord. 17-19)

Staff recommends revising, per OCPS the revision clarifies that elementary grades use elementary LOS; middle grades use middle LOS Staff recommends revising, per OCPS the long-term concurrency management system is no longer required.

- PS6.1.5 Orange County shall support Orange County Public Schools' (OCPS') efforts to initiate any of the following strategies to ensure compliance with adopted level of service (LOS) standard:
- a. Building new schools to relieve over capacity schools in Concurrency Service Areas (CSAs) that exceed the adopted LOS.
 - b. Renovating over capacity schools to add permanent capacity and replace on campus portables,
 - c. Rezoning students from over capacity schools to under capacity schools,
 - d. Moving special programs from over capacity schools to under capacity schools to utilize excess permanent capacity where it exists.

PS6.1.6 Concurrency shall be evaluated and determined within the geographical boundaries of the established Concurrency Service Area (CSA).
(Added 6/08, Ord. 08-11)

PS6.1.7 Any changes or modifications to the adopted school concurrency service areas ("CSAs") shall follow the process and guidelines as outlined in the Interlocal Agreement referenced in Policy PS5.1.10.
(Added 6/08, Ord. 08-11; amended 11/17, Ord. 17-19)

PS6.1.8 The number of elementary, middle, and high school students generated by a residential development, shall be calculated by multiplying the number of dwelling units by the student generation rates by school type as set forth in the current Orange County Public Schools School Impact Fee Study Update Table 12 of the Orange County Public Schools Public Schools Facilities Element Data Inventory and Analysis dated May 2, 2008.
(Added 6/08, Ord. 08-11)

Staff recommends revising the policy, per OCPS the Impact Fee Study updated and reference to it should not include a specific date.

PS6.1.9 The County shall support Orange County Public Schools' (OCPS') efforts to meet adopted level of service (LOS) standards through the adoption of a ten (10) year, financially feasible District Capital Outlay Plan (DCOP). Where the LOS cannot be achieved through the construction of new school capacity as provided in the five (5) year DCOP, the County shall cooperate with OCPS' efforts to adopt a long range ten (10) year DCOP as part of the School District's annual capital planning process.
(Added 06/08, Ord. 08-11)

- PS6.1.10 Where adequate school facilities will be in place or under actual construction within three (3) years after the issuance of final subdivision or site plan approval, or the functional equivalent, the County shall not deny an application for site plan approval, final subdivision approval, or the functional equivalent thereof, for any development or phase of a development that includes residential uses, based solely on failure to achieve and maintain the adopted level of service (LOS) in a Concurrency Service Area CSA. (Added 06/08, Ord. 08-11)
- PS6.1.11 Orange County, in conjunction with Orange County Public Schools (OCPS), shall review the level of service (LOS) standards and Concurrency Service Area (CSA) Boundaries for public schools facilities annually, and any changes to those standards shall be processed as amendments to the County's Public School Facilities Element and Capital Improvements Element. The projected LOS and CSAs shall be included and depicted in the most recent School Concurrency Data Supplement, which serves as supporting data and analysis for the annual update to the Capital Improvements Element. (Added 06/08, Ord. 08-11; amended 04/11, Ord. 11-03)
- PS6.1.12 Orange County will amend its concurrency management system in the Land Development Code to implement school concurrency. (Added 06/08, Ord. 08-11)

OBJ PS6.2 Orange County Public Schools (OCPS), in conjunction with the Orange County, consistent with the Interlocal Agreement referenced in Policy PS5.1.10 shall establish, and annually review, school Concurrency Service Areas (CSAs), which will be used to evaluate capacity of schools available to accommodate students generated by proposed development. (Added 6/08, Ord. 08-11; amended 11/17, Ord. 17-19)

POLICIES

PS6.2.1 Concurrency Service Areas (CSAs) are depicted in the Orange County Public Schools Public School Facilities Element Data, Inventory, and Analysis dated May 2, 2008, as may be amended from time to time. (Added 6/08, Ord. 08-11)

PS6.2.2 Concurrency Service Areas (CSAs) shall be reviewed annually in conjunction with the Orange County Public Schools (OCPS) adoption of an updated ten (10) year District Capital Outlay Plan (DCOP). CSA boundaries may be adjusted to ensure that the utilization of school capacity is maximized to the greatest extent possible, taking into account transportation costs, court approved desegregation plans, and other factors. (Added 6/08, Ord. 08-11)

OBJ PS6.3 **Orange County and Orange County Public Schools (OCPS) shall develop and maintain throughout the planning period a joint process for the implementation of School Concurrency as provided for in the adopted Interlocal Agreement. (Added 6/08, Ord. 08-11)**

POLICIES

PS6.3.1 Orange County shall not approve a developer-initiated Comprehensive Plan amendment or rezoning that would increase residential density on property that is not otherwise vested until such time as Orange County Public Schools (OCPS) has determined whether sufficient capacity will exist concurrent with the development or a capacity enhancement agreement is executed that provides for the needed capacity to accommodate the proposed development. (Added 6/08, Ord. 08-11)

PS 6.3.2 Orange County will determine if a development is vested or exempt from school concurrency. Unless the development is determined to be vested or exempt from concurrency, Orange County shall not approve a site plan, final subdivision plan, or its functional equivalent, until a school concurrency recommendation has been provided by Orange County Public Schools (OCPS) and a school Concurrency Certificate has been issued for the development consistent with the provisions of the adopted Interlocal Agreement. (Added 6/08, Ord. 08-11)

PS6.3.3 School concurrency shall not apply to property within a Development of Regional Impact (DRI) for which a Development Order was issued prior to July 1, 2005, or for which a DRI application was submitted prior to May 1, 2005, unless the developer elects otherwise or unless the developer files a Notice of Proposed Change (NOPC) and/or Substantial Deviation to increase the total number of residential dwelling units. (Added 6/08, Ord. 08-11)

PS6.3.4 For Development of Regional Impacts (DRIs) that include residential development and are submitted after July 1, 2005, the County shall include Orange County Public Schools (OCPS) planning staff on the review team for the DRI, and shall ensure that DRI Development Orders, and DRI Development Order amendments that increase the total number of residential dwelling units, address the issue of school capacity. Where existing school capacity is exceeded, mitigation for school impacts shall be included in any mitigation agreements, Development Orders, and agreements. (Added 6/08, Ord. 08-11)

PS6.3.5 Any proposed residential development that creates an impact of less than one student shall be considered de minimis and therefore exempt from school capacity review. (Added 06/08, Ord. 08-11)

PS6.3.6 Vested rights and exemptions with respect to concurrency and consistency shall be in accordance with applicable law. (Added 06/08, Ord. 08-11)

PS6.3.7 Consistent with the Interlocal Agreement referenced in Policy PS5.1.10, the following residential uses shall be exempt from the requirements of school concurrency:

- a. Any proposed residential development considered de minimis as defined by PSFE Public School Element, Policy PS6.3.5.
- b. One single-family house, one duplex, and/or one accessory dwelling unit being developed on an existing platted residential lot of record.
- c. Any building or structure that has received a building permit as of the effective date of the Interlocal Agreement, or is described in section 163.3167(8), Florida Statutes.
- d. Any new residential development that has site plan approval for a site pursuant to a specific development order approved prior to the effective date of school concurrency, including the portion of any project that has received final subdivision plat approval as a residential subdivision into one dwelling unit per lot.

- e. Any amendment to any previously approved residential development, which does not increase the number of dwelling units or change the type of dwelling units (e.g., converts single-family to multi-family, etc.).
- f. Any age-restricted community that qualifies as one of the three types of communities designed for older persons as "housing for older persons" in the Housing for Older Persons Act, 42 USC §3607(b). This exemption shall be applied in conformity with the principles set forth in *Volusia County v. Aberdeen at Ormond Beach, L.P.*, 760 So. 2d 126 (Fla. 2000). Provided, however, that any senior housing community or dwelling unit that loses its qualification as housing for older persons shall be required to meet applicable school concurrency requirements in effect at the time the qualification as housing for older persons is lost.
- g. Alterations or expansion of an existing dwelling unit where no additional dwelling units are created.
- h. The construction of accessory buildings or structures which will not create additional dwelling units.
- i. The replacement of a dwelling unit where no additional dwelling units are created and where the replacement dwelling unit is located on the same lot. If the type of dwelling unit is different from the original dwelling unit type, the exemption shall be limited to an exemption based on the current student generation rate for the original dwelling unit type, documentation of the existence of the original dwelling unit must be submitted to the concurrency management official.

- j. School concurrency shall not apply to property within a Development of Regional Impact (DRI) for which a Development Order was issued prior to July 1, 2005, or for which a DRI application was submitted prior to May 1, 2005, unless the developer elects otherwise or unless the developer files a Notice of Proposed Change (NOPC) and/or Substantial Deviation to increase the total number of residential dwelling units; however, such exemption shall expire upon withdrawal, denial, or expiration of the application for a Development Order. If such Development of Regional Impact has been approved, or is approved, through a development order, such exemption shall expire for any phase of the Development Order upon expiration of the Development Order build-out date for such phase, or for the entire Development Order upon expiration of the Development Order, or upon any material default of the school mitigation conditions of the Development Order or a related development agreement, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.
- k. The portion of any residential development that, prior to July 1, 2005, is the subject of a binding and enforceable development agreement or Capacity Enhancement Agreement designated as a Capacity Commitment Agreement by resolution of the School Board; however, such exemption shall expire upon expiration of the development agreement, Capacity Enhancement Agreement, or upon any material default of the school impact mitigation conditions of such development agreement or Capacity Enhancement Agreement, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.
- l. Any residential development with a letter vesting it for purposes of complying with school concurrency, or which would be vested at common law for purposes of such concurrency requirement implemented by this the Interlocal Agreement, provided that the School Board may contest a vested rights determination as provided in the land development regulations.

- m. Group living facilities that do not generate students and including residential facilities such as local jails, prisons, hospitals, bed and breakfast, motels and hotels, temporary emergency shelters for the homeless, adult halfway houses, firehouse sleeping quarters, dormitory-type facilities for post-secondary students, and religious non-youth facilities, regardless of whether such facilities may be classified as residential uses. (Added 06/08, Ord. 08-11; amended 11/17, Ord. 17-19)

OBJ PS6.4 Upon completion of an Orange County Public Schools (OCPS) Concurrency Review, a development that fails to meet level of service (LOS) requirements as set forth in policies PS6.4.1, PS6.4.2, PS6.4.3, and PS6.4.4 may be postponed until adequate public school capacity is created. (Added 6/08, Ord. 08-11)

POLICIES

PS6.4.1 A development shall be deemed to meet concurrency if there is available capacity in the Concurrency Service Area (CSA) where the development is located or where available capacity exists in one or more contiguous CSAs, so long as the level of service (LOS) in the adjacent zone does not exceed 95% of the LOS and the School District does not exceed 100% of capacity on a district-wide basis for the school type. The evaluation of capacity in the adjacent CSAs will also take into account transportation costs and court-ordered desegregation plans. (Added 6/08, Ord. 08-11)

PS6.4.2 Proportionate share, when used for mitigation, shall be calculated based on the number of elementary, middle, and high school students generated by the development at build out. As provided for in the adopted Interlocal Agreement, proportionate share shall be calculated based on reasonable methods of estimating cost of school construction, including, but not limited to, the cost of land, equipment, and school buses. Any Proportionate Share Mitigation must be directed by Orange County Public Schools (OCPS) to a school capacity improvement identified in the capital improvement schedule in the financially feasible five (5) year district work plan of the District Facilities Work Program, and in the Capital Improvements Element in the Comprehensive Plan of the County and the Orange County Municipalities to maintain financial feasibility based upon the adopted level of service (LOS) standards. If a school capacity improvement does not exist in the District Facilities Work Program, OCPS may, in its sole discretion, add a school capacity improvement to mitigate the impacts from a proposed residential development, so long as the financial feasibility of the District Facilities Work Program can be maintained and so long as the County agrees to amend its Capital Improvements Element to include the new school capacity improvement. (Added 06/08, Ord. 08-11)

PS6.4.3 Proportionate Share Mitigation may include payments of money, construction of schools, donations of land, expansion of permanent capacity of existing school campuses, payment of funds necessary to advance schools contained in the ten (10) year District Capital Outlay Plan (DCOP), establishment of charter schools that meet State Requirements for Educational Facilities (SREF) standards, payments into mitigation banks, establishment of an Educational Facilities Benefit District, Community Development District, or other methods identified in the Interlocal Agreement referenced in Policy PS5.1.10 and as may be negotiated between developer and Orange County Public Schools (OCPS) and, as appropriate, Orange County. (Added 06/08, Ord. 08-11; amended 11/17, Ord. 17-19)

PS6.4.4 Any of the Proportionate Share options set forth in Policy PS6.4.3 that are utilized by developers as mitigation are eligible for school impact fee credits as provided by Florida Statutes. (Added 96/08, Ord. 08-11)

OBJ PS6.5 Prior to June 1st of each year, OCPS shall coordinate with the County to develop a financially feasible ten (10) year District Capital Outlay Plan (DCOP) for review and approval by the OCPS Board and adoption into the Capital Improvements Element for the County. (Added 06/08, Ord. 08-11)

POLICIES

- PS6.5.1 The ten (10) year DCOP shall include all capital projects which increase the capacity of public schools within the County and address deficiencies as necessary to maintain or improve LOS. (Added 06/08, Ord. 08-11)
- PS6.5.2 Orange County shall include the ten (10) year DCOP in the annual CIE update. (Added 06/08, Ord. 08-11)
- PS6.5.3 The County shall review and update OCPS' adopted CSAs, adopted LOS and enrollment projections in the annual CIE update to ensure that the CIE continues to be financially feasible and that the LOS will be achieved. (Added 06/08, Ord. 08-11)
- PS6.5.4 OCPS in conjunction with Orange County shall review the annual ten (10) year DCOP update to determine the projected capacity, projected enrollment, and LOS for each school and CSA within the County. (Added 06/08, Ord. 08-11)
- PS6.5.5 In accordance with FS 163.3180(6)(9)(a), the County adopts a long-term school concurrency management system for ~~the most recent the 2007/2008-2017/2018~~ ten (10) year planning period for areas where significant backlog exists. (Added 06/08, Ord. 08-11)

The text on the following pages reflects the Public Schools Facilities Elements should the changes be adopted.

Public Schools Element – Text if Adopted

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Public Schools Facilities Element Goals, Objectives and Policies

GOAL PS1 Provide a community of support for the positive development and growth of all children. (Added 10/97, Ord. 97-18)

OBJ PS1.1 Support and encourage the involvement of communities, community agencies, businesses, and families in an effective range of programs and activities which support families and children in conjunction with School Board facilities and programs.

POLICIES

PS1.1.1 RESERVED

PS1.1.2 Support and encourage community and business partnerships for educational support services, to include, but not be limited to, magnet programs, work training, and job placement.

PS1.1.3 Support and encourage volunteer services to provide children and student services.

PS1.1.4 Continue to coordinate County sponsored family and children services at school facilities.

GOAL PS2 Make public schools the cornerstones of community planning and design.
((Amended 11/17, Ord. 17-19)

OBJ PS2.1 Enhance communities through the joint use of educational facilities by encouraging the location of parks, recreation, and community facilities, in new and existing communities, in conjunction with school sites.

POLICIES

PS2.1.1 RESERVED.

PS2.1.2 Where feasible, Orange County Public Schools (OCPS) and Orange County shall work jointly to co-locate public facilities such as parks, libraries, and community centers with public schools. Where such co-location occurs, both entities shall establish an ongoing management relationship via written agreement that permits the school's use of the public facilities and the public's use of school facilities for community meetings and sports activities. OCPS reserves the right to impose reasonable restrictions on interconnectivity to ensure the safety and security of students and school facilities. (Added 06/08, Ord. 8/11)

PS2.1.3 Upon notice from the Orange County School Board that it is considering contracting for a school site, promptly notify the School Board of the County's interest, if any, in joint acquisition for other public facilities.

PS2.1.4 Coordinate with the Orange County School Board to jointly fund and design new school facilities for joint-use such as community meeting sites, and community-based recreational activities.

PS2.1.5 Encourage the business community and other private organizations to coordinate with Orange County and the Orange County School Board to jointly fund and design community-based services and facilities (i.e. recreational facilities) in conjunction with existing and proposed school sites.

PS2.1.6 RESERVED. PS2.1.7 Support and encourage community based programs for children's athletics, performing arts, and after-school enrichment in conjunction with school facilities.

OBJ PS2.2 Enhance community/neighborhood design through effective school facility design and siting standards.

POLICIES

- PS2.2.1 Work to identify new school sites that will provide logical focal points for community activities, serve as the cornerstone for innovative urban design standards, and are compatible with the Future Land Use Map and with land uses surrounding proposed school sites. (Amended 11/17, Ord. 17-19)
- PS2.2.2 Orange County shall coordinate with the Orange County School Board to provide school sites and facilities within planned neighborhoods, unless precluded by existing development patterns. (Duplicated in FLU8.7.3)(Added 12/00, Ord. 00-25, Policy 3.2.19.1)
- PS2.2.3 Unless otherwise prohibited or precluded by existing development patterns, Orange County shall support and encourage the location of new elementary, K-8, and middle schools, internal to new and existing residential neighborhoods and the County shall coordinate with the Orange County School Board to identify locations for new high schools on the periphery of residential neighborhoods, where access to major roads is available. (Amended 11/17, Ord. 17-19)
- PS2.2.4 RESERVED
- PS2.2.5 Support and coordinate with School Board efforts to locate new elementary schools within reasonable walking distance of the dwelling units served by the school.
- PS2.2.6 New school sites in residential subdivisions shall not create remnant parcels not suitable in size, shape and location for the uses depicted on the Future Land Use Map or permitted by the existing zoning district designation.
- PS2.2.7 Support the Orange County School Board in locating appropriate school services, ancillary facilities, and services throughout the county.
- PS2.2.8 In an effort to enhance local communities and neighborhoods, Orange County will participate with OCPS in the school siting, design and development process so that the school serves as a focal point for the community and is compatible with the Future Land Use Map and with land uses surrounding proposed school sites. (Added 06/08, Ord. 08-11)
- PS2.1.6 Link schools, parks, libraries and other public facilities with bikeways, trails, and sidewalks.

GOAL PS3 Provide safe and secure schools.

OBJ PS3.1 Ensure security and safety of children.

POLICIES

- PS3.1.1 RESERVED
- PS3.1.2 Coordinate with the Orange County School Board to ensure that both existing educational facilities and proposed school sites are accessible from and integrated into a planned system of sidewalks, trails, and bikeways. This can be accomplished through the provision of interconnected pedestrian access between neighborhoods to allow direct access to school sites and drop-off locations.
- PS3.1.3 Provide an annual program of improvements to ensure safe pedestrian/bicycle access to schools through the Student Pedestrian Safety Committee.
- PS3.1.4 RESERVED
- PS3.1.5 Provide assistance in developing traffic circulation plans to serve schools and the surrounding neighborhoods.
- PS3.1.6 In cooperation with the Orange County School Board, develop and adopt design standards for school bus stops and turnarounds in new developments.
- PS3.1.7 Turn lanes and signalization shall be provided at school entrances and at other locations near schools, where warranted, to provide safe access to students and the public. Responsibility for construction of school-related signalization and road construction at school entrances shall be the responsibility of Orange County Public Schools (OCPS). (Added 6/08, Ord. 08-11)
- PS3.1.8 Program community development improvements in older or distressed neighborhoods near schools.
- PS3.1.9 In accordance with Section 1006.23, Florida Statutes, and as funding permits, Orange County shall provide construction of sidewalks along roadways and trails connecting neighborhoods that are within two miles of schools to the school facility. Orange County Public Schools (OCPS) shall be responsible for the construction of sidewalks and trails on school property and shall provide connections to existing and future sidewalks and trails identified by the County. Also refer to T2.5.11.2 (Added 6/08, Ord. 08/11)
- PS3.1.10 RESERVED

OBJ PS3.2 Coordinate juvenile justice services with educational needs.

POLICIES

- PS3.2.1 Regularly identify and share information with school officials about juvenile offenders and potential risks to students.
- PS3.2.2 Coordinate with the Orange County School Board and appropriate youth service agencies to provide ongoing educational opportunities for juvenile offenders.
- PS3.2.3 Coordinate with school officials to provide effective programs for at-risk students, such as but not limited to, D.A.R.E.

GOAL PS4 **Support Orange County School Board efforts to ensure that adequate capital facilities and technology resources are available to support the educational mission of public schools.**

OBJ PS4.1 **Support Orange County School Board programs to effectively and efficiently manage existing capital funds and resources.**

POLICIES

PS4.1.1 Support Orange County School Board efforts to ensure sufficient capacity for current and future school enrollment by identifying capital needs for each campus, identifying available funding sources for school capital requirements and establishing a financially feasible capital improvements program for schools.

PS4.1.2 Support the Orange County School Board in encouraging the State to allow flexibility in state, local, and private sector participation in capital funding of public school facilities.

PS4.1.3 Consider development incentives (i.e. density bonus, expedited development review, etc.) for residential properties that are located within half (1/2) mile of an existing elementary school that has a school enrollment below 100% of the permanent core capacity, excluding portables, and the residential property is located in the subject school attendance zone. No development incentives shall be granted that would result in the school enrollment over 100% of the permanent capacity.

PS4.1.4 Orange County in consultation with Orange County Public Schools (OCPS) and Orange County Municipalities (Municipalities) shall review and update the school impact fee study at least once every four (4) years. (Added 6/02, Ord. 02-06; amended 6/08, Ord. 08-11)

PS4.1.5 Any amendments to the School Impact Fee Ordinance shall be developed with input from Orange County Public Schools (OCPS).

OBJ PS4.2 Support supplemental and alternative sources for school capital funding.

POLICIES

- PS4.2.1 Research and support alternative funding for school capital needs, including, but not limited to, obtaining additional revenue from commercial and industrial development that creates employment and attracts residential growth.
- PS4.2.2 Encourage the private sector to identify and implement creative solutions in developing adequate school facilities in residential developments.
- PS4.2.3 County programs and capital improvements which are consistent with and which meet the capital needs identified in the Orange County School Board campus planning program(s) will be given scheduling priority.
- PS4.2.4 Support the Orange County School Board by giving priority consideration to developments or property owners who provide incentives including, but not limited to, donation of site(s), reservation or sale of school sites at pre-development prices, construction of new facilities or renovations to existing facilities, and providing transportation alternatives.
- PS4.2.5 Support legislation to require that ad valorem assessments begin at the time certificate of occupancy is issued.
- PS4.2.6 Orange County will coordinate with the Orange County School Board to evaluate alternative funding sources such as, but not limited to analysis and reform of state and local assessment benefit districts, community development districts, additional sales tax, bonds, special service fees, documentary stamps, transfer taxes, and lease-purchase of facilities to fund for school capital needs and will consider support for changes to state legislation to provide for these options, as needed. Additional Alternative school capital funding mechanisms shall be considered on a countywide basis, including all municipalities. (Added 6/08, Ord. 08-11)
- PS4.2.7 Support the Orange County School Board's efforts to allow local governments or the private sector to construct school facilities and/or lease land or facilities to the School Board.
- PS4.2.8 Orange County supports Orange County School Board's evaluation of the use of Public Private Partnerships to finance school construction including but not limited to Real Estate Investment Trusts (REIT). (Added 6/08, Ord. 08-11)
- PS4.2.9 Orange County will support efforts by Orange County Public Schools (OCPS) to formally request additional funding from the State of Florida to meet class size reduction obligations. (Added 6/08, Ord. 08-11)

GOAL PS5 Promote and optimize intergovernmental cooperation for effective operation of the public school system in a multi-jurisdictional environment.

OBJ PS5.1 Maximize opportunities to share information.

POLICIES

PS5.1.1 RESERVED.

PS5.1.2 Cooperate with the School Board and other local jurisdictions and agencies to address and resolve multi-jurisdictional public school issues.

PS5.1.3 The Board of County Commissioners and the Orange County School Board shall endeavor to meet annually, but shall meet at least once every two years to review and discuss any issues of mutual concern. (Amended 11/17, Ord. 17-19)

PS5.1.4 Orange County shall invite an Orange County School Board representative to serve as an ex-officio member on the Orange County Development Review Committee.

PS5.1.5 Orange County shall assign a County representative to serve as an ex-officio member on the School Board Advance Planning Committee. Also, pursuant to Section 163.3174(1), Florida Statutes, Orange County's Local Planning Agency (LPA) shall include a representative of Orange County Public Schools (OCPS) appointed by the School Board as a nonvoting member of the LPA to attend those meetings at which the LPA considers comprehensive plan amendments and rezonings that would, if approved, increase residential density on the property that is the subject of the application. (Amended 11/17, Ord. 17-19)

PS5.1.6 For purposes of coordinating planning efforts, Orange County shall routinely provide to the School Board the data and reports identified below.

- b. A summary and maps of projected build-out populations for all approved development in Orange County in a format reasonably suitable for assisting in development of school population projections and development of long range capital programs for schools and ancillary facilities.
- c. Listing and maps showing all major capital improvements programmed for parks, recreation, pedestrian, and bike trails, libraries, children's services, and related improvements impacting schools or suitable for joint planning and design of improvements.
- c. A bikeway/pedestrian plan for student access for each school in the County showing all improvements needed to serve students within two miles of all existing and proposed school sites and a schedule for construction of such projects.
- d. For each school facility in the County, a schedule for all public construction impacting the campus. (Added 6/08, Ord. 08-11)

PS5.1.7 Orange County School Board comments shall be sought and considered on comprehensive plan amendments and other land use decisions.

- PS5.1.8 Orange County will enter into an agreement with the Orange County School Board for the School Board to annually provide to Orange County a general educational facilities report containing the following information:
- a. School Board facilities and leases.
 - b. Sites owned by the School Board, sites under option, lease or reservation, and sites for which preliminary negotiations have been undertaken.
 - c. The School Board's approved program for capital improvements.
 - d. A summary of all five-year joint use programs conducted on school campuses or jointly on schools and adjacent property controlled by other governmental agencies.
 - e. An identification of educational facility needs and areas in the County which the School Board has identified as potentially suitable for site acquisition to meet those needs.
 - f. A listing of school properties declared surplus and of school facilities scheduled for replacement or demolition. (Added 6/08, Ord. 08-11)
- PS5.1.9 Coordinate neighborhood planning and community development activities with school based faculty, school advisory committees, and neighborhood groups.
- PS5.1.10 Pursuant to the adopted *First Amended and Restated Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency*, adopted in 2011, as it may be amended from time to time ("Interlocal Agreement"), a Technical Advisory Committee comprised of representatives from Orange County, Municipalities, Orange County Public Schools (OCPS) and the East Central Florida Regional Planning Council shall be established to discuss issues of mutual concern. OCPS shall be responsible for arranging meetings, providing notification, and maintaining a written summary of meeting actions. (Added 6/08, Ord. 08-11, amended 11/17, Ord. 17-19)
- PS5.1.11 The Technical Advisory Committee shall meet quarterly, or as needed, to discuss issues and formulate recommendations regarding coordination of land use and school facilities. Specific areas addressed by the committee shall include:
- a. Short and long-range planning, population and student projections, and future development trends;
 - b. Co-location and joint-use opportunities, and ancillary infrastructure improvements needed to support the school facilities and ensure safe student access to schools;
 - c. Planning for needed supporting infrastructure for schools such as utilities, roads, sidewalks, etc.;
 - d. The need for new schools to meet the adopted level of service (LOS) within the adopted Concurrency Service Areas (CSAs) and the coordination of annual revisions to the ten (10) year District Capital Outlay Plan (DCOP); and
 - e. Update of the District Capital Outlay Plan (DCOP) for inclusion in Orange County's Comprehensive Plan. (Added 6/08, Ord. 08/11)
- PS5.1.12 Pursuant to the Interlocal Agreement referenced in Policy PS5.1.10, Orange County shall provide an update of information on approved developments, phases of development and estimated build out by phase to the Orange County Public Schools (OCPS) Planning Department on an as needed basis. (Added 6/08, Ord. 08/11; amended 11/17, Ord. 17-19)

PS5.1.13 Orange County shall review OCPS-generated future enrollment and growth projections on an annual basis and provide input to the OCPS Planning Department. (Added 6/08, Ord. 08/11)

OBJ PS5.2 Clearly identify in the Future Land Use Element and in the Land Development Code the land use categories in which schools shall be an allowable use.

POLICIES

- PS5.2.1 Within the Urban Service Area, public schools shall be allowed as set forth in Policy FLU8.7.5. (Amended 11/17, Ord. 17-19)
- PS5.2.2 Within a Rural Settlement or the Rural Service Area, public schools shall be allowed as set forth in Policy FLU8.7.5, and FLU8.7.7. (Amended 11/17, Ord. 17-19)
- PS5.2.3 In the event that the Orange County School Board determines a public school facility is required in an area designated Rural/Agricultural on the Future Land Use Map, an amendment to the Future Land Use Map shall be required. The School Board may request an amendment to the Future Land Use Map for a proposed school site at no cost.
- PS5.2.4 All new public school locations shall be subject to the terms and limitations established in the Public School Siting Regulations ordinance developed jointly by Orange County and the School Board, as they may be amended from time to time. (Amended 11/17, Ord. 17-19)
- PS5.2.5 RESERVED.
- PS5.2.6 Orange County shall protect existing schools from the intrusion of incompatible land uses through the development review process. (Added 6/08, Ord. 08-11; Amended 06/17, Ord. 2017-12)
- PS5.2.7 Orange County and Orange County Public Schools (OCPS) shall, throughout the planning period, coordinate the siting of new public schools to ensure to the extent possible public school facilities are located to address the needs of future residential development, are coordinated with necessary services and infrastructure development, provide for safe learning environments, are consistent with the County's adopted Future Land Use Map and with other provisions of the Comprehensive Plan. (Added 6/08, Ord. 08-11)

OBJ PS5.3 Establish expedited school siting processes.

POLICIES

- PS5.3.1 The school siting ordinance shall include minimum standards and criteria for school sites, procedures for the review and coordination of plans for school sites, and an expedited review process for review and approval of public educational facilities not meeting minimum standards and criteria on otherwise approvable sites.
- PS5.3.2 RESERVED.
- PS5.3.3 RESERVED.
- PS5.3.4 Orange County shall coordinate the timing of infrastructure improvements to be in place when new school facilities are constructed.
- PS5.3.5 Where central water and sewer service is not available to a public school site, a temporary on-site water and sewer system may be approved consistent with Potable Water Policy PW1.2.8 and Wastewater Policy WW1.2.9, provided that connection to public supply shall be required when utilities are available to the site. Schools located in a Rural Settlement shall also be subject to FLU8.7.8. (Amended 11/17, Ord. 17-19)
- PS5.3.6 Applications for Future Land Use Map amendments, rezonings, variances, special exceptions, and site plans for schools shall be given priority status. Orange County Public Schools (OCPS) shall not be required to pay application fees or impact fees for the development of public school facilities, provided, however, OCPS shall not be exempt from payment of capital connection fees for water and wastewater. (Added 6/08, Ord. 08/11)

OBJ PS5.4 Ensure effective processes for reserving school sites.

POLICIES

- PS5.4.1 Review and update reservation requirements to insure that school sites are identified prior to changes in urban service area, land use, zoning, or approval of projects generating new students.
- PS5.4.2 Coordinate with the Orange County School Board to establish procedures and standards for school siting as part of area wide planning studies.
- PS5.4.3 Consider entering into a developer’s agreement whereby a portion of property dedicated to the County may be donated or leased to the Orange County School Board to develop public schools facilities.
- PS5.4.4 In concert with OCPS, Orange County may consider developing incentives (such as but not limited to, density credits, priority with capital improvement projects and development approval preferences) to developments that donate land (or cash in lieu of land), for new or existing OCPS facilities .
- PS5.4.5 RESERVED.
- PS5.4.6 Before disposing of surplus property, Orange County will offer first right of refusal for surplus County property to the Orange County School Board.
- PS5.4.7 Orange County will support Orange County School Board efforts to identify long-range school site needs and select sites based on the criteria established in this element and in the Public School Siting Ordinance. (Added 6/08, Ord. 08-11)
- PS5.4.8 Coordinate with the Orange County School Board to ensure the identified proposed new school sites are based on the best available growth and development patterns and related data. (Added 6/08, Ord. 08-11)
- PS5.4.9 Where the Orange County School Board elects to advance funds to construct off-site road and utility improvements as part of school construction, Orange County shall provide for timely reimbursement of all funds advanced for projects included in Orange County’s Capital Improvement Program or from benefiting private developers if the project was not to be funded by the County. Reimbursement of above-stated funds shall be allowed through individual agreements made between Orange County and the School Board.
- PS5.4.10 Orange County shall give priority consideration to land use, zoning, and development approvals in areas where school sites adequate to serve potential growth have been donated or set aside for purchase by the School Board at raw land (pre-development approval) prices reflected in written agreements approved by the Orange County School Board.

GOAL PS6 Orange County shall establish plans, regulations and programs, in conjunction with Orange County Public Schools (OCPS) to facilitate the future availability of public school facilities to serve residents, consistent with the adopted level of service for public schools and with State of Florida concurrency statutes and regulations. (Added 6/08, Ord. 08-11)

OBJ PS6.1 Orange County shall coordinate with Orange County Public Schools (OCPS) to implement a Concurrency Management System that ensures adequate classroom capacity to accommodate the impacts of new residential development throughout the planning period. (Added 6/08, Ord. 08-11)

POLICIES

PS6.1.1 The Concurrency Management System shall include standards and procedures to ensure that new residential development complies with the Level of Service (LOS) standards provided in the Interlocal Agreement between Orange County Public Schools (OCPS), the Municipalities, and the County, and the adopted Capital Improvements Element (CIE). The adopted LOS shall be used to determine the available capacity of Elementary, Middle, and High Schools within the designated Concurrency Service Area (CSA) where the development is proposed. (Added 6/08, Ord. 08-11; amended 04/05, Ord. 11-03)

PS6.1.2 The County shall utilize the Orange County Public Schools (OCPS) calculation of school capacity, which is annually determined by OCPS using the Adjusted Florida Inventory of School Houses (FISH) Capacity for each school and Concurrency Service Area (CSA) within the school district. Consistent with the Interlocal Agreement, Adjusted FISH Capacity shall be defined as the number of students who can be served in a permanent public school facility as provided in FISH adjusted to account for the design capacity of Modular or In-Slot Classrooms on the campuses designed as Modular or In-Slot schools, but not to exceed Core Capacity. (Added 6/08, Ord. 08-11)

PS6.1.3 The level of service (LOS) standards, except for backlogged facilities as provided in Capital Improvements Element (CIE) Policy CIE1.3.18, to implement school concurrency shall be calculated as a percentage of the Adjusted Florida Inventory of School Houses (FISH) Capacity as follows: (Added 6/08, Ord. 08-11)

- a. Elementary: 110% of Adjusted FISH using Modified Middle School Attendance Zones as Concurrency Service Areas (CSAs)
- b. Middle: 100% of Adjusted FISH using Middle School Attendance Zones as CSAs
- c. High, including ninth grade centers: 100% of Adjusted FISH using High School Attendance Zones as CSAs (Note: Adjusted permanent FISH for high schools does not include in-slots).

The LOS for OCPS' K-8 schools shall be incorporated in the adopted LOS for elementary and middle school CSAs in the following manner: Grades K-5 of Arbor Ridge K-8 and Windy Ridge K-8 shall be incorporated in the adopted LOS for elementary schools. For all other K-8 (and any PS-8 schools), grades kindergarten through five shall be included in the adopted LOS for elementary schools and grades six through eight shall be included in the adopted LOS for middle schools. (Added 04/10, Ord. 10-03)

- PS6.1.4 Any changes or modifications to the adopted Level of Service (LOS) shall follow the process and guidelines as outlined in the Interlocal Agreement referenced in Policy PS5.1.10. (Added 6/08, Ord. 08-11; amended 11/17, Ord. 17-19)
- PS6.1.5 Orange County shall support Orange County Public School's (OCPS') efforts to initiate any of the following strategies to ensure compliance with adopted level of service (LOS) standard:
- a. Building new schools to relieve over capacity schools in (Concurrency Service Areas) (CSAs) that exceed the adopted LOS.
 - b. Renovating over capacity schools to add permanent capacity and replace on campus portables,
 - c. Rezoning students from over capacity schools to under capacity schools,
 - d. Moving special programs from over capacity schools to under capacity schools to utilize excess permanent capacity where it exists.
- PS6.1.6 Concurrency shall be evaluated and determined within the geographical boundaries of the established Concurrency Service Area (CSA). (Added 6/08, Ord. 08-11)
- PS6.1.7 Any changes or modifications to the adopted school concurrency service areas ("CSAs") shall follow the process and guidelines as outlined in the Interlocal Agreement referenced in Policy PS5.1.10. (Added 6/08, Ord. 08-11; amended 11/17, Ord. 17-19)
- PS6.1.8 The number of elementary, middle, and high school students generated by a residential development shall be calculated by multiplying the number of dwelling units by the student generation rates by school type as set forth in the current Orange County Public Schools School Impact Fee Study Update (Added 6/08, Ord. 08-11)
- PS6.1.9 The County shall support Orange County Public Schools' (OCPS') efforts to meet adopted level of service (LOS) standards through the adoption of a ten (10) year, financially feasible District Capital Outlay Plan (DCOP). Where the LOS cannot be achieved through the construction of new school capacity as provided in the five (5) year DCOP, the County shall cooperate with OCPS' efforts to adopt a long range ten (10) year DCOP as part of the School District's annual capital planning process. (Added 06/08, Ord. 08-11)
- PS6.1.10 Where adequate school facilities will be in place or under actual construction within three (3) years after the issuance of final subdivision or site plan approval, or the functional equivalent, the County shall not deny an application for site plan approval, final subdivision approval, or the functional equivalent thereof, for any development or phase of a development that includes residential uses, based solely on failure to achieve and maintain the adopted level of service (LOS) in a Concurrency Service Area CSA. (Added 06/08, Ord. 08-11)
- PS6.1.11 Orange County, in conjunction with Orange County Public Schools (OCPS), shall review the level of service (LOS) standards and Concurrency Service Area (CSA) Boundaries for public schools facilities annually, and any changes to those standards shall be processed as amendments to the County's Public School Facilities Element and Capital Improvements Element. The projected LOS and CSAs shall be included and depicted in the most recent School Concurrency Data Supplement, which serves as supporting data

and analysis for the annual update to the Capital Improvements Element. (Added 06/08, Ord. 08-11; amended 04/11, Ord. 11-03)

PS6.1.12 Orange County will amend its concurrency management system in the Land Development Code to implement school concurrency. (Added 06/08, Ord. 08-11)

OBJ PS6.2 **Orange County Public Schools (OCPS), in conjunction with Orange County, consistent with the Interlocal Agreement referenced in Policy PS5.1.10 shall establish, and annually review, school Concurrency Service Areas (CSAs), which will be used to evaluate capacity of schools available to accommodate students generated by proposed development.** (Added 6/08, Ord. 08-11; amended 11/17, Ord. 17-19)

POLICIES

PS6.2.1 Concurrency Service Areas (CSAs) are depicted in the Orange County Public Schools *Public School Facilities Element Data, Inventory, and Analysis* dated May 2, 2008, as may be amended from time to time. (Added 6/08, Ord. 08-11)

PS6.2.2 Concurrency Service Areas (CSAs) shall be reviewed annually in conjunction with the Orange County Public Schools (OCPS) adoption of an updated ten (10) year District Capital Outlay Plan (DCOP). CSA boundaries may be adjusted to ensure that the utilization of school capacity is maximized to the greatest extent possible, taking into account transportation costs, court approved desegregation plans, and other factors. (Added 6/08, Ord. 08-11)

OBJ PS6.3 Orange County and Orange County Public Schools (OCPS) shall develop and maintain throughout the planning period a joint process for the implementation of School Concurrency as provided for in the adopted Interlocal Agreement. (Added 6/08, Ord. 08-11)

POLICIES

- PS6.3.1 Orange County shall not approve a developer-initiated Comprehensive Plan amendment or rezoning that would increase residential density on property that is not otherwise vested until such time as Orange County Public Schools (OCPS) has determined whether sufficient capacity will exist concurrent with the development or a capacity enhancement agreement is executed that provides for the needed capacity to accommodate the proposed development. (Added 6/08, Ord. 08-11)
- PS 6.3.2 Orange County will determine if a development is vested or exempt from school concurrency. Unless the development is determined to be vested or exempt from concurrency, Orange County shall not approve a site plan, final subdivision plan, or its functional equivalent, until a school concurrency recommendation has been provided by Orange County Public Schools (OCPS) and a school Concurrency Certificate has been issued for the development consistent with the provisions of the adopted Interlocal Agreement. (Added 6/08, Ord. 08-11)
- PS6.3.3 School concurrency shall not apply to property within a Development of Regional Impact (DRI) for which a Development Order was issued prior to July 1, 2005, or for which a DRI application was submitted prior to May 1, 2005, unless the developer elects otherwise or unless the developer files a Notice of Proposed Change (NOPC) and/or Substantial Deviation to increase the total number of residential dwelling units. (Added 6/08, Ord. 08-11)
- PS6.3.4 For Development of Regional Impacts (DRIs) that include residential development and are submitted after July 1, 2005, the County shall include Orange County Public Schools (OCPS) planning staff on the review team for the DRI, and shall ensure that DRI Development Orders, and DRI Development Order amendments that increase the total number of residential dwelling units, address the issue of school capacity. Where existing school capacity is exceeded, mitigation for school impacts shall be included in any mitigation agreements, Development Orders, and agreements. (Added 6/08, Ord. 08-11)
- PS6.3.5 Any proposed residential development that creates an impact of less than one student shall be considered de minimis and therefore exempt from school capacity review. (Added 06/08, Ord. 08-11)
- PS6.3.6 Vested rights and exemptions with respect to concurrency and consistency shall be in accordance with applicable law. (Added 06/08, Ord. 08-11)

PS6.3.7

Consistent with the Interlocal Agreement referenced in Policy PS5.1.10, the following residential uses shall be exempt from the requirements of school concurrency:

- a. Any proposed residential development considered de minimis as defined by Public School Element, Policy PS6.3.5.
- b. One single-family house, one duplex, and/or one accessory dwelling unit being developed on an existing platted residential lot of record.
- c. Any building or structure that has received a building permit as of the effective date of the Interlocal Agreement, or is described in section 163.3167(8), Florida Statutes.
- d. Any new residential development that has site plan approval for a site pursuant to a specific development order approved prior to the effective date of school concurrency, including the portion of any project that has received final subdivision plat approval as a residential subdivision into one dwelling unit per lot.
- e. Any amendment to any previously approved residential development, which does not increase the number of dwelling units or change the type of dwelling units (e.g., converts single-family to multi-family, etc.).
- f. Any age-restricted community that qualifies as one of the three types of communities designed for older persons as "housing for older persons" in the Housing for Older Persons Act, 42 USC §3607(b). This exemption shall be applied in conformity with the principles set forth in *Volusia County v. Aberdeen at Ormond Beach, L.P.*, 760 So. 2d 126 (Fla. 2000). Provided, however, that any senior housing community or dwelling unit that loses its qualification as housing for older persons shall be required to meet applicable school concurrency requirements in effect at the time the qualification as housing for older persons is lost.
- g. Alterations or expansion of an existing dwelling unit where no additional dwelling units are created.
- h. The construction of accessory buildings or structures which will not create additional dwelling units.
- i. The replacement of a dwelling unit where no additional dwelling units are created and where the replacement dwelling unit is located on the same lot. If the type of dwelling unit is different from the original dwelling unit type, the exemption shall be limited to an exemption based on the current student generation rate for the original dwelling unit type, documentation of the existence of the original dwelling unit must be submitted to the concurrency management official.
- j. School concurrency shall not apply to property within a Development of Regional Impact (DRI) for which a Development Order was issued prior to July 1, 2005, or for which a DRI application was submitted prior to May 1, 2005, unless the developer elects otherwise or unless the developer files a Notice of Proposed Change (NOPC) and/or Substantial Deviation to increase the total number of residential dwelling units; however, such exemption shall expire upon withdrawal, denial, or expiration of the application for a Development Order. If such Development of Regional Impact has been approved, or is approved, through a development order, such exemption shall expire for any phase of the Development Order upon expiration of the Development Order build-out date for such phase, or for the entire Development Order upon expiration of the Development Order, or upon any material default of the school mitigation conditions of the Development Order or a related development

- agreement, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.
- k. The portion of any residential development that, prior to July 1, 2005, is the subject of a binding and enforceable development agreement or Capacity Enhancement Agreement designated
 - l. as a Capacity Commitment Agreement by resolution of the School Board; however, such exemption shall expire upon expiration of the development agreement, Capacity Enhancement Agreement, or upon any material default of the school impact mitigation conditions of such development agreement or Capacity Enhancement Agreement, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.
 - m. Any residential development with a letter vesting it for purposes of complying with school concurrency, or which would be vested at common law for purposes of such concurrency requirement implemented by the Interlocal Agreement, provided that the School Board may contest a vested rights determination as provided in the land development regulations.
 - n. Group living facilities that do not generate students and including residential facilities such as local jails, prisons, hospitals, bed and breakfast, motels and hotels, temporary emergency shelters for the homeless, adult halfway houses, firehouse sleeping quarters, dormitory-type facilities for post-secondary students, and religious non-youth facilities, regardless of whether such facilities may be classified as residential uses. (Added 06/08, Ord. 08-11; amended 11/17, Ord. 17-19)

OBJ PS6.4 Upon completion of an Orange County Public Schools (OCPS) Concurrency Review, a development that fails to meet level of service (LOS) requirements as set forth in policies PS6.4.1, PS6.4.2, PS6.4.3, and PS6.4.4 may be postponed until adequate public school capacity is created. (Added 6/08, Ord. 08-11)

POLICIES

PS6.4.1 A development shall be deemed to meet concurrency if there is available capacity in the Concurrency Service Area (CSA) where the development is located or where available capacity exists in one or more contiguous CSAs, so long as the level of service (LOS) in the adjacent zone does not exceed 95% of the LOS and the School District does not exceed 100% of capacity on a district-wide basis for the school type. The evaluation of capacity in the adjacent CSAs will also take into account transportation costs and court-ordered desegregation plans. (Added 6/08, Ord. 08-11)

PS6.4.2 Proportionate share, when used for mitigation, shall be calculated based on the number of elementary, middle, and high school students generated by the development at build out. As provided for in the adopted Interlocal Agreement, proportionate share shall be calculated based on reasonable methods of estimating cost of school construction, including, but not limited to, the cost of land, equipment, and school buses. Any Proportionate Share Mitigation must be directed by Orange County Public Schools (OCPS) to a school capacity improvement identified in the capital improvement schedule in the financially feasible five (5) year district work plan of the District Facilities Work Program, and in the Capital Improvements Element in the Comprehensive Plan of the County and the Orange County Municipalities to maintain financial feasibility based upon the adopted level of service (LOS) standards. If a school capacity improvement does not exist in the District Facilities Work Program, OCPS may, in its sole discretion, add a school capacity improvement to mitigate the impacts from a proposed residential development, so long as the financial feasibility of the District Facilities Work Program can be maintained and so long as the County agrees to amend its Capital Improvements Element to include the new school capacity improvement. (Added 06/08, Ord. 08-11)

PS6.4.3 Proportionate Share Mitigation may include payments of money, construction of schools, donations of land, expansion of permanent capacity of existing school campuses, payment of funds necessary to advance schools contained in the ten (10) year District Capital Outlay Plan (DCOP), establishment of charter schools that meet State Requirements for Educational Facilities (SREF) standards, payments into mitigation banks, establishment of an Educational Facilities Benefit District, Community Development District, or other methods identified in the Interlocal Agreement referenced in Policy PS5.1.10 and as may be negotiated between developer and Orange County Public Schools (OCPS) and, as appropriate, Orange County. (Added 06/08, Ord. 08-11; amended 11/17, Ord. 17-19)

PS6.4.4 Any of the Proportionate Share options set forth in Policy PS6.4.3 that are utilized by developers as mitigation are eligible for school impact fee credits as provided by Florida Statutes. (Added 96/08, Ord. 08-11)

OBJ PS6.5 Prior to June 1st of each year, OCPS shall coordinate with the County to develop a financially feasible ten (10) year District Capital Outlay Plan (DCOP) for review and approval by the OCPS Board and adoption into the Capital Improvements Element for the County. (Added 06/08, Ord. 08-11)

POLICIES

- PS6.5.1 The ten (10) year DCOP shall include all capital projects which increase the capacity of public schools within the County and address deficiencies as necessary to maintain or improve LOS. (Added 06/08, Ord. 08-11)
- PS6.5.2 Orange County shall include the ten (10) year DCOP in the annual CIE update. (Added 06/08, Ord. 08-11)
- PS6.5.3 The County shall review and update OCPS' adopted CSAs, adopted LOS and enrollment projections in the annual CIE update to ensure that the CIE continues to be financially feasible and that the LOS will be achieved. (Added 06/08, Ord. 08-11)
- PS6.5.4 OCPS in conjunction with Orange County shall review the annual ten (10) year DCOP update to determine the projected capacity, projected enrollment, and LOS for each school and CSA within the County. (Added 06/08, Ord. 08-11)
- PS6.5.5 In accordance with FS 163.3180(6), the County adopts a long-term school concurrency management system for the most recent ten (10) year planning period for areas where significant backlog exists. (Added 06/08, Ord. 08-11)

CAPITAL IMPROVEMENTS ELEMENT

2020-2-C-CP-5

Background Information:

The Capital Improvements Element (CIE) is a required element of the Comprehensive Plan. The purpose of the element is to plan for the provision of County infrastructure necessary to implement the Comprehensive Plan. It is a crucial element in successful planning for Orange County because it translates the policies of the Comprehensive Plan and the anticipated growth of the County into public costs.

The Capital Improvements Element indicates the status of services and facilities compared to where the County should be, both now and in the future. This is accomplished by identifying facilities needed to maintain desired service standards and a schedule for putting them in place. These facilities have identifiable costs that must be funded.

The CIE is a standard against which the County may measure whether or not services are being fully funded and delivered. This measurement of the County's ability to provide services in accordance with the Comprehensive Plan is accomplished by assessing the adequacy of existing revenue sources, as well as the need to consider new revenue sources, to fund capital and operating costs consistent with the adopted level of service standards for the services required by legislation.

Summary of Proposed Changes

Staff from the Orange County Utilities, Environmental Protection Division, Transportation Planning, and the Planning Division collaborated on the review and proposed amendments to the Capital Improvements Element policies.

| The following meetings and hearings have been held for this proposal: | | |
|---|------------------------------|--|
| Report/Public Hearing | Outcome | |
| ✓ Staff Report | Recommend Transmittal | |
| ✓ LPA Transmittal September 17, 2020 | Recommend Transmittal (8-0) | |
| ✓ BCC Transmittal October 13, 2020 | Recommend Transmittal (7-0) | |
| ✓ Agency Comments November 2020 | No Comments | |
| ✓ LPA Adoption December 17, 2020 | Continue to January 21, 2021 | |
| ✓ LPA Adoption January 21, 2021 | Recommend Adoption (6-0) | |
| BCC Adoption | February 23, 2021 | |

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Capital Improvements Element

Goals, Objectives and Policies

GOAL CIE1 Orange County shall plan for and manage the provision of public facilities and services in a fiscally prudent and responsible manner to adequately serve existing and new residents and continue to provide a quality environment.

OBJ CIE1.1 Orange County shall schedule and provide capital improvements to meet existing deficiencies, to accommodate desired future growth, and to replace obsolete or worn-out facilities. (Amended 12/00, Ord. 00-25)

POLICIES

CIE1.1.1 Orange County shall annually prepare a 5-year schedule of capital improvements, also referred to as a Capital Improvements Program (CIP), for County departments, and those authorities and special districts ~~which~~ that depend on funds allocated by the Board of County Commissioners to guide the timing and location of capital expenditures. The CIP shall be consistent with and prepared pursuant to Section 163.3177(3)(a)4. and 5., Florida Statutes. (Amended 11/17, Ord. 2017-19)

CIE1.1.2 Public physical improvements, including land acquisition, buildings, structures, facilities, equipment, and infrastructure with a unit cost exceeding \$25,000 and a useful life of at least ten years shall be considered capital improvements. For purposes of the Capital Improvements Element, public facilities are defined as those facilities that maintain or improve adopted levels of service for traffic circulation, ~~mass transit~~, potable water, sanitary sewer, solid waste, parks, stormwater management, and Orange County Public Schools (schools). (Amended 12/00, Ord. 00-25)

Staff recommends revising the policy, per Transportation Planning Division to omit "mass transit" LOS proposed in revisions to Transportation Policy T2.1.2.

- CIE1.1.3 The Capital Improvements Program shall be consistent with and act as a means of implementing the County's comprehensive plan.
- CIE1.1.4 Projects submitted for inclusion in the Capital Improvements Program will be evaluated annually and prioritized by a committee composed of staff from the appropriate County departments. The evaluation of projects shall include consistency with the Comprehensive Plan and consideration of the following criteria:
- elimination of a public hazard;
 - elimination of an existing deficiency;
 - required by legislative mandate;
 - needed to maintain level of service standard;
 - financial feasibility;
 - public safety;
 - local budget impact;
 - locational needs based on projected growth patterns;
 - accommodation of new development and redevelopment facility demands;
 - plans of state agencies and water management districts that provide public facilities within the local government's jurisdiction; and
 - local priorities.
- CIE1.1.5 All County capital improvements shall be made in accordance with this adopted Capital Improvements Program, including amendments, and as outlined in the comprehensive plan. (Amended 11/17, Ord. 2017-19)
- CIE1.1.6 The County shall annually review and update the Capital Improvements Element in order to maintain a 5-year schedule of capital improvements, or Capital Improvements Program. The Capital Improvements Budget will be based on the multi-year Capital Improvements Program. Future capital improvements expenditures necessitated by changes in population, changes in real estate development, or changes in economic base will be calculated and included in capital improvements budget projections. (Amended 06/17, Ord. 2017-12, Amended 11/17, Ord. 2017-19)
- CIE1.1.7 The County shall coordinate development of the Capital Improvements Budget with development of the operating budget. Future operating costs associated with new capital improvements will be projected and included in operating budget forecasts.

- CIE1.1.8 The County shall use intergovernmental assistance to finance only those capital improvements that are consistent with the Capital Improvements Program and County priorities, and whose operating and maintenance costs have been included in operating budget forecasts.
- CIE1.1.9 The County shall maintain all its assets at a level adequate to protect the County's capital investment, and to minimize future maintenance and replacement costs. The maintenance of existing assets is the County's primary capital expenditure consideration.
- CIE1.1.10 The County shall project its equipment replacement and maintenance needs for the next several years and will update this projection each year. From this projection, a maintenance and replacement schedule will be developed and followed.
- CIE1.1.11 The County shall identify the estimated costs and potential funding sources for each capital project proposal before it is submitted for approval.
- CIE1.1.12 The County shall identify and pursue the least costly financing method for all new projects.
- CIE1.1.13 The Capital Improvements Budget will be adopted and incorporated into the annual Orange County Budget. (Amended 04/10, Ord. 10-03; Amended 04/11, Ord. 11-03; Amended 02/13, Ord. 13-03; Amended 6/16, Ord. 2016-15; Amended 11/17, Ord. 2017-19)
- CIE1.1.14 The Capital Improvements Program for each five year period shall be adopted by the Board of County Commissioners concurrently with approval of the annual budget. Modifications and deviations from the adopted Capital Improvements Budget or Capital Improvements Program will require approval by the Board of County Commissioners. Copies of the Capital Improvements Program as adopted by the Board concurrently with the budget, and as modified from time to time, shall be made available to the public at www.orangecountyfl.net/PlanningDevelopment.aspx. (Amended 11/17, Ord. 2017-19)
- CIE1.1.15 (Policy CIE1.1.15 deleted 09/13, Ord. 2013-19)

- CIE1.1.16 Consistent with s.163.3177(3)(b), FS, the following modifications may be adopted by ordinance, provided they are consistent with the Comprehensive Plan, and such modifications may not be deemed to be amendments to the Comprehensive Plan:
- Corrections and modifications of the cost of a project already included in the Capital Improvements Program,
 - Corrections and modifications to revenue sources identified in the Capital Improvements Program, and/or
 - The acceptance of facilities pursuant to dedications
- (Amended 06/17, Ord. 2017-12; Amended 11/17, Ord. 2017-19)
- CIE1.1.17 Public facility and service commitments established in development agreements shall be annually incorporated into the Capital Improvements Program.
- CIE1.1.18 Orange County shall identify, include and maintain in its annual 5-year Capital Improvement Program budget update a listing, description and budget cost for water-related projects and improvements outlined in the first 5 years of the Orange County *Water Supply Facilities Work Plan* (Work Plan) to ensure consistency between the Potable Water, Wastewater, and Reclaimed Water Element and the Capital Improvements Element.
- CIE1.1.19 The Work Plan and Policies ~~PW3.1.6, PW3.1.7 and PW3.1.8~~ ~~WAT3.1.6, WAT3.1.7, and WAT3.1.8~~ of the Potable Water, Wastewater and Reclaimed Water Element contain the water-related projects and improvements that shall be included as part of the County's 5-year schedule of capital improvements. (Added 5/09, Ord. 09-14)

OBJ CIE1.2 Orange County shall maintain a comprehensive and viable debt management strategy which recognizes the capital improvements needs of the County as well as the taxpayer's or rate payer's ability to pay, accounting for existing legal, economic, financial and debt market considerations. (Amended 12/00, Ord. 00-25)

POLICIES

- CIE1.2.1 Capital improvements related to enterprise funds operations (e.g., water systems, wastewater systems, refuse disposal systems, etc.) shall be financed solely by debt to be repaid from user fees and charges generated from the respective enterprise funds operation, when practicable.
- CIE1.2.2 Capital improvements not related to enterprise funds operations (e.g., roads, parks, public buildings, etc.) may be financed by debt to be repaid from available revenue sources (including ad valorem taxes) pledgeable for same, when practical.
- CIE1.2.3 Cash surpluses, to the extent available and appropriate, shall be considered to finance scheduled capital improvements.
- CIE1.2.4 The County shall issue debt only for the purposes of constructing or acquiring capital improvements (more specifically, the approved schedule of capital improvements) and for making major renovations to existing capital improvements. The only exception to the above would involve entering into long-term leases for the acquisition of major equipment when it is cost justifiable to do so.
- CIE1.2.5 All capital improvements financed through the issuance of debt shall be financed for a period not to exceed the useful life of the improvements, but in no event to exceed thirty years.
- CIE1.2.6 The County shall not construct or acquire a public facility if it is unable to adequately provide for the subsequent annual operation and maintenance costs of the facility.
- CIE1.2.7 The County shall at all times manage its debt and sustain its financial position in order to seek and maintain the highest credit rating possible.
- CIE1.2.8 The County shall ensure that an adequate system of internal control exists to provide reasonable assurance as to compliance with appropriate laws, rules, regulations and covenants associated with outstanding debt.

- CIE1.2.9 Revenue sources shall only be pledged for debt when legally available and, in those situations where they have previously been used for operation and maintenance expenses/general operating expenditures, they will only be pledged for debt when other sufficient revenue sources are available to replace same to meet operation and maintenance expenses/general operating expenditures.
- CIE1.2.10 The County shall market its debt through the use of competitive bid whenever deemed feasible, cost effective and advantageous to do so. However, it is recognized that, in some situations, certain complexities and intricacies of a particular debt issue are such that it may be advantageous to market the debt via negotiated sale.
- CIE1.2.11 The County shall continually monitor its outstanding debt in relation to existing conditions in the debt market and will refund any outstanding debt when sufficient cost savings can be realized.
- CIE1.2.12 Credit enhancements (insurance, letters of credit, etc.) shall be used only in those instances where the anticipated present value savings in terms of reduced interest expense equals or exceeds the cost of the credit enhancement.
- CIE1.2.13 The County should consider coordinating with other local government entities to the fullest extent possible, so as to minimize the overlapping debt burden to citizens. (Added 12/00, Ord. 00-25)
- CIE1.2.14 In order to maintain a stable debt service burden, the County will attempt to issue debt that carries a fixed interest rate. However, it is recognized that certain circumstances may warrant the issuances of variable rate debt. In those instances, the County should attempt to stabilize debt service payments through the use of an appropriate stabilization arrangement. (Added 12/00, Ord. 00-25)

OBJ CIE1.3 Orange County shall regulate growth by requiring the adopted level of service standards for traffic circulation, mass transit, recreation, potable water, sanitary sewer, solid waste, and stormwater management, and schools to be maintained through public or private investment. (Amended 6/08, Ord. 08-11)

POLICIES

CIE1.3.1 Public facilities and services consistent with the adopted level of service standards must be available concurrent with the impacts of new development or expansion of service areas. (Amended 09/13, Ord. 2013-19)

CIE1.3.2 The County will continue to ensure minimum level of service standards, or adopted quality of service standards, if applicable, are maintained on County roads and State roads within unincorporated Orange County. (Amended 12/00, Ord. 00-25; Amended 6/14, Ord. 2014-12; Amended 12/14, Ord. 2014-30)

Staff recommends revising the policy to correspond to Transportation Element Objective OBJ T2.1

CIE1.3.3 ~~RESERVED According to the adopted Concurrency Management System, development permits shall not be issued if the total weekday transit capacity drops below 73,500 person trips per day. This number is equal to 75 percent of the mass transit person trips that are available. (Amended 12/00, Ord. 00-25; Amended 6/14, Ord. 2014-12)~~

Staff recommends deleting the policy, per Transportation Planning, development permits are issued irrespective of the capacity.

CIE1.3.4 When central water service from Orange County Public Utilities is required for development, the level of service standard shall be 275 gallons per day (average daily flow) per equivalent residential ~~unit~~ connection. Flow demands for commercial, industrial or other special developments differing from the flow values established by the serving utility shall be established from existing records or by estimated projections, using the best available data. These levels of service shall also be applied for planning purposes ~~only to review Development of Regional Impact (DRI) and Comprehensive Plan Future Land Use Map Amendments.~~ (Amended 12/00, Ord. 00-25; Amended 5/13, Ord. 2013-11, Policy PW1.2.5-r)

A. Timing of Future Treatment Facility Expansion. Orange County Utilities shall ensure that sufficient water ~~treatment-supply~~ facility (WSF) capacity is maintained, consistent with the requirements of the Florida Department of Environmental Protection (FDEP). ~~Once-When the WSF maximum daily flow-demand (MDF) equals or exceeds 75% of a system's permitted maximum day water treatment capacity or once the sum of current MDF plus future commercial MDF equals or exceeds 90% of permitted capacity, a capacity analysis report shall be presented-submitted to the Florida Department of Environmental Protection (FDEP) on the need to increase capacity and, if capacity needs to be increased, the method of increase, estimated cost and timing.~~ The capacity analysis report shall identify recommended improvements, improvement costs and the timing of such improvements. Facilities scheduled for design and construction, as identified by the capacity analysis report, shall be considered for inclusion into Orange County's Five Year and Ten Year Capital Improvements Programs. Facilities approaching build out shall be exempt from this requirement. ~~approaching build out are defined to be built to the ultimate capacity required to accommodate all projected growth within the system's service area.~~

CIE1.3.5

When central wastewater service from Orange County Utilities is required for development, the level of service standard ~~for wastewater provided by Orange County to unincorporated areas shall be 225 gallons of wastewater per day (average daily flow) per equivalent residential unit. Interim wastewater systems (permanent package treatment plants are no longer allowed in Orange County) shall have the same level of service standard -also have an LOS a level of service standard of 225 gallons of wastewater per day (average daily flow) per equivalent residential unit.~~ Wastewater flow Flow-demands for commercial, industrial or other special developments differing from the flow values established by the serving utility shall be established from existing records or by estimated projections, using the best available data. These levels of service shall also be applied for planning purposes ~~only to review Development of Regional Impact (DRI) and Future Land Use Map Amendments to the Comprehensive Plan. (Added 8/92, Ord. 92-24; Amended 12/00, Ord. 00-25; Amended 5/13, Ord. 2013-11, Policy WW1.2.5-r)~~

A. Timing of Future Treatment Facility Expansion.

Orange County Utilities shall ensure that sufficient wastewater treatment water reclamation facility (WRF) capacity is maintained, consistent with the requirements of the FDEP. ~~Once When the WRF three maximum 3 month average daily flow equals or exceeds 50% of a system's the permitted wastewater treatment capacity or once the sum of current three months average daily flow plus future committed average daily flow equals or exceeds 90% of permitted capacity,~~ a capacity analysis report shall be presented submitted to the FDEP Florida Department of Environmental Protection on the need to increase capacity and, if capacity needs to be increased, the method of increase estimated cost and timing. The capacity analysis report shall identify recommended improvements, improvement costs and the timing of such improvements. Facilities scheduled for design and construction, as identified by the capacity analysis report, shall be considered for inclusion into Orange County's Five Year and Ten Year Capital Improvement Program. Facilities approaching build out shall be exempt from this requirement. ~~Facilities approaching build out are defined to be built to the ultimate capacity required to accommodate all projected growth within the system's service area.~~

CIE1.3.6

~~RESERVED. The level of service standard for solid waste is to maintain a landfill capacity to accommodate solid waste generated at a rate of 6.0 pounds of refuse per day per person.~~

Staff recommends deleting the policy, it is in Solid Waste Element SW1.1.5

CIE1.3.7

~~RESERVED. The level of service standards for recreation are 1.5 acres of activity based parks and trails per 1,000 residents of the unincorporated area and 6.0 acres of resource based parks per 1,000 residents of the unincorporated area.~~

Staff recommends deleting the policy, it is in Recreation Element OBJ R1.1

CIE1.3.8

~~Refer to SM1.5.8. Orange County shall maintain a level of service standard, for new and existing development, based on the following stormwater quantity and quality criteria:~~

Staff recommends deleting the policy. It is contained in the Stormwater Management Element, SM1.5.8.

~~A. Design storm based on 24 hour minimum.~~

| <i>FACILITY</i> | <i>DESIGN STORM</i> |
|--|----------------------------|
| <i>Bridges</i> | <i>50 Year</i> |
| <i>Canals, ditches, or culverts for drainage external to the development</i> | <i>25 Year</i> |
| <i>Crossdrains, storm sewers</i> | <i>10 Year</i> |
| <i>Roadside swales for drainage internal to the development</i> | <i>10 Year</i> |
| <i>Detention basins</i> | <i>25 Year</i> |
| <i>Retention basins (no positive outfall)</i> | <i>100 Year</i> |

~~B. Pollution abatement shall be accomplished by requiring stormwater management systems to retain or detain with filtration, the first one-half inch of run-off from developed sites, or the run-off generated from the first inch of rainfall on developed sites, whichever is greater.~~

~~C. Orange County shall require a retention/detention system that limits peak discharge of a developed site to the discharge from the site in an undeveloped condition during a 24-hour/25-year frequency storm event.~~

~~D. Orange County shall require, prior to development approval that projects receive appropriate permits from State agencies to comply with the rules and regulations for stormwater facility design, performance and discharge.~~

~~E. Discharged stormwater run-off shall not degrade receiving surface water bodies below the minimum conditions as established by State water quality standards (17-302 and 17-40.420, Florida Administrative Code).~~

CIE1.3.9

Prior to June 1st of each year, Orange County Public Schools (OCPS) shall coordinate with the County to develop a financially feasible ten (10) year District Capital Outlay Plan (DCOP) for review and approval by the OCPS Board and adoption into the Capital Improvements Element for the County. (Added 6/08, Ord. 08-11)

- CIE1.3.10 The County shall review the updated ten (10) year DCOP to determine if the projected capacity, projected enrollment, and LOS for each school and Concurrency Service Area (CSA) within the County's jurisdiction is consistent with its growth projections. (Added 6/08, Ord. 08-11)
- CIE1.3.11 The County shall review and update Orange County Public Schools' (OCPS') adopted Concurrency Service Areas (CSAs), adopted Level of Service (LOS) and enrollment projections in the annual update of the Capital Improvements Element (CIE) to ensure that the CIE continues to be financially feasible and that the LOS will be achieved. The Projected LOS and CSAs shall be included and depicted in the most recent School Concurrency Data Supplement, which serves as supporting data and analysis for the annual update to the CIE (Added 6/08, Ord. 08-11; Amended 4/11, Ord. 11-03)
- CIE1.3.12 The ten (10) year District Capital Outlay Plan (DCOP) shall include all planned capital projects which increase the capacity of public schools within the County be achieved. (Added 6/08, Ord. 08-11)
- CIE1.3.13 The County shall include the ten (10) year District Capital Outlay Plan (DCOP) in the annual update of the Capital Improvement Element (CIE). (Added 6/08, Ord. 08-11)

CIE1.3.14 The County hereby incorporates by reference the Orange County Public School (OCPS) 10-Year Capital Outlay Plan for 2015-2016 adopted by the Orange County School Board on September 15, 2015 (the "10-Year Plan"), which includes school capacity sufficient to meet anticipated student demands projected by OCPS.

Notwithstanding the foregoing, to the extent that any proposed educational facility in the 10-Year Plan does not currently have the requisite Future Land Use designation, zoning, or any other legally required development permit (collectively, "Development Approvals"), the County's incorporation by reference of the 10-Year Plan shall not be construed to mean that such facility is approved by the County or that the facility's proposed location will receive approval of any requested Development Approvals in the future. Orange County reserves its right to make a decision on any such requested Development Approvals at a duly advertised and noticed public hearing. Furthermore, by virtue of Orange County's incorporation of the 10-Year Plan, Orange County is not taking a position, and legally cannot bind its staff or elected officials to take any position in the future, on the potential success of any Development Approvals requested in the future.

(Added 6/08, Ord. 08-11; Amended 4/11, Ord. 11-03; Amended 02/13, Ord. 2013-03; Amended 6/16, Ord. 2016-15)

CIE1.3.15 The County may cooperate with the School Board to ensure that future needs are addressed consistent with the adopted Level of Service (LOS) standards for public schools. (Added 06/08, Ord. 08-11)

CIE1.3.16 The Level of Service (LOS) standards, except for backlogged facilities as provided in Capital Improvements Element (CIE) Policy CIE1.3.18, to implement school concurrency shall be calculated as a percentage of the Adjusted Florida Inventory of School Houses (FISH) Capacity as follows:

- A. Elementary: 110% of Adjusted FISH using Modified Middle School Attendance Zones as CSAs.
- B. Middle: 100% of Adjusted FISH using Middle School Attendance Zones as CSAs.
- C. High, including ninth grade centers: 100% of Adjusted FISH using High School Attendance Zones as CSAs (Note: Adjusted permanent FISH for High Schools does not include in-slots).

The LOS for OCPS' K-8 schools shall be incorporated in the adopted LOS for elementary and middle school CSAs in the following manner: All grades of Arbor Ridge K-8 and Windy Ridge K-8 shall be incorporated in the adopted LOS for elementary schools. For Blanker K-8, grades kindergarten through five shall be included in the adopted LOS for elementary schools and grades six through eight shall be included in the adopted LOS for middle schools. (Added 06/08, Ord. 08-11, Amended 04/10, Ord. 10-03)

CIE1.3.17 In accordance with FS 163.3180(9)(a), the County hereby adopts long-term school concurrency management system with the ten (10) year planning period of 2007/2008-2017/2018 for areas where significant backlogs exist. (Added 06/08, Ord. 08-11)

CIE1.3.18

Consistent with Section 15 of the First Amended and Restated Interlocal Agreement, the Level of Service (LOS) standards shall be applied consistently within Orange County and by the School Board to all schools of the same type. All Concurrency Service Areas (CSAs) must achieve the adopted LOS standards identified in CIE1.3.16 and PS6.1.3 by the end of the 5th year of the Capital Improvements Schedule, with the exception of the backlogged CSAs which have been placed in a long term concurrency management system. Each backlogged CSA must meet the adopted LOS within the 10-year period identified within the respective adopted Long Term Concurrency Management System for Schools (LTCMSS). The backlogged CSAs are identified in Table A and Table B, along with the existing LOS and projected 5-year and 10-year LOS. Table A reflects the LTCMSS adopted by Amendment 2010-1-B-CIE-1 on April 20, 2010. Table B reflects the LTCMSS adopted by Amendment 2011-1-B-CIE-1 on April 5, 2011 (Amended 4/11, Ord. 11-03):

| School Type | Adopted LOS |
|---------------------------|---|
| Elementary | <p>110% of Adjusted FISH Capacity by 2011.</p> <p>The interim LOS for backlogged facilities is shown in Figure 13 of the Data, Inventory and Analysis.</p> <p>The following elementary school CSAs is designated as backlogged facilities: A, DD, U, and Arbor Ridge.</p> <p>The utilization of these CSAs may not increase beyond its level of April 1, 2008, as designed in Figure 6 of the Data, Inventory and Analysis, and must achieve a LOS of 110% by 2017.</p> |
| Middle | <p>100% of Adjusted FISH Capacity by 2011.</p> <p>The interim LOS for backlogged facilities is shown in Figure 14 of the Data, Inventory and Analysis.</p> <p>The following middle school CSAs are designated as backlogged facilities: Apopka MS, Chain of Lakes MS, Gotha MS, Meadow Woods MS, and Walker MS.</p> <p>The utilization of these CSAs may not increase beyond its level of April 1, 2008, as designed in Figure 8 of the Data, Inventory and Analysis, and must achieve a LOS of 100% by 2017.</p> |
| High | <p>100% of Adjusted FISH Capacity by 2011.</p> <p>The interim LOS for backlogged facilities is shown in Figure 15 of the Data, Inventory and Analysis.</p> <p>The following high school CSAs are designated as backlogged facilities: Freedom HS and University HS.</p> <p>The utilization of these CSAs may not increase beyond its level of April 1, 2008, as designed in Figure 10 of the Data, Inventory and Analysis, and must achieve a LOS of 100% by 2017.</p> |
| (Added 06/08, Ord. 08-11) | |

A.

| Backlogged CSA | Adopted LOS Standard | 2009-10 (Existing) | 2013/14 (5 Year) | 2016-17 (LTCMS 10 Year End Date) |
|---------------------------|-----------------------------|---------------------------|-------------------------|---|
| Elementary | | | | |
| CSA DD | 110% | 111% | 114.6% | 100.6% |
| Middle | | | | |
| Gotha | 100% | 147% | 104.0% | 81.9% |
| Meadow Woods | 100% | 113% | 108.1% | 99.3% |
| 66-M-2-4 (2012) | 100% | n/a | 100.8% | 100.0% |
| (Added 05/11, Ord. 11-03) | | | | |

B.

| Backlogged CSA | Adopted LOS Standard | 2010-2011 (Existing) | 2014/15 (5 Year) | 2019-20 (LTCMS 10 Year End Date) |
|---------------------------|-----------------------------|-----------------------------|-------------------------|---|
| Elementary | | | | |
| CSA I | 110% | 99% | 113% | 110% |
| CSA V | 110% | 111% | 138% | 84% |
| Middle | | | | |
| Avalon | 100% | 123% | 129% | 78% |
| High | | | | |
| Dr. Phillips | 100% | 155% | 132% | 100% |
| Olympia | 100% | 97% | 115% | 100% |
| West Orange | 100% | 113% | 155% | 100% |
| (Added 05/11, Ord. 11-03) | | | | |

CIE1.3.19 Orange County shall annually review compliance and appropriateness of the adopted Level of Service (LOS) standard. (Added 06/08, Ord. 08-11)

CIE1.3.20 Orange County shall consider the planned availability of concurrency-related facilities and the impact on the adopted levels of service when making land use decisions.

OBJ CIE1.4 Orange County shall continue to investigate and identify sources of revenue and promote the adoption of non-ad valorem based revenue sources. (Amended 12/00, Ord. 00-25)

POLICIES

- CIE1.4.1 Orange County shall continue to impose impact fees as a means of establishing and paying for future development's proportional cost of capital improvements.
- CIE1.4.2 To the maximum extent feasible, the "user pays" philosophy shall be incorporated into the revenue structure of all major public improvements and infrastructure systems which do not provide substantially equal benefit to all County residents on a County-wide basis.
- CIE1.4.3 The fee structure of all County enterprise funded infrastructure systems shall be set equal to the financial requirements for the operation, maintenance, capital improvements programs and debt service of the respective system.
- CIE1.4.4 Orange County shall aggressively seek Federal and State funding for appropriate improvements and activities to reduce reliance on the County's ad valorem tax base.
- CIE1.4.5 Orange County will strongly lobby for the inclusion of appropriate projects on the ~~Metropolitan Planning Organization~~ Metropolitan Orlando Transportation Improvement Program (TIP) and the Florida Department of Transportation Work Program to ensure that the appropriate and equitable amount of money is expended on State and County eligible ~~road~~ transportation projects within the County. The County also shall pursue additional funding sources for transportation improvements, consistent with Policy T1.3.5. (Amended 12/00, Ord. 00-25; Amended 09/13, Ord. 2013-19)
- CIE1.4.6 When and if new revenue sources are needed, Orange County shall investigate the feasibility of adopting new sources of revenue including, but not limited to, franchise fees, special taxing and benefit units, user fees, and other taxes and fees, as appropriate, to ensure the financial feasibility of the Comprehensive Plan and the maintenance of adopted levels of service over the twenty-year planning horizon. (Amended 12/00, Ord. 00-25)

- CIE1.4.7 Orange County periodically shall examine existing fee structures to determine the adequacy of the fees to offset capital and administrative impacts associated with the various land development activities. (Amended 12/00, Ord. 00-25)
- CIE1.4.8 Orange County shall continue to monitor the relationship of revenues and expenditures in an effort to identify and rectify possible fiscal problems. A status report shall be provided to the Board of County Commissioners periodically.
- CIE1.4.9 On a project by project basis, Orange County may consider the feasibility and suitability of Community Development Districts, Educational Facilities Benefit Districts, special districts, special assessments, tax increment financing or other such financing mechanisms as deemed appropriate by the County, to serve as an alternative financing technique for the provision of infrastructure and public services. The County may also adopt appropriate application fees (including reimbursement of County expenses) for processing and reviewing requests for such financing mechanisms. Such mechanisms may be considered for, but not limited to, public recreation facilities, public schools, ~~mass-transit facilities~~, and transportation networks, including, but not limited to, roadway capacity projects, intersections and other operations improvements, and multimodal roads and other related infrastructure projects. However, such financing mechanisms shall not be considered for approval if they provide for the funding of infrastructure that would otherwise be funded through traditional land development regulations (i.e. subdivision regulations, etc.), unless the Board of County Commissioners expressly permits such an exception. (Amended 3/99, Ord. 99-04; Amended 06/06, Ord. 06-08)

OBJ CIE1.5 Orange County shall coordinate the approval of new development with the Capital Improvements Program. The schedule shall include the maintenance of adopted level of service standards and shall include the existing and future facility needs of Orange County.

POLICIES

- CIE1.5.1 Capital improvements proposed in the Capital Improvements Program shall be consistent with those required due to concurrency in each individual element of the Comprehensive Plan. Capital improvements not required due to concurrency shall be included in the Capital Improvements Program at the discretion of the County.
- CIE1.5.2 The Capital Improvements Program shall be consistent with public facility needs demanded by new development resulting from amendments to the Comprehensive Plan. The County shall evaluate the Capital Improvements Program simultaneously with the adoption of a plan amendment.
- CIE1.5.3 (Policy deleted to remove obsolete language 12/14, Ord. 2014-30.)

OBJ CIE1.6 New development shall bear the incremental capital costs for all facilities and services, as defined by documentation for existing and future impact fees and other funding mechanisms, necessary to accommodate the new development's impacts and to maintain the adopted level of service. The Board of County Commissioners shall have the ability to determine and implement the appropriate capital costs and rates (e.g., impact fees) at their discretion. (Amended 09/13, Ord. 2013-19)

POLICIES

- CIE1.6.1 Orange County shall assess impact fees on new development to cover the incremental capital costs for all facilities and services to provide those services to new growth. (Amended 09/13, Ord. 2013-19)
- CIE1.6.2 Impact fees shall continue to be used to fund capital facility needs resulting from new development and shall not be used to fund existing deficiencies.
- CIE1.6.3 Impact fees shall be maintained for as many public facilities as feasible, but with consideration to the economic impact on affordable housing and the local construction industry.
- CIE1.6.4 If a proposed development is consistent with the Land Development Code and the Comprehensive Plan, but one or more concurrency-related facilities is deficient, the applicant may, at his/her expense, improve the level of service of the facility if and when such improvement is consistent with County plans and the County agrees to the improvement.
- CIE1.6.5 Notwithstanding impact fee assessment, when necessary and appropriate, new developments may contribute a pro rata share of the costs necessary to finance public facility improvements required to maintain adopted level of service standards through development agreements, such as roadway network agreements, school mitigation agreements, or master utility agreements. (Amended 09/13, Ord. 2013-19)
- CIE1.6.6 For any phased, large-scale, future land use amendment, the County shall require the applicant to demonstrate the capacity to provide the necessary infrastructure over the entire build-out period.

OBJ CIE1.7 Orange County will maintain its Concurrency Management System and Land Development Regulations to manage its fiscal resources and land development process in such a manner as to provide or require the provision of needed capital improvements for future development and for needs created by previously issued development orders. (Amended 12/00, Ord. 00-25)

POLICIES

CIE1.7.1 The Concurrency Management System shall maintain a monitoring program to enable the County to determine whether it is adhering to the adopted level of service standards and its schedule of capital improvements. (Amended 12/00, Ord. 00-25)

CIE1.7.2 During the interim period when the provisions of the most recently adopted comprehensive plan, or element or portion thereof, and the land development regulations are inconsistent, the provisions of the most recently adopted comprehensive plan, or element or portion thereof, shall govern any action taken in regard to an application for a development order. Those capital improvements which are needed to improve deficient facilities due to vested project development will receive priority funding in the next annual update of the Capital Improvements Program if the needed improvement was not required as a part of the vested project's development order.

CIE1.7.3 Pursuant to Chapter 163.3167(5) FS, developments defined in Section 30-363, Orange County Code, are vested for consistency with the Comprehensive Plan, and developments defined in Section 30-372 Orange County Code, are vested for concurrency. (Amended 12/00, Ord. 00-25; Amended 09/13, Ord. 2013-19)

CIE1.7.4 Orange County shall use the Long Range Transportation Plan, adopted as part of the Transportation Element, as a long-term schedule of cost-feasible roadway improvements to address current and future roadway deficiencies and will update it annually. (Added 5/96, Ord. 96-11; Amended 12/00, Ord. 00-25; Amended 09/13, Ord. 2013-19)

OBJ CIE1.8 The County establishes a long-term transportation concurrency management system to correct deficiencies in transportation facilities on designated roadways that are included in the Orange County Ten-Year Capital Improvements Schedule and to implement operational improvements that may be needed. (Amended 05/04, Ord. 04-06; 1.4.7-r; Amended 09/13, Ord. 2013-19)

CIE1.8.1 Projects in the long-term transportation concurrency management system shall be addressed in the Orange County Ten-Year Capital Improvements Schedule or with operational improvements that may be implemented as needed. (Added 09/13, Ord. 2013-19)

CIE1.8.2 A long-term (10-year) schedule of capital improvements for the following transportation facilities is hereby established for the long-term concurrency management system and is reflected in the Capital Improvements Element. The adopted level of service will be achieved on these facilities by the end of FY 2022. (Amended 04/10, Ord. 10-03; Amended 09/13, Ord. 2013-19, Policy CIE1.8.1-r; Amended 12/14, Ord. 2014-30; Amended 06/17, Ord. 2017-11):

| FACILITY | SEGMENT |
|---|---|
| Lake Underhill Road | Anderson Street to Conway Road* Conway Road to Semoran Boulevard* Oxalis Avenue to Goldenrod Road* Semoran Boulevard to Oxalis Avenue* Goldenrod Road to Madeira Avenue Madeira Avenue to Dean Road Dean Road to Rouse Road Alafaya Trail to Woodbury Road |
| Winter Garden-Vineland Road / Kissimmee Vineland / SR 535 | Osceola County Line to SR 536 / World Center Parkway |
| Sand Lake Road | Kirkman Road to John Young Parkway* Orange Blossom Trail to Winegard Road Dr. Phillips Boulevard to Turkey Lake Road |
| Boggy Creek Road | Tradeport Drive to Wetherbee Road* Central Florida Greenway to Osceola County Line |
| Kennedy Boulevard / Lake Avenue | Forest City Road to Wymore Road* |
| Reams Road | Summerlake Park Boulevard to Taborfield Avenue Delmar Avenue to Silverlake Park Drive |
| 6 th Street (Windermere) | Park Ridge-Gotha Road to Hempel Avenue* |
| Alafaya Trail | Lake Underhill Road to Curry Ford Road |
| Apopka-Vineland Road | Conroy-Windermere Road to Windy Ridge Road |
| Chase Road | Winter Garden-Vineland Road to Jack Nicklaus Parkway |

| | |
|-----------------------|--|
| Chuluota Road | Colonial Drive to Lake Pickett Road Lake Pickett Road to Seminole County Line |
| | Curry Ford Road to Lake Underhill Road |
| Econlockhatchee Trail | Lee Vista Boulevard to Curry Ford Road* |
| Edgewater Drive | Clarcona Ocoee Road to Beggs Road |
| Ficquette Road | Winter Garden-Vineland Road to Fossick Road Overstreet Road to Summerlake Park Boulevard/Reams Road |
| Good Homes Road | White Road to Colonial Drive* |
| Lake Pickett Road | Colonial Drive to Percival Road Percival Road to Tanner Road Tanner Road to Chuluota Road |
| Narcoossee Road | Lake Nona Drive to Beachline Expressway* |
| S Access Road | Boggy Creek Road to Airport Boulevard* |
| Taft Vineland Road | Orange Blossom Trail to General Boulevard General Boulevard to Orange Avenue |
| Valencia College Lane | Central Florida Greenway to Goldenrod Road |
| Vineland Avenue | Winter Garden-Vineland Road to Little Lake Bryan Parkway |
| Wallace Road | Dr. Phillips Boulevard to Turkey Lake Road* |
| Welch Road | Rock Springs Road to Thompson Road* Thompson Road to Wekiwa Springs Road* |
| Woodbury Road | Lake Underhill Road to Waterford Lakes Parkway Waterford Lakes Parkway to Colonial Drive |

*Roadway segments located partially or entirely within a municipal jurisdiction. The County will coordinate with the respective agencies regarding projects to improve levels of service on these facilities. (Original Policy CIE1.8.2 deleted 09/13, Ord. 2013-19; Amended 06/17, Ord. 2017-11)

CIE1.8.3 The County may choose to allow an applicant to satisfy transportation concurrency through a proportionate share calculation to mitigate the impacts of development on the facilities identified in the long-term transportation concurrency management system and apply the contribution to the impacted facility named on the long-term schedule of capital improvements, or the applicant may provide proportionate-share payment for operational improvements along the failing facility, consistent with Policy T2.2.4. (Amended 09/13, Ord. 2013-19)

CIE1.8.4 Constrained and backlogged facilities which do not meet minimum level of service shall be addressed in annual updates to the Capital Improvements Element and the Concurrency Management System, based on available funding. The following roadway facilities are considered constrained:

| FACILITY | SEGMENT |
|-------------------------------------|--|
| 6 th Street (Windermere) | Park Ridge-Gotha Road to Hempel Avenue* |
| Aloma Avenue | Brewer Avenue to Lakemont Avenue* Semoran Boulevard to Seminole County Line |
| Hoffner Avenue | Orange Avenue to Conway Road* |
| Conroy-Windermere Road | Apopka-Vineland Road to Dr. Phillips Boulevard Kirkman Road to Millenia Boulevard* |
| Consulate Drive | Beachline Expressway to Orange Blossom Trail |
| Curry Ford Road | Econlockhatchee Trail to Central Florida Greenway |
| Michigan Avenue | Bumby Avenue to Crystal Lake Drive* |
| Orange Avenue | Hansel Avenue North to Hansel Avenue South* Vineland Road to Conroy-Windermere Road* Central Florida Parkway to Sand Lake Road |
| University Boulevard | Dean Road to Alafaya Trail |
| John Young Parkway | Colonial Drive to Princeton Street* Town Center Boulevard to Beachline Expressway |
| Clay Street | Par Avenue to Fairbanks Avenue* |
| Forsyth Road | Colonial Drive to University Boulevard |
| N. Tanner Road | Lake Pickett Road to Seminole County Line |
| Winter Garden-Vineland Road | Interstate 4 to Apopka-Vineland Road* Buena Vista Drive to Perrihouse Acres Lane* |

*Roadway segments that are under state or municipal jurisdiction or located within a municipal jurisdiction as described in Transportation Policy T2.2.3. The County will coordinate with the respective agencies regarding projects to improve levels of service on these facilities.

(Amended 04/10, Ord. 10-03; Amended 09/13, Ord. 2013-19; Amended 12/14, Ord. 2014-30; Amended 6/16, Ord. 2016-15; Amended 06/17, Ord. 2017-11).

CIE1.8.5

The County supports the development of multimodal transportation corridors to increase the viability of walking, biking, and transit along these corridors. Transportation improvements shall focus on operational (TSM&O) enhancements, intersection improvements that provide for safe movement of pedestrians and bicyclists, high-visibility pavement markings and refuge islands for pedestrians, multiuse paths, landscaping, bicycle facilities, increased transit service and bus shelters, and facilities and design that support transit-oriented development. Considerations should include, but are not limited to, high-visibility pavement, parking and pedestrian refuge islands, shared use paths, landscaping, bicycle facilities, increased transit service and bus shelters, and facilities and design that support transit-oriented development. Development within these corridors shall be subject to the site design standards in Policy T2.2.4, as determined by a transportation impact study.

Orange County’s designated multimodal corridors include:

| | |
|-----------------------|---|
| Alafaya Trail | Seminole County Line to Innovation Way |
| Econlockhatchee Trail | University Boulevard to Lake Underhill Road |
| Innovation Way | Alafaya Trail to SR 528 |
| International Drive | Sand Lake Road to Central Florida Parkway |
| Orange Avenue | Hoffner Avenue to Sand Lake Road |
| University Boulevard | Semoran Boulevard to Alafaya Trail |
| Valencia College Lane | Goldenrod Road to Econlockhatchee Trail |

Additional multimodal corridors may be designated, by amending the table above, where premium transit service is available or forthcoming and on state roadways that are the subject of multimodal corridor feasibility studies by the Florida Department of Transportation. (Amended 09/13; Ord. 2013-19; Amended 12/14, Ord. 2014-30)

The following pages reflect the Capital Improvements Element should the proposed changes be adopted.

Capital Improvements Element – Text if Adopted

Capital Improvements Element

Goals, Objectives and Policies

GOAL CIE1 Orange County shall plan for and manage the provision of public facilities and services in a fiscally prudent and responsible manner to adequately serve existing and new residents and continue to provide a quality environment.

OBJ CIE1.1 Orange County shall schedule and provide capital improvements to meet existing deficiencies, to accommodate desired future growth, and to replace obsolete or worn-out facilities. (Amended 12/00, Ord. 00-25)

POLICIES

CIE1.1.1 Orange County shall annually prepare a 5-year schedule of capital improvements, also referred to as a Capital Improvements Program (CIP), for County departments, and those authorities and special districts that depend on funds allocated by the Board of County Commissioners to guide the timing and location of capital expenditures. The CIP shall be consistent with and prepared pursuant to Section 163.3177(3)(a)4. and 5., Florida Statutes. (Amended 11/17, Ord. 2017-19)

CIE1.1.2 Public physical improvements, including land acquisition, buildings, structures, facilities, equipment, and infrastructure with a unit cost exceeding \$25,000 and a useful life of at least ten years shall be considered capital improvements. For purposes of the Capital Improvements Element, public facilities are defined as those facilities that maintain or improve adopted levels of service for traffic circulation, potable water, sanitary sewer, solid waste, parks, stormwater management, and Orange County Public Schools (schools). (Amended 12/00, Ord. 00-25)

CIE1.1.3 The Capital Improvements Program shall be consistent with and act as a means of implementing the County's comprehensive plan.

CIE1.1.4 Projects submitted for inclusion in the Capital Improvements Program will be evaluated annually and prioritized by a committee composed of staff from the appropriate County departments. The evaluation of projects shall include consistency with the Comprehensive Plan and consideration of the following criteria:

- elimination of a public hazard;
- elimination of an existing deficiency;
- required by legislative mandate;
- needed to maintain level of service standard;
- financial feasibility;
- public safety;
- local budget impact;
- locational needs based on projected growth patterns;
- accommodation of new development and redevelopment facility demands;
- plans of state agencies and water management districts that provide public facilities within the local government's jurisdiction; and

- local priorities.

- CIE1.1.5 All County capital improvements shall be made in accordance with this adopted Capital Improvements Program, including amendments, and as outlined in the comprehensive plan. (Amended 11/17, Ord. 2017-19)
- CIE1.1.6 The County shall annually review and update the Capital Improvements Element in order to maintain a 5-year schedule of capital improvements, or Capital Improvements Program. The Capital Improvements Budget will be based on the multi-year Capital Improvements Program. Future capital improvements expenditures necessitated by changes in population, changes in real estate development, or changes in economic base will be calculated and included in capital improvements budget projections. (Amended 06/17, Ord. 2017-12, Amended 11/17, Ord. 2017-19)
- CIE1.1.7 The County shall coordinate development of the Capital Improvements Budget with development of the operating budget. Future operating costs associated with new capital improvements will be projected and included in operating budget forecasts.
- CIE1.1.8 The County shall use intergovernmental assistance to finance only those capital improvements that are consistent with the Capital Improvements Program and County priorities, and whose operating and maintenance costs have been included in operating budget forecasts.
- CIE1.1.9 The County shall maintain all its assets at a level adequate to protect the County's capital investment, and to minimize future maintenance and replacement costs. The maintenance of existing assets is the County's primary capital expenditure consideration.
- CIE1.1.10 The County shall project its equipment replacement and maintenance needs for the next several years and will update this projection each year. From this projection, a maintenance and replacement schedule will be developed and followed.
- CIE1.1.11 The County shall identify the estimated costs and potential funding sources for each capital project proposal before it is submitted for approval.
- CIE1.1.12 The County shall identify and pursue the least costly financing method for all new projects.
- CIE1.1.13 The Capital Improvements Budget will be adopted and incorporated into the annual Orange County Budget. (Amended 04/10, Ord. 10-03; Amended 04/11, Ord. 11-03; Amended 02/13, Ord. 13-03; Amended 6/16, Ord. 2016-15; Amended 11/17, Ord. 2017-19)
- CIE1.1.14 The Capital Improvements Program for each five year period shall be adopted by the Board of County Commissioners concurrently with approval of the annual budget. Modifications and deviations from the adopted Capital Improvements Budget or Capital Improvements Program will require approval by the Board of County Commissioners. Copies of the Capital Improvements Program as adopted by the Board concurrently with the budget, and as modified from time to time, shall be made available to the public at www.orangecountyfl.net/PlanningDevelopment.aspx. (Amended 11/17, Ord. 2017-19)
- CIE1.1.15 (Policy CIE1.1.15 deleted 09/13, Ord. 2013-19)

- CIE1.1.16 Consistent with s.163.3177(3)(b), FS, the following modifications may be adopted by ordinance, provided they are consistent with the Comprehensive Plan, and such modifications may not be deemed to be amendments to the Comprehensive Plan:
- Corrections and modifications of the cost of a project already included in the Capital Improvements Program,
 - Corrections and modifications to revenue sources identified in the Capital Improvements Program, and/or
 - The acceptance of facilities pursuant to dedications
- (Amended 06/17, Ord. 2017-12; Amended 11/17, Ord. 2017-19)
- CIE1.1.17 Public facility and service commitments established in development agreements shall be annually incorporated into the Capital Improvements Program.
- CIE1.1.18 Orange County shall identify, include and maintain in its annual 5-year Capital Improvement Program budget update a listing, description and budget cost for water-related projects and improvements outlined in the first 5 years of the Orange County *Water Supply Facilities Work Plan* (Work Plan) to ensure consistency between the Potable Water, Wastewater, and Reclaimed Water Element and the Capital Improvements Element.
- CIE1.1.19 The Work Plan and Policies WAT3.1.6, WAT3.1.7, and WAT3.1.8 of the Potable Water, Wastewater and Reclaimed Water Element contain the water-related projects and improvements that shall be included as part of the County's 5-year schedule of capital improvements. (Added 5/09, Ord. 09-14)

OBJ CIE1.2 Orange County shall maintain a comprehensive and viable debt management strategy which recognizes the capital improvements needs of the County as well as the taxpayer's or rate payer's ability to pay, accounting for existing legal, economic, financial and debt market considerations. (Amended 12/00, Ord. 00-25)

POLICIES

- CIE1.2.1 Capital improvements related to enterprise funds operations (e.g., water systems, wastewater systems, refuse disposal systems, etc.) shall be financed solely by debt to be repaid from user fees and charges generated from the respective enterprise funds operation, when practicable.
- CIE1.2.2 Capital improvements not related to enterprise funds operations (e.g., roads, parks, public buildings, etc.) may be financed by debt to be repaid from available revenue sources (including ad valorem taxes) pledgeable for same, when practical.
- CIE1.2.3 Cash surpluses, to the extent available and appropriate, shall be considered to finance scheduled capital improvements.
- CIE1.2.4 The County shall issue debt only for the purposes of constructing or acquiring capital improvements (more specifically, the approved schedule of capital improvements) and for making major renovations to existing capital improvements. The only exception to the above would involve entering into long-term leases for the acquisition of major equipment when it is cost justifiable to do so.
- CIE1.2.5 All capital improvements financed through the issuance of debt shall be financed for a period not to exceed the useful life of the improvements, but in no event to exceed thirty years.
- CIE1.2.6 The County shall not construct or acquire a public facility if it is unable to adequately provide for the subsequent annual operation and maintenance costs of the facility.
- CIE1.2.7 The County shall at all times manage its debt and sustain its financial position in order to seek and maintain the highest credit rating possible.
- CIE1.2.8 The County shall ensure that an adequate system of internal control exists to provide reasonable assurance as to compliance with appropriate laws, rules, regulations and covenants associated with outstanding debt.
- CIE1.2.9 Revenue sources shall only be pledged for debt when legally available and, in those situations where they have previously been used for operation and maintenance expenses/general operating expenditures, they will only be pledged for debt when other sufficient revenue sources are available to replace same to meet operation and maintenance expenses/general operating expenditures.
- CIE1.2.10 The County shall market its debt through the use of competitive bid whenever deemed feasible, cost effective and advantageous to do so. However, it is recognized that, in some situations, certain complexities and intricacies of a particular debt issue are such that it may be advantageous to market the debt via negotiated sale.

- CIE1.2.11 The County shall continually monitor its outstanding debt in relation to existing conditions in the debt market and will refund any outstanding debt when sufficient cost savings can be realized.
- CIE1.2.12 Credit enhancements (insurance, letters of credit, etc.) shall be used only in those instances where the anticipated present value savings in terms of reduced interest expense equals or exceeds the cost of the credit enhancement.
- CIE1.2.13 The County should consider coordinating with other local government entities to the fullest extent possible, so as to minimize the overlapping debt burden to citizens. (Added 12/00, Ord. 00-25)
- CIE1.2.14 In order to maintain a stable debt service burden, the County will attempt to issue debt that carries a fixed interest rate. However, it is recognized that certain circumstances may warrant the issuances of variable rate debt. In those instances, the County should attempt to stabilize debt service payments through the use of an appropriate stabilization arrangement. (Added 12/00, Ord. 00-25)

OBJ CIE1.3 Orange County shall regulate growth by requiring the adopted level of service standards for traffic circulation, mass transit, recreation, potable water, sanitary sewer, solid waste, and stormwater management, and schools to be maintained through public or private investment. (Amended 6/08, Ord. 08-11)

POLICIES

CIE1.3.1 Public facilities and services consistent with the adopted level of service standards must be available concurrent with the impacts of new development or expansion of service areas. (Amended 09/13, Ord. 2013-19)

CIE1.3.2 The County will continue to ensure minimum level of service standards, or adopted quality of service standards, if applicable, are maintained on County roads and State roads within unincorporated Orange County. (Amended 12/00, Ord. 00-25; Amended 6/14, Ord. 2014-12; Amended 12/14, Ord. 2014-30)

CIE1.3.3

CIE1.3.4 When central water service from Orange County Utilities is required for development, the level of service standard shall be 275 gallons per day (average daily flow) per equivalent residential connection. Flow demands for commercial, industrial or other special developments differing from the flow values established by the serving utility shall be established from existing records or by estimated projections, using the best available data. These levels of service shall also be applied for planning purposes. (Amended 12/00, Ord. 00-25; Amended 5/13, Ord. 2013-11, Policy PW1.2.5-r)

A. Timing of Future Treatment Facility Expansion. Orange County Utilities shall ensure that sufficient water supply facility (WSF) capacity is maintained, consistent with the requirements of the Florida Department of Environmental Protection (FDEP). When the WSF maximum daily demand exceeds 75% of maximum day water treatment capacity, a capacity analysis report shall be submitted to the FDEP. The capacity analysis report shall identify recommended improvements, improvement costs and the timing of such improvements. Facilities scheduled for design and construction, as identified by the capacity analysis report, shall be considered for inclusion into Orange County's Five Year and Ten Year Capital Improvements Programs. Facilities approaching build out shall be exempt from this requirement. F.

CIE1.3.5 When central wastewater service from Orange County Utilities is required for development, the level of service standard shall be 225 gallons per day (average daily flow) per equivalent residential unit. Interim wastewater systems (permanent package treatment plants are no longer allowed in Orange County) shall have the same level of service standard. Wastewater flow demands for commercial, industrial or other special developments differing from the flow values established by the serving utility shall be established from existing records or by estimated projections, using the best available data. These levels of service shall also be applied for planning purposes. (Added 8/92, Ord. 92-24; Amended 12/00, Ord. 00-25; Amended 5/13, Ord. 2013-11, Policy WW1.2.5-r)

A. Timing of Future Treatment Facility Expansion. Orange County Utilities shall ensure that sufficient water reclamation facility (WRF) capacity is maintained, consistent with the requirements of the FDEP. When the WRF maximum 3 month average daily flow exceeds 50% of the permitted wastewater treatment capacity, a capacity analysis report shall be submitted to the FDEP. The capacity analysis report shall identify recommended improvements, improvement costs and the timing of such improvements. Facilities scheduled for design and construction, as identified by the capacity analysis report, shall be considered for inclusion into Orange County's Five Year and Ten Year Capital Improvement Program. Facilities approaching build out shall be exempt from this requirement.

CIE1.3.6 RESERVED

CIE1.3.7 RESERVED

- CIE1.3.8 Refer to SM1.5.8. CIE1.3.9 Prior to June 1st of each year, Orange County Public Schools (OCPS) shall coordinate with the County to develop a financially feasible ten (10) year District Capital Outlay Plan (DCOP) for review and approval by the OCPS Board and adoption into the Capital Improvements Element for the County. (Added 6/08, Ord. 08-11)
- CIE1.3.10 The County shall review the updated ten (10) year DCOP to determine if the projected capacity, projected enrollment, and LOS for each school and Concurrency Service Area (CSA) within the County's jurisdiction is consistent with its growth projections. (Added 6/08, Ord. 08-11)
- CIE1.3.11 The County shall review and update Orange County Public Schools' (OCPS') adopted Concurrency Service Areas (CSAs), adopted Level of Service (LOS) and enrollment projections in the annual update of the Capital Improvements Element (CIE) to ensure that the CIE continues to be financially feasible and that the LOS will be achieved. The Projected LOS and CSAs shall be included and depicted in the most recent School Concurrency Data Supplement, which serves as supporting data and analysis for the annual update to the CIE (Added 6/08, Ord. 08-11; Amended 4/11, Ord. 11-03)
- CIE1.3.12 The ten (10) year District Capital Outlay Plan (DCOP) shall include all planned capital projects which increase the capacity of public schools within the County be achieved. (Added 6/08, Ord. 08-11)
- CIE1.3.13 The County shall include the ten (10) year District Capital Outlay Plan (DCOP) in the annual update of the Capital Improvement Element (CIE). (Added 6/08, Ord. 08-11)

CIE1.3.14 The County hereby incorporates by reference the Orange County Public School (OCPS) 10-Year Capital Outlay Plan for 2015-2016 adopted by the Orange County School Board on September 15, 2015 (the "10-Year Plan"), which includes school capacity sufficient to meet anticipated student demands projected by OCPS.

Notwithstanding the foregoing, to the extent that any proposed educational facility in the 10-Year Plan does not currently have the requisite Future Land Use designation, zoning, or any other legally required development permit (collectively, "Development Approvals"), the County's incorporation by reference of the 10-Year Plan shall not be construed to mean that such facility is approved by the County or that the facility's proposed location will receive approval of any requested Development Approvals in the future. Orange County reserves its right to make a decision on any such requested Development Approvals at a duly advertised and noticed public hearing. Furthermore, by virtue of Orange County's incorporation of the 10-Year Plan, Orange County is not taking a position, and legally cannot bind its staff or elected officials to take any position in the future, on the potential success of any Development Approvals requested in the future.

(Added 6/08, Ord. 08-11; Amended 4/11, Ord. 11-03; Amended 02/13, Ord. 2013-03; Amended 6/16, Ord. 2016-15)

CIE1.3.15 The County may cooperate with the School Board to ensure that future needs are addressed consistent with the adopted Level of Service (LOS) standards for public schools. (Added 06/08, Ord. 08-11)

CIE1.3.16 The Level of Service (LOS) standards, except for backlogged facilities as provided in Capital Improvements Element (CIE) Policy CIE1.3.18, to implement school concurrency shall be calculated as a percentage of the Adjusted Florida Inventory of School Houses (FISH) Capacity as follows:

- D. Elementary: 110% of Adjusted FISH using Modified Middle School Attendance Zones as CSAs.
- E. Middle: 100% of Adjusted FISH using Middle School Attendance Zones as CSAs.
- F. High, including ninth grade centers: 100% of Adjusted FISH using High School Attendance Zones as CSAs (Note: Adjusted permanent FISH for High Schools does not include in-slots).

The LOS for OCPS' K-8 schools shall be incorporated in the adopted LOS for elementary and middle school CSAs in the following manner: All grades of Arbor Ridge K-8 and Windy Ridge K-8 shall be incorporated in the adopted LOS for elementary schools. For Blanker K-8, grades kindergarten through five shall be included in the adopted LOS for elementary schools and grades six through eight shall be included in the adopted LOS for middle schools. (Added 06/08, Ord. 08-11, Amended 04/10, Ord. 10-03)

CIE1.3.17 In accordance with FS 163.3180(9)(a), the County hereby adopts long-term school concurrency management system with the ten (10) year planning period of 2007/2008-2017/2018 for areas where significant backlogs exist. (Added 06/08, Ord. 08-11)

CIE1.3.18 Consistent with Section 15 of the First Amended and Restated Interlocal Agreement, the Level of Service (LOS) standards shall be applied consistently within Orange County and by the School Board to all schools of the same type. All Concurrency Service Areas (CSAs) must achieve the adopted LOS standards identified in CIE1.3.16 and PS6.1.3 by the end of the 5th year of the Capital Improvements Schedule, with the exception of the backlogged CSAs which have been placed in a long term concurrency management system. Each backlogged CSA must meet the adopted LOS within the 10-year period identified within the respective adopted Long Term Concurrency Management System for Schools (LTCMSS). The backlogged CSAs are identified in Table A and Table B, along with the existing LOS and projected 5-year and 10-year LOS. Table A reflects the LTCMSS adopted by Amendment 2010-1-B-CIE-1 on April 20, 2010. Table B reflects the LTCMSS adopted by Amendment 2011-1-B-CIE-1 on April 5, 2011 (Amended 4/11, Ord. 11-03):

| School Type | Adopted LOS |
|---------------------------|---|
| Elementary | <p>110% of Adjusted FISH Capacity by 2011.</p> <p>The interim LOS for backlogged facilities is shown in Figure 13 of the Data, Inventory and Analysis.</p> <p>The following elementary school CSAs is designated as backlogged facilities: A, DD, U, and Arbor Ridge.</p> <p>The utilization of these CSAs may not increase beyond its level of April 1, 2008, as designed in Figure 6 of the Data, Inventory and Analysis, and must achieve a LOS of 110% by 2017.</p> |
| Middle | <p>100% of Adjusted FISH Capacity by 2011.</p> <p>The interim LOS for backlogged facilities is shown in Figure 14 of the Data, Inventory and Analysis.</p> <p>The following middle school CSAs are designated as backlogged facilities: Apopka MS, Chain of Lakes MS, Gotha MS, Meadow Woods MS, and Walker MS.</p> <p>The utilization of these CSAs may not increase beyond its level of April 1, 2008, as designed in Figure 8 of the Data, Inventory and Analysis, and must achieve a LOS of 100% by 2017.</p> |
| High | <p>100% of Adjusted FISH Capacity by 2011.</p> <p>The interim LOS for backlogged facilities is shown in Figure 15 of the Data, Inventory and Analysis.</p> <p>The following high school CSAs are designated as backlogged facilities: Freedom HS and University HS.</p> <p>The utilization of these CSAs may not increase beyond its level of April 1, 2008, as designed in Figure 10 of the Data, Inventory and Analysis, and must achieve a LOS of 100% by 2017.</p> |
| (Added 06/08, Ord. 08-11) | |

A.

| Backlogged CSA | Adopted LOS Standard | 2009-10 (Existing) | 2013/14 (5 Year) | 2016-17 (LTCMS 10 Year End Date) |
|---------------------------|-----------------------------|---------------------------|-------------------------|---|
| Elementary | | | | |
| CSA DD | 110% | 111% | 114.6% | 100.6% |
| Middle | | | | |
| Gotha | 100% | 147% | 104.0% | 81.9% |
| Meadow Woods | 100% | 113% | 108.1% | 99.3% |
| 66-M-2-4 (2012) | 100% | n/a | 100.8% | 100.0% |
| (Added 05/11, Ord. 11-03) | | | | |

B.

| Backlogged CSA | Adopted LOS Standard | 2010-2011 (Existing) | 2014/15 (5 Year) | 2019-20 (LTCMS 10 Year End Date) |
|---------------------------|-----------------------------|-----------------------------|-------------------------|---|
| Elementary | | | | |
| CSA I | 110% | 99% | 113% | 110% |
| CSA V | 110% | 111% | 138% | 84% |
| Middle | | | | |
| Avalon | 100% | 123% | 129% | 78% |
| High | | | | |
| Dr. Phillips | 100% | 155% | 132% | 100% |
| Olympia | 100% | 97% | 115% | 100% |
| West Orange | 100% | 113% | 155% | 100% |
| (Added 05/11, Ord. 11-03) | | | | |

CIE1.3.19 Orange County shall annually review compliance and appropriateness of the adopted Level of Service (LOS) standard. (Added 06/08, Ord. 08-11)

CIE1.3.20 Orange County shall consider the planned availability of concurrency-related facilities and the impact on the adopted levels of service when making land use decisions.

OBJ CIE1.4 Orange County shall continue to investigate and identify sources of revenue and promote the adoption of non-ad valorem based revenue sources. (Amended 12/00, Ord. 00-25)

POLICIES

- CIE1.4.1 Orange County shall continue to impose impact fees as a means of establishing and paying for future development's proportional cost of capital improvements.
- CIE1.4.2 To the maximum extent feasible, the "user pays" philosophy shall be incorporated into the revenue structure of all major public improvements and infrastructure systems which do not provide substantially equal benefit to all County residents on a County-wide basis.
- CIE1.4.3 The fee structure of all County enterprise funded infrastructure systems shall be set equal to the financial requirements for the operation, maintenance, capital improvements programs and debt service of the respective system.
- CIE1.4.4 Orange County shall aggressively seek Federal and State funding for appropriate improvements and activities to reduce reliance on the County's ad valorem tax base.
- CIE1.4.5 Orange County will strongly lobby for the inclusion of appropriate projects on the MetroPlan Orlando Transportation Improvement Program (TIP) and the Florida Department of Transportation Work Program to ensure that the appropriate and equitable amount of money is expended on State and County eligible transportation projects within the County. The County also shall pursue additional funding sources for transportation improvements, consistent with Policy T1.3.5. (Amended 12/00, Ord. 00-25; Amended 09/13, Ord. 2013-19)
- CIE1.4.6 When and if new revenue sources are needed, Orange County shall investigate the feasibility of adopting new sources of revenue including, but not limited to, franchise fees, special taxing and benefit units, user fees, and other taxes and fees, as appropriate, to ensure the financial feasibility of the Comprehensive Plan and the maintenance of adopted levels of service over the twenty-year planning horizon. (Amended 12/00, Ord. 00-25)
- CIE1.4.7 Orange County periodically shall examine existing fee structures to determine the adequacy of the fees to offset capital and administrative impacts associated with the various land development activities. (Amended 12/00, Ord. 00-25)
- CIE1.4.8 Orange County shall continue to monitor the relationship of revenues and expenditures in an effort to identify and rectify possible fiscal problems. A status report shall be provided to the Board of County Commissioners periodically.
- CIE1.4.9 On a project by project basis, Orange County may consider the feasibility and suitability of Community Development Districts, Educational Facilities Benefit Districts, special districts, special assessments, tax increment financing or other such financing mechanisms as deemed appropriate by the County, to serve as an alternative financing technique for the provision of infrastructure and public services. The County may also adopt appropriate application fees (including reimbursement of County expenses) for processing and reviewing requests for such financing mechanisms. Such mechanisms may be considered for, but not limited to, public recreation facilities, public schools,

transit , and transportation networks, including, but not limited to, roadway capacity projects, intersections and other operations improvements, and multimodal infrastructure projects. However, such financing mechanisms shall not be considered for approval if they provide for the funding of infrastructure that would otherwise be funded through traditional land development regulations (i.e. subdivision regulations, etc.), unless the Board of County Commissioners expressly permits such an exception. (Amended 3/99, Ord. 99-04; Amended 06/06, Ord. 06-08)

OBJ CIE1.5 Orange County shall coordinate the approval of new development with the Capital Improvements Program. The schedule shall include the maintenance of adopted level of service standards and shall include the existing and future facility needs of Orange County.

POLICIES

- CIE1.5.1 Capital improvements proposed in the Capital Improvements Program shall be consistent with those required due to concurrency in each individual element of the Comprehensive Plan. Capital improvements not required due to concurrency shall be included in the Capital Improvements Program at the discretion of the County.
- CIE1.5.2 The Capital Improvements Program shall be consistent with public facility needs demanded by new development resulting from amendments to the Comprehensive Plan. The County shall evaluate the Capital Improvements Program simultaneously with the adoption of a plan amendment.
- CIE1.5.3 (Policy deleted to remove obsolete language 12/14, Ord. 2014-30.)

OBJ CIE1.6 New development shall bear the incremental capital costs for all facilities and services, as defined by documentation for existing and future impact fees and other funding mechanisms, necessary to accommodate the new development's impacts and to maintain the adopted level of service. The Board of County Commissioners shall have the ability to determine and implement the appropriate capital costs and rates (e.g., impact fees) at their discretion. (Amended 09/13, Ord. 2013-19)

POLICIES

- CIE1.6.1 Orange County shall assess impact fees on new development to cover the incremental capital costs for all facilities and services to provide those services to new growth. (Amended 09/13, Ord. 2013-19)
- CIE1.6.2 Impact fees shall continue to be used to fund capital facility needs resulting from new development and shall not be used to fund existing deficiencies.
- CIE1.6.3 Impact fees shall be maintained for as many public facilities as feasible, but with consideration to the economic impact on affordable housing and the local construction industry.
- CIE1.6.4 If a proposed development is consistent with the Land Development Code and the Comprehensive Plan, but one or more concurrency-related facilities is deficient, the applicant may, at his/her expense, improve the level of service of the facility if and when such improvement is consistent with County plans and the County agrees to the improvement.
- CIE1.6.5 Notwithstanding impact fee assessment, when necessary and appropriate, new developments may contribute a pro rata share of the costs necessary to finance public facility improvements required to maintain adopted level of service standards through development agreements, such as roadway network agreements, school mitigation agreements, or master utility agreements. (Amended 09/13, Ord. 2013-19)
- CIE1.6.6 For any phased, large-scale, future land use amendment, the County shall require the applicant to demonstrate the capacity to provide the necessary infrastructure over the entire build-out period.

OBJ CIE1.7 Orange County will maintain its Concurrency Management System and Land Development Regulations to manage its fiscal resources and land development process in such a manner as to provide or require the provision of needed capital improvements for future development and for needs created by previously issued development orders. (Amended 12/00, Ord. 00-25)

POLICIES

- CIE1.7.1 The Concurrency Management System shall maintain a monitoring program to enable the County to determine whether it is adhering to the adopted level of service standards and its schedule of capital improvements. (Amended 12/00, Ord. 00-25)
- CIE1.7.2 During the interim period when the provisions of the most recently adopted comprehensive plan, or element or portion thereof, and the land development regulations are inconsistent, the provisions of the most recently adopted comprehensive plan, or element or portion thereof, shall govern any action taken in regard to an application for a development order. Those capital improvements which are needed to improve deficient facilities due to vested project development will receive priority funding in the next annual update of the Capital Improvements Program if the needed improvement was not required as a part of the vested project's development order.
- CIE1.7.3 Pursuant to Chapter 163.3167(5) FS, developments defined in Section 30-363, Orange County Code, are vested for consistency with the Comprehensive Plan, and developments defined in Section 30-372 Orange County Code, are vested for concurrency. (Amended 12/00, Ord. 00-25; Amended 09/13, Ord. 2013-19)
- CIE1.7.4 Orange County shall use the Long Range Transportation Plan, adopted as part of the Transportation Element, as a long-term schedule of cost-feasible roadway improvements to address current and future roadway deficiencies and will update it annually. (Added 5/96, Ord. 96-11; Amended 12/00, Ord. 00-25; Amended 09/13, Ord. 2013-19)

OBJ CIE1.8 The County establishes a long-term transportation concurrency management system to correct deficiencies in transportation facilities on designated roadways that are included in the Orange County Ten-Year Capital Improvements Schedule and to implement operational improvements that may be needed. (Amended 05/04, Ord. 04-06; 1.4.7-r; Amended 09/13, Ord. 2013-19)

CIE1.8.1 Projects in the long-term transportation concurrency management system shall be addressed in the Orange County Ten-Year Capital Improvements Schedule or with operational improvements that may be implemented as needed. (Added 09/13, Ord. 2013-19)

CIE1.8.2 A long-term (10-year) schedule of capital improvements for the following transportation facilities is hereby established for the long-term concurrency management system and is reflected in the Capital Improvements Element. The adopted level of service will be achieved on these facilities by the end of FY 2022. (Amended 04/10, Ord. 10-03; Amended 09/13, Ord. 2013-19, Policy CIE1.8.1-r; Amended 12/14, Ord. 2014-30; Amended 06/17, Ord. 2017-11):

| FACILITY | SEGMENT |
|---|---|
| Lake Underhill Road | Anderson Street to Conway Road* Conway Road to Semoran Boulevard* Oxalis Avenue to Goldenrod Road* Semoran Boulevard to Oxalis Avenue* Goldenrod Road to Madeira Avenue Madeira Avenue to Dean Road Dean Road to Rouse Road Alafaya Trail to Woodbury Road |
| Winter Garden-Vineland Road / Kissimmee Vineland / SR 535 | Osceola County Line to SR 536 / World Center Parkway |
| Sand Lake Road | Kirkman Road to John Young Parkway* Orange Blossom Trail to Winegard Road Dr. Phillips Boulevard to Turkey Lake Road |
| Boggy Creek Road | Tradeport Drive to Wetherbee Road* Central Florida Greenway to Osceola County Line |
| Kennedy Boulevard / Lake Avenue | Forest City Road to Wymore Road* |
| Reams Road | Summerlake Park Boulevard to Taborfield Avenue Delmar Avenue to Silverlake Park Drive |

| | |
|-------------------------------------|--|
| 6 th Street (Windermere) | Park Ridge-Gotha Road to Hempel Avenue* |
| Alafaya Trail | Lake Underhill Road to Curry Ford Road |
| Apopka-Vineland Road | Conroy-Windermere Road to Windy Ridge Road |
| Chase Road | Winter Garden-Vineland Road to Jack Nicklaus Parkway |

| | |
|-----------------------|--|
| Chuluota Road | Colonial Drive to Lake Pickett Road Lake Pickett Road to Seminole County Line |
| | Curry Ford Road to Lake Underhill Road |
| Econlockhatchee Trail | Lee Vista Boulevard to Curry Ford Road* |
| Edgewater Drive | Clarcona Ocoee Road to Beggs Road |
| Ficquette Road | Winter Garden-Vineland Road to Fossick Road Overstreet Road to Summerlake Park Boulevard/Reams Road |
| Good Homes Road | White Road to Colonial Drive* |
| Lake Pickett Road | Colonial Drive to Percival Road Percival Road to Tanner Road Tanner Road to Chuluota Road |
| Narcoossee Road | Lake Nona Drive to Beachline Expressway* |
| S Access Road | Boggy Creek Road to Airport Boulevard* |
| Taft Vineland Road | Orange Blossom Trail to General Boulevard General Boulevard to Orange Avenue |
| Valencia College Lane | Central Florida Greenway to Goldenrod Road |
| Vineland Avenue | Winter Garden-Vineland Road to Little Lake Bryan Parkway |
| Wallace Road | Dr. Phillips Boulevard to Turkey Lake Road* |
| Welch Road | Rock Springs Road to Thompson Road* Thompson Road to Wekiwa Springs Road* |
| Woodbury Road | Lake Underhill Road to Waterford Lakes Parkway Waterford Lakes Parkway to Colonial Drive |

*Roadway segments located partially or entirely within a municipal jurisdiction. The County will coordinate with the respective agencies regarding projects to improve levels of service on these facilities. (Original Policy CIE1.8.2 deleted 09/13, Ord. 2013-19; Amended 06/17, Ord. 2017-11)

CIE1.8.3

The County may choose to allow an applicant to satisfy transportation concurrency through a proportionate share calculation to mitigate the impacts of development on the facilities identified in the long-term transportation concurrency management system and

apply the contribution to the impacted facility named on the long-term schedule of capital improvements, or the applicant may provide proportionate-share payment for operational improvements along the failing facility, consistent with Policy T2.2.4. (Amended 09/13, Ord. 2013-19)

CIE1.8.4 Constrained and backlogged facilities which do not meet minimum level of service shall be addressed in annual updates to the Capital Improvements Element and the Concurrency Management System, based on available funding. The following roadway facilities are considered constrained:

| ACILITY | SEGMENT |
|--|--|
| 6 th Street (Windermere) | Park Ridge-Gotha Road to Hempel Avenue* |
| Aloma Avenue | Brewer Avenue to Lakemont Avenue* Semoran Boulevard to Seminole County Line |
| Hoffner Avenue | Orange Avenue to Conway Road* |
| Conroy-Windermere Road | Apopka-Vineland Road to Dr. Phillips Boulevard Kirkman Road to Millenia Boulevard* |
| Consulate Drive | Beachline Expressway to Orange Blossom Trail |
| Curry Ford Road | Econlockhatchee Trail to Central Florida Greenway |
| Michigan Avenue | Bumby Avenue to Crystal Lake Drive* |
| Orange Avenue | Hansel Avenue North to Hansel Avenue South* Vineland Road to Conroy-Windermere Road* Central Florida Parkway to Sand Lake Road |
| University Boulevard | Dean Road to Alafaya Trail |
| John Young Parkway | Colonial Drive to Princeton Street* Town Center Boulevard to Beachline Expressway |
| Clay Street | Par Avenue to Fairbanks Avenue* |
| Forsyth Road | Colonial Drive to University Boulevard |
| N. Tanner Road | Lake Pickett Road to Seminole County Line |
| Winter Garden-Vineland Road | Interstate 4 to Apopka-Vineland Road* Buena Vista Drive to Perrihouse Acres Lane* |

*Roadway segments that are under state or municipal jurisdiction or located within a municipal jurisdiction as described in Transportation Policy T2.2.3. The County will coordinate with the respective agencies regarding projects to improve levels of service on these facilities.

(Amended 04/10, Ord. 10-03; Amended 09/13, Ord. 2013-19; Amended 12/14, Ord. 2014-30; Amended 6/16, Ord. 2016-15; Amended 06/17, Ord. 2017-11).

CIE1.8.5

The County supports the development of multimodal transportation corridors to increase the viability of walking, biking, and transit along these corridors. Transportation improvements shall focus on operational (TSM&O) enhancements, intersection improvements that provide for safe movement of pedestrians and bicyclists, high-visibility pavement markings and refuge islands for pedestrians, multiuse paths, landscaping, bicycle facilities, increased transit service and bus shelters, and facilities and design that support transit-oriented development. Considerations should include, but are not limited to, high-visibility pavement, parking and pedestrian refuge islands, shared use paths, landscaping, bicycle families, increased transit service and bus shelters, and facilities and design that support transit-oriented development. Development within these corridors shall be subject to the site design standards in Policy T2.2.4, as determined by a transportation impact study.

Orange County’s designated multimodal corridors include:

| | |
|-----------------------|---|
| Alafaya Trail | Seminole County Line to Innovation Way |
| Econlockhatchee Trail | University Boulevard to Lake Underhill Road |
| Innovation Way | Alafaya Trail to SR 528 |
| International Drive | Sand Lake Road to Central Florida Parkway |
| Orange Avenue | Hoffner Avenue to Sand Lake Road |
| University Boulevard | Semorán Boulevard to Alafaya Trail |
| Valencia College Lane | Goldenrod Road to Econlockhatchee Trail |

Additional multimodal corridors may be designated, by amending the table above, where premium transit service is available or forthcoming and on state roadways that are the subject of multimodal corridor feasibility studies by the Florida Department of Transportation. (Amended 09/13; Ord. 2013-19; Amended 12/14, Ord. 2014-30)

INTERGOVERNMENTAL COORDINATION ELEMENT 2020-2-C-CP-5

Background Information

The Intergovernmental Coordination Element is a required element of the Comprehensive Plan. The purpose of the element is to determine and respond to the needs for coordination processes and procedures with adjacent local governments, and regional and state agencies.

Intergovernmental coordination involves working with neighboring local governments, school districts, and regional, state, and federal agencies to understand how their future planning activities will affect Orange County. Intergovernmental coordination is essential in the growth management process, as many of the impacts associated with growth do not adhere to jurisdictional boundaries. The intent of the element is to identify the issues and agencies where coordination is essential for effective growth management.

Summary of Proposed Changes

Staff from the Orange County Utilities, Environmental Protection Division, Transportation Planning, and the Planning Division collaborated on the review and proposed amendments to the Intergovernmental Coordination Element policies.

| The following meetings and hearings have been held for this proposal: | | |
|---|------------------------------|--|
| Report/Public Hearing | Outcome | |
| ✓ Staff Report | Recommend Transmittal | |
| ✓ LPA Transmittal September 17, 2020 | Recommend Transmittal (8-0) | |
| ✓ BCC Transmittal October 13, 2020 | Transmit (7-0) | |
| ✓ Agency Comments December 2020 | No Comments | |
| ✓ LPA Adoption December 17, 2020 | Continue to January 21, 2021 | |
| ✓ LPA Adoption January 21, 2021 | Recommend Adoption (6-0) | |
| BCC Adoption | February 23, 2021 | |

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Intergovernmental Coordination Element Goals, Objectives and Policies

GOAL ICE1 Orange County shall coordinate effectively with adjacent local governments, regulatory agencies, and service and facility providers, to ensure a comprehensive approach to planning is achieved.

OBJ ICE1.1 Orange County shall establish joint planning area agreements ~~and use the informal mediation process of the East Central Florida Regional Planning Council or other mediation group to implement the goals, objectives, and policies of the Comprehensive Plan.~~

This objective is original to the element and staff recommends revising it to be a policy rather than an objective. Additionally, staff recommends revising the language.

POLICIES

ICE1.1.1 Orange County shall continue discussions and identify issues with:

A. ~~continue discussions and identify issues with all~~ local governments that have established joint planning area agreements with Orange County. (Amended 12/00, Ord. 00-25)

B. With local governments that have yet to establish joint planning area agreements with Orange County.

A-C. ~~continue discussions and identify issues~~ With its adjoining counties and adjacent cities in adjoining counties with regards to executing joint planning area agreements. (Added 12/00, Ord. 00-25)

This policy is original to the element and remains relevant. Staff suggests keeping this policy, and integrating policies ICE 1.1.2 and 1.1.5.

ICE1.1.2 ~~Combined with ICE1.1.1 Orange County shall continue to initiate discussions and identify issues with local governments that have yet to establish joint planning area agreements with Orange County.~~

This policy is original to the element, and staff recommends combining it with policy ICE 1.1.1.

ICE1.1.3 Joint planning area agreements shall establish mechanisms to resolve conflicts resulting from multi-jurisdictional land development and transportation regulations.

Staff recommends revising the policy to add "transportation".

ICE1.1.4 Orange County shall voluntarily enter into a dispute resolution process to resolve intergovernmental coordination disputes with other municipalities and jurisdictions on a case-by-case basis, using the procedures below:

- A. The County shall seek dispute resolution assistance and guidance from the East Central Florida Regional Planning Council or other mediation group.
- B. The resolution process will be developed consistent with Chapter 164, F.S., Sections 164.101-164.1061.
- C. Unless requested by the disputing parties, the process shall not be used to address environmental permitting or other regulatory issues. (Added 12/00, Ord. 00-25; Amended 06/17, Ord. 2017-12)

ICE1.1.5 ~~RESERVED. Orange County shall continue discussions and identify issues with its adjoining counties and adjacent cities in adjoining counties with regards to executing joint planning area agreements. (Added 12/00, Ord. 00-25)~~

Staff recommends deleting the policy and combining it with Intergovernmental Coordination Element ICE1.1.1.

ICE1.1.6 Joint planning area agreements shall establish maps depicting the joint planning area boundaries, land use designations, and densities/intensities for development for areas of joint planning.

Staff recommends revising the policy for clarification

ICE1.1.7 Joint planning area agreements shall include mechanisms for formal exchange of information and data including, but not limited to, comprehensive plan amendment review, rezoning requests, demographic projections, and regulatory changes.

ICE1.1.8 Joint planning area agreements shall identify service and facility providers for development within the joint planning area.

ICE1.1.9 Joint planning area agreements shall be used to coordinate level of service standards, transportation concurrency exception areas and concurrency management, where applicable.

ICE1.1.10 Joint planning area agreements shall establish annexation procedures (if applicable) for land within the joint planning area.

ICE1.1.11 When reviewing annexation proposals, Orange County shall strongly discourage the creation of enclaves through attendance at public hearings, written and verbal transmittals, negotiated settlements, and if necessary, through litigation.

- ICE1.1.12 Joint planning area agreements shall address consistent roadway design standards, extensions, widening, operational, and other ~~and~~ improvements.
- ICE1.1.13 Joint planning area agreements shall provide for the uniform protection of high recharge areas. (Also Aquifer Recharge Element, Policy AR1.2.4)
- ICE1.1.14 Through joint planning area agreements, Orange County shall coordinate efforts with other local governments to avoid duplication of recreation services and facilities, and to promote efficient use of land and funding.
- ICE1.1.15 Orange County shall attempt to establish County-wide regulations for wetlands and rare upland vegetative communities through the use of joint planning area agreements.
- ICE1.1.16 As joint planning area agreements are adopted, maps depicting the joint planning area boundaries shall be incorporated into this element. (Added 10/94, Ord. 94-20; Amended 12/00, Ord. 00-25)
- ICE1.1.17 Orange County shall coordinate with adjacent municipalities and counties to prevent urban sprawl through the use of joint planning area agreements. These joint planning area agreements will ensure compact and contiguous growth patterns will be implemented through the review of future land use designations and impacts of development.

ICE1.1.18

Joint planning area agreements shall include provisions for the following:

Staff recommends revising the policy to provide clarification.

- A. Collection of County impact fees from development in annexed areas if the City does not collect their own impact fees for the public services or facilities impacted by development in annexed areas; or,
- B. If City impact fees are collected, dedication of a portion of City impact fees for County facilities impacted by development in annexed areas. The provisions shall set forth the type, amount and use of the impact fees that will be dedicated to the County. ~~In addition, the agreement shall recognize the pursuit of establishing County-wide impact fees.~~
- C. Provisions relevant to annexations, which include specific references to enclaves, stormwater, drainage, and the appropriate jurisdictional transfer of roadways and associated drainage facilities. ~~and roadways.~~

ICE1.1.19

The County shall maintain the existing interlocal agreements, unless discontinued, with Edgewood, Oakland, and Belle Isle, which specify that the County shall perform building inspections, issue building permits and certificates of occupancy, and handle code enforcement duties. (Added 12/00, Ord. 00-25)

OBJ ICE1.2 Orange County shall continue to coordinate with adjacent local governments, adjacent Metropolitan Planning Organizations (“MPO”s), regulatory agencies, and service and facility providers, to promote compatible level of service standards and sound growth management. (Amended 11/12, Ord. 2012-20)

POLICIES

- | | | |
|----------|---|---|
| ICE1.2.1 | <p>Orange County shall continue its participation on the Technical Committee of METROPLAN Orlando (the Metropolitan Planning Organization) technical committees and subcommittees of MetroPlan Orlando and its subcommittees. Participation shall include the provision of information and technical assistance as it pertains to <u>for</u> coordinating concurrency management for roads, transit and intermodal transportation. (<u>Also Transportation Policy T2.2.8; Added 12/00, Ord. 00-25; Amended 11/12, Ord. 2012-20)</u></p> | |
| ICE1.2.2 | <p>Orange County shall continue to coordinate with all adjacent counties and local governments, in or adjacent to Orange County, <u>as appropriate,</u> to ensure the <u>development impacts generated by future development occurring within one jurisdiction will not cause the level of service on arterial and collector roads within Orange County or in the adjacent jurisdiction to diminish below not meet</u> the adopted standard. This coordination shall include provision of information and technical assistance <u>during the comprehensive plan amendment and development review process,</u> and attendance at appropriate meetings. (<u>Also Transportation Policy T2.2.7)</u></p> | <p>Staff recommends revising the policy to provide clarification.</p> |
| ICE1.2.3 | <p>Orange County shall continue to coordinate, through written and verbal transmittals, participation in joint technical committees, and by participating in appropriate meetings, transportation level of service standards and capacities <u>associated improvements</u>, <u>and context-based planning for State roads with the Florida Department of Transportation.</u></p> | <p>Staff recommends revising the policy to make updates in the process.</p> |

| | | |
|----------|--|---|
| ICE1.2.4 | <p>RESERVED. Refer to Capital Improvements Element, Objective CIE1.3 Orange County shall coordinate with appropriate agencies and entities to ensure that the adopted level of service standards for traffic circulation, mass transit, recreation, potable water, sanitary sewer, solid waste, and stormwater management are maintained through public and private investments. (Also Capital Improvements Element, Objective CIE1.3)</p> | <p>Staff recommends deleting the policy because it is covered in the policy CIE1.3.</p> |
| ICE1.2.5 | <p>RESERVED. Orange County shall use intergovernmental assistance to finance only those capital improvements that are consistent with the Capital Improvement Program and County priorities, and whose operating and maintenance costs have been included in operating budget forecasts. (Also Capital Improvements Element, Policy CIE1.1.8)</p> | <p>Staff recommends deleting the policy because it is covered in the policy CIE1.1.8. This policy is original to the element, and staff recommends deleting it because it is covered in the policy CIE1.1.8</p> |
| ICE1.2.6 | <p>RESERVED. The County shall consider coordinating with other local government entities to the fullest extent possible, so as to minimize the overlapping debt burden to citizens. (Also Capital Improvements Element, Policy CIE1.2.13)</p> | <p>Staff recommends deleting the policy because it is covered in the policy CIE1.2.13.</p> |
| ICE1.2.7 | <p>RESERVED. Orange County shall aggressively seek Federal and State funding for appropriate improvements and activities to reduce reliance on the County's ad valorem tax base. (Also Capital Improvements Element, Policy CIE1.4.4)</p> | <p>Staff recommends deleting the policy because it is covered in the policy CIE1.4.4.</p> |
| ICE1.2.8 | <p>RESERVED. Orange County shall strongly lobby for inclusion of appropriate projects on the METROPLAN MetroPlan Orlando Transportation Improvement Program (TIP) and the Florida Department of Transportation Work Program to ensure that the appropriate and equitable amount of money is expended on State and County eligible road transportation projects within the County. (Also Capital Improvements Element, Policy CIE1.4.5; Amended 11/12, Ord. 2012-20)</p> | <p>Staff recommends deleting the policy because it is covered in the policy CIE1.4.5.</p> |

OBJ ICE1.3 Orange County shall ensure efficient provision of services and facilities through the establishment of territorial/interlocal agreements. (Added 12/00, Ord. 00-25)

POLICIES

- ICE1.3.1 ~~Orange County shall enter into interlocal agreements for solid waste disposal with other municipalities in order to maximize the long term capacity and economic efficiency of the Orange County Landfill. The County shall encourage specific commitments to be incorporated into the interlocal agreements. Examples of commitments include but are not limited to tipping rights at the transfer station, guaranteed access to the County's recycling processing facilities and long-term predictable disposal capacity and pricing. Orange County shall enter into and maintain Interlocal Agreements with the cities of Orange County to ensure efficient solid waste disposal. (Added 12/00, Ord. 00-25; also Solid Waste Element, Policy SW1.3.3)~~
- ICE1.3.2 ~~RESERVED Orange County shall continue to expand existing Interlocal Agreements to promote coordinated recycling efforts. (Added 12/00, Ord. 00-25; also Solid Waste Element, Policy SW1.2.6)~~
- ICE1.3.2.1 The County shall develop a resource recovery program and shall administer and coordinate the program by establishing interlocal agreements with public and private entities. (Added 12/00, Ord. 00-25)
- ICE1.3.3 Orange County shall continue coordination efforts with County and local utility agencies to identify sites for recreation purposes, such as the utilization of easements of power lines, drainage, or gas lines for recreational trails or linear parks. (Added 12/00, Ord. 00-25)

ICE1.3.7

Orange County shall continue to ~~establish~~ enter into territorial/joint planning area agreements with adjacent municipalities, counties, and other ~~water and wastewater~~ utilities regulated by the Public Service Commission; in order to encourage cost-effective service to avoid unnecessary duplication in the provision of water and wastewater services, to describe the location of each utility's service area, and to coordinate and confirm the associated service provision commitments. Priorities for the extension of services by these other providers ~~shall be established~~ are referenced in the territorial/joint planning area agreements. (Added 12/00, Ord. 00-25; also Potable Water, Wastewater and Reclaimed Water Element, Policies PW1.6.1 and WW1.6.1)

ICE1.3.8

Orange County shall attempt to expand its interlocal agreement with the Reedy Creek Improvement District to facilitate the extension of Reedy Creek Improvement District services and infrastructure into unincorporated Orange County in order to provide for affordable housing.

OBJ ICE1.4 ~~Orange County shall coordinate with agencies and governments to address inconsistencies with and to further the transportation goals, objectives, and policies of Orange County's comprehensive plan. This objective shall be achieved by implementation of the following policies.~~

POLICIES

ICE1.4.1 ~~Orange County shall continue to coordinate and participate, in collaboration with FDOT, METROPLAN MetroPlan Orlando, the Central Florida Commuter Rail Commission, the Florida Department of Transportation, LYNX, the Orlando-Orange County Central Florida Expressway Authority, local governments, and the private sector on local and regional transportation issues, such as will plan the development and operation of viable and financially feasible highway transportation systems, including roadway and public transit and mass transit facilities, including appropriate rail or Bus Rapid Transit. (Also Transportation Element, Policy T3.3.1 Policies T3.3.1 and T3.4.1)~~

ICE1.4.2 ~~Orange County shall will continue to work coordinate with LYNX, doing business as the Central Florida Regional Transportation Authority (CFRTA), to design and implement future transit coordination planning consistent with METROPLAN MetroPlan Orlando, Central Florida Expressway Authority, local governments, and other public and private entities to identify needed transportation projects. These include projects named on the Orange County Five-Year Capital Improvements Program and Ten-Year Capital Improvements Schedule, MetroPlan Orlando Transportation Improvement Program, State Transportation Improvement Program, and MetroPlan Orlando Long Range Transportation Plan. Long Range Transit of Regional Needs Network, METROPLAN Orlando Financially Constrained Transportation Network, LYNX Development Plan and LYNX Regional Rail Program. (Also Transportation Policy T3.4.2 Added 12/00, Ord. 00-25)~~

ICE1.4.3 ~~RESERVED Orange County shall continue active support of State Legislature initiatives to provide an adequate level of transportation funding, through written and verbal transmittals and provision of information. (Added 12/00, Ord. 00-25; Amended 11/12, Ord. 2012-20)~~

- ICE1.4.4 ~~RESERVED The County shall pursue all additional funding sources such as user fees (rental car surcharge), and higher license and tag fees, or other sources deemed appropriate by the BCC. (Also Transportation Element, Policy T1.3.1.1; Amended 11/12, Ord. 2012-20)~~
- ICE1.4.5 ~~RESERVED Orange County shall continue to integrate its public transportation planning with LYNX, the METROPLAN Orlando, the Florida Department of Transportation, the Central Florida Commuter Rail Commission, private entities and other local governments in order to plan for a regional multimodal transportation system. (Also Transportation Element, Objective T3.3; Amended 11/12, Ord. 2012-20)~~
- ICE1.4.6 ~~Orange County shall continue to coordinate with LYNX, and METROPLAN MetroPlan Orlando, and Florida Department of Transportation and others, as appropriate, to accommodate special needs of the transportation disadvantaged, in accordance with Federal, State, and local regulations and definitions. This includes including the provision of safe, accessible, and convenient public transportation service and facilities, through financial and technical assistance and through inter-agency agreements. (Also Transportation Element, Policy T3.3.46)~~
- ICE1.4.7 ~~RESERVED Orange County shall coordinate with the local transit providers and other appropriate agencies to ensure the linkage of bus routes with all rail systems, including light rail and commuter rail routes, and to facilitate connection of high density and intensity land use areas to each other by appropriate modes. Such coordination should be done through written and verbal communications, joint ad hoc technical coordinating committees, and attendance at appropriate public hearings. (Amended 11/12, Ord. 2012-20)~~
- ICE1.4.8 ~~Orange County shall continue to work with the Orange County School Board, other appropriate educational institutions and LYNX to facilitate transportation of students to and from school, by written and verbal communications and attendance at appropriate staff and public meetings promote Safe Routes to School and the use of non-motorized transportation, and to identify and address hazardous walking conditions consistent with statutory requirements. . (Also Transportation Element, Policy T3.3.54.7)~~

ICE1.4.9 ~~Orange County, through its role on METROPLAN Orlando's and the Greater Orlando Aviation Authority's Governing Boards and the West Orange Airport Authority, shall continue to ensure that planned aviation expansions, siting, or construction of new aviation facilities are coordinated with the appropriate Federal, State, and regional agencies and consistent with the Comprehensive Plan. Orange County shall continue to ensure that Greater Orlando Aviation Authority's aviation improvements and operations are coordinated with area transportation agencies and projects, and are supported by appropriate land use and airport noise regulations, are reviewed for potential transportation and environmental impacts and required mitigation, and are consistent with the Comprehensive Plan. (Added 12/00, Ord. 00-25; also Transportation Element, Policy T3.4.2; Amended 11/12, Ord. 2012-20)~~

ICE1.4.10 Orange County shall continue to coordinate land development proposals with the Orlando-Orange County Airports Zoning Board of Adjustment to review the placement of tall structures within the County and enforce the adopted ordinance, through participation in planning activities, exchange of information, and attendance at staff and public meetings. This coordination shall ensure that clear zones affiliated with existing publicly-owned, for-public-use airports and Federal Aviation Administration regulations are not violated. (Also Transportation Element, Policy T3.4.2.2)

ICE1.4.11 Orange County shall continue to coordinate with the State, City of Orlando, and the Greater Orlando Aviation Authority to ensure mitigation of roadway deficiencies in airport access areas and determine appropriate mitigation measures for deficient transportation facilities that provide access to OIA, through cooperative communications with staff, provision of information and technical assistance, and participation in appropriate meetings. (Also Transportation Element, Policy T3.4.3.1)

ICE1.4.12 ~~RESERVED. Orange County, Greater Orlando Aviation Authority and the West Orange Airport Authority shall coordinate airport ground traffic-generating facilities with surface transportation and transit improvements. Existing and future airports shall be integrated into the overall transportation system. (Added 12/00, Ord. 00-25)~~

- ICE1.4.13 Orange County shall continue to support the transportation planning efforts of LYNX and ~~METROPLAN~~ MetroPlan Orlando, through provision of information, current land use data, socioeconomic projections, data on recent transportation improvements, and technical assistance, participation in meetings, and dissemination of pertinent information to the public. (Also Transportation Element, Policy T1.2.1)
- ICE1.4.14 Orange County shall coordinate with government agencies and public and private entities in order to implement financially feasible multi-modal transportation systems. The County will continue to participate in interlocal agreements and Joint Participation Agreements with other local jurisdictions and public/private partnerships with private developers as a means of funding necessary transportation improvements. (Also Transportation Element, Policies T1.3.5 and T1.3.5.1)
- ICE1.4.15 The County will continue to coordinate with Florida Department of Transportation (FDOT), ~~METROPLAN~~ MetroPlan Orlando, ~~Orlando~~ Orange County Central Florida Expressway Authority, local governments, and private entities to identify needed roadway improvement projects. These include projects named on the ~~Orange county~~ County Five-Year and Ten-Year Capital Improvement Program, ~~METROPLAN~~ MetroPlan Orlando Transportation Improvement Program, State Transportation Improvement Program, and ~~METROPLAN~~ MetroPlan Orlando Long Range Transportation Plan Financially Constrained Network. (Also Transportation Element, Policy T3.3.2)
- ICE1.4.16 Orange County shall continue to coordinate with LYNX, Florida Department of Transportation (FDOT), ~~METROPLAN~~ MetroPlan Orlando and other local governments to identify and designate strategic locations for regional park-and-ride lots. (Also Transportation Element, Policy T3.3.3)
- ICE1.4.17 The County shall coordinate with ~~METROPLAN~~ MetroPlan Orlando and local governments to implement the regional connectivity of the Trails Master Plan. (Also Transportation Element, Policy T3.4.8) (~~Amended 11/13, Ord. 2013-22~~)

- ICE1.4.18 ~~RESERVED In accordance with Florida Statute Chapter 2009-85, House Bill 1021, Orange County shall review and coordinate land use planning and development of airport facilities as specified in the airport master plans. (Added 6/10, Ord. 10-07)~~
- ICE1.4.19 ~~RESERVED Orange County shall review the airport master plans, development proposals and other development plans for the existing and proposed airport facilities to ensure compatibility with surrounding uses and determine the impacts of the development on Orange County residents. (Added 6/10, Ord. 10-07)~~

OBJ ICE1.5 Orange County shall coordinate with other local governments to address inconsistencies with and to further the potable water and wastewater goals, objectives, and policies of Orange County's comprehensive plan. This objective shall be achieved by implementation of the following policies.

POLICIES

ICE1.5.1 Orange County shall continue to pursue sources of funding and participate with other localities in order to plan and construct potable water and wastewater systems, through written and verbal communications, joint meetings, participation in planning activities, and by providing technical assistance. (~~Also Potable Water, Wastewater and Reclaimed Water Element, Policy WW1.2.12~~)

ICE1.5.2 Orange County shall continue to participate in the regional water supply efforts of the St. Johns River Water Management District and the South Florida Water Management District to establish and implement efficient and cost-effective public water supply plans for the region without creating significant adverse impacts to natural systems. (~~Added 12/00, Ord. 00-25; also Potable Water, Wastewater and Reclaimed Water Element, Policy PW1.2.12~~)

ICE1.5.3 Orange County ~~will shall~~ coordinate with the Water Management Districts, ~~through written and verbal communications and joint technical committees,~~ to monitor the amount of groundwater pumped from the aquifer underlying ~~the Orange County and that is distributed~~ for use outside the County; and, if necessary, assist in the emergency conservation of groundwater. ~~Such coordination should be done through the means of enforcing existing watering limits and a continuing conservation outreach program. (Also Potable Water, Wastewater and Reclaimed Water Element, Policy PW2.2.4)~~

ICE1.5.4 ~~Refer to policy ICE1.3.7. The County shall continue to establish interlocal and territorial agreements with adjacent municipalities and other utilities regulated by the Public Service Commission to encourage cost effective service to avoid unnecessary duplication in the provision of potable water and wastewater services, to describe the location of each utility's service area, and to coordinate and confirm the associated service provision commitments. (Added 12/00, Ord. 00-25; also Potable Water, Wastewater and Reclaimed Water Element, Policies PW1.6.1 and WW1.6.1)~~

- ICE1.5.5 Orange County shall continue to support and assist the Department of Health, the St. Johns Water Management District, the Department of Environmental Protection, the Wekiva River Basin Commission, and the local governments in implementing the Wekiva Parkway and Protection Act of 2004.
- ICE1.5.6 Orange County shall promote the establishment of regional wastewater planning and development within the Wekiva Study Area in order to minimize the number of septic systems, minimize groundwater and surface water contamination, maximize the reuse of reclaimed water, and reduce future ground water demand through beneficial reuse.
- ICE1.5.7 Orange County shall encourage municipalities, counties, and private entities that export water underlying Orange County to use other sources of potable water and/or use water conservation measures. Such encouragement shall be by providing technical assistance and participating in studies conducted by the Water Management Districts. ~~(Also Potable Water, Wastewater and Reclaimed Water Element, Policy PW2.2.5)~~
- ICE1.5.8 Pursuant to Chapter 373.609, Florida Statutes, Orange County shall, upon request, assist the Water Management Districts in the enforcement of Water Management district guidelines during declared potable water shortages. ~~(Also Potable Water, Wastewater and Reclaimed Water Element, Policy PW2.2.14)~~
- ICE1.5.9 Orange County shall coordinate with the St. Johns River Water Management District, the South Florida Water Management District, and other entities to assist with implementation of goals and provisions of the applicable Regional Water Supply Plans, and other local/municipal water resource management and restoration programs, to evaluate the long-term needs of the natural and built environments; to restrict activities that may result in the degradation or overuse of potable water, and treated wastewater, and reclaimed water resources; and to assure adequate water supply for the competing needs of native ecosystems, agriculture, and domestic and industrial users. ~~(Also Potable Water, Wastewater and Reclaimed Water Element, Policy PW3.3.1)~~

- ICE1.5.10 Orange County shall coordinate, cooperate, and participate with utility providers in the region and the water management districts in the development and update of local and regional water supply plans and assessments. In addition, Orange County will continue to collaborate and jointly develop interconnected sources and facilities to consolidate water services and to improve efficiencies that will support and enable Orange County to perform and implement an effective water supply program. ~~(Also Potable Water, Wastewater and Reclaimed Water Element, Policy PW3.2.3)~~
- ICE1.5.11 The County will coordinate with the City of Orlando to evaluate improvements and expansion of the Water Conserv II system to support the Master Plan recommendations and other City of Orlando plans. ~~(Also Potable Water, Wastewater and Reclaimed Water Element, Policy PW3.2.4)~~
- ICE1.5.12 Orange County shall adopt a Water Supply Facilities Work Plan (Work Plan), which will assess existing and projected water sources and needs for at least a 10-year planning period considering the Regional Water Supply Plans of the St. Johns River Water Management District and South Florida Water Management Districts. The Work Plan shall identify traditional and alternative water supply sources that the County may use to meet existing and projected water demands. The alternative water supply projects in the Work Plan will be selected from the applicable Water Management Districts' Regional Water Supply Plans or otherwise proposed by the County. (Also WSFWP)
- ICE1.5.13 Orange County shall coordinate with the St. Johns River Water Management District and South Florida Water Management District during updates to their Regional Water Supply Plans, to identify potentially feasible alternative water supply projects in Orange County. The County shall update its Work Plan every five years, within 18-months of the adoption of the later of the two Water Management Districts' Regional Water Supply Plans. (Also WSFWP)

OBJ ICE1.6 Orange County shall coordinate with agencies and governments to address inconsistencies with and to further the groundwater protection goals, objectives and policies of Orange County's comprehensive plan. ~~This objective shall be achieved by implementation of the following policies.~~

POLICIES

ICE1.6.1 Orange County shall continue to support and assist the Water Management Districts in implementing the development of a County-wide consumptive use study ~~program-program~~ utilizing water use projections and groundwater modeling to monitor the effects of withdrawals from the Floridan Aquifer, ~~through provision of information and technical assistance, and participation in joint meetings.~~ (Added 12/00, Ord. 00-25; also Potable Water, Wastewater and Reclaimed Water Element, Policy PW2.2.1)

ICE1.6.2 ~~The Orange County shall continue to coordinate with the Water Management Districts, through the exchange of information and attendance at joint technical committee meetings, in order to closely monitor the drilling of new wells, enforce the capping of abandoned wells, and require the placement of valves on existing free flowing wells so water will be used only as required. It is not the intent of this policy to affect agricultural production or agricultural processing. (Also Potable Water, Wastewater and Reclaimed Water Element, Policy PW2.2.3)~~

ICE1.6.3 Orange County shall coordinate with other governmental entities, regarding groundwater pollution, through the establishment or continuation of programs, provision of technical assistance and information, and attendance at appropriate hearings. (Also Aquifer Recharge Element, Objective AR1.2)

- ICE1.6.4 Orange County shall coordinate with other local and State governmental entities, through written and verbal transmittals, and participation in meetings and joint committees, in order to implement the actions listed below.
- A. Consistent with the Future Land Use Element and Conservation Element, the County septic tank ordinance, shall specify usage and remediation of septic tank contamination to surface and/or groundwater resources.
 - B. A program shall be established to eliminate identified malfunctioning septic tanks. (Also Aquifer Recharge Element, Policy AR1.2.2)
 - C. The County shall continue to monitor County drainage wells for contamination and eliminate any adverse effects of contamination. The County shall seek assistance from other governmental entities regarding the monitoring effort, primarily for wells located within a municipality. (Added 12/00, Ord. 00-25)
- ICE1.6.5 Orange County shall continue to coordinate with all governmental entities to establish County-wide regulations for development within prime aquifer recharge areas. (Added 12/00, Ord. 00-25; ~~also Aquifer Recharge Element, Policy AR1.2.3)~~
- ICE1.6.6 Orange County shall continue its drainage well monitoring program and assist other governments with their monitoring programs. The program shall identify those wells with the highest probability for contamination. Within two years of identification, an implementation program for pollution abatement shall be developed. (Added 12/00, Ord. 00-25; also Aquifer Recharge Element, Policy AR1.1.2)
- ICE1.6.7 Orange County shall continue coordination with the Water Management Districts and other governmental entities regarding development impacts on recharge areas and land surrounding Outstanding Florida Waters. (Added 12/00, Ord. 00-25; also Aquifer Recharge Element, Policy AR1.1.5)
- ICE1.6.8 If requested, Orange County shall continue to provide technical assistance to the St. Johns River and South Florida Water Management Districts for the preparation and completion of a Needs and Sources Inventory. (Added 12/00, Ord. 00-25; ~~also Aquifer Recharge Element, Policy AR1.2.1)~~

- ICE1.6.9 During the course of the planning period Orange County shall attempt to enter into ~~Interlocal Agreements~~interlocal agreements with other governmental agencies that are involved in stormwater management practices that affect Orange County. Data sharing and exchange of drainage information shall be emphasized in the ~~Interlocal Agreement~~interlocal agreement. As part of this process, Orange County shall encourage municipalities to enact surface water management criteria that are technically consistent with and meet State, regional, and County requirements for new development. Actions by municipalities that affect the Orange County drainage system should likewise be communicated to the County. (Added 12/00, Ord. 00-25)
- ICE1.6.10 Orange County shall provide technical assistance to the Water Management Districts and United States Geological Survey for the purposes of researching the impacts of impervious surface ratios and land development on the natural rate of aquifer recharge, and preparing Groundwater Basin Resource Availability Inventories. (~~Also Aquifer Recharge Element, Policy AR1.1.9~~)
- ICE1.6.11 In coordination with the St. Johns River Water Management District, the South Florida Water Management District, and other local governments or private utilities, Orange County shall seek the development of efficient, cost-effective, and technically feasible water sources that will satisfy ~~and supplement~~existing and future demands, without causing ~~significant~~ adverse impacts to water quality, wetlands, aquatic systems or the environment. These sources may include, but are not limited to, fresh groundwater, treated wastewater, reclaimed water, stormwater, brackish groundwater, surface water and seawater. In addition, Orange County will proactively investigate the application of new water resource development technologies to meet existing and future water demand. (~~Also Aquifer Recharge Element and Potable Water, Wastewater and Reclaimed Water Element, Policies AR3.2.1 and PW3.2.1~~)

ICE1.6.12 Orange County shall adopt a Water Supply Facilities Work Plan (Work Plan), which will assess existing and projected water sources and needs for at least a 10-year planning period considering the Regional Water Supply Plans of the St. Johns River Water Management District and South Florida Water Management District. The Work Plan shall identify traditional and alternative water supply sources that the County may use to meet existing and projected water demands. The alternative water supply projects in the Work Plan will be selected from the applicable Water Management Districts' Regional Water Supply Plans or otherwise proposed by the County. (Added based on WSFWP under review by DCA for the ORC Report; 08/08)

ICE1.6.13 Orange County shall work with the St. John River Water Management Districts and South Florida Water Management District, during updates to their Regional Water Supply Plans, to identify potentially feasible alternative water supply projects, including those involving aquifer recharge, treated wastewater or reclaimed water sources within Orange County. (~~Also Aquifer Recharge Element, Policy AR3.2.3 and Potable Water, Wastewater and Reclaimed Water Element, Policy PW3.3.2~~)

OBJ ICE1.7 Orange County shall coordinate and plan with agencies and governments to address inconsistencies with and to further the recreation goals, objectives and policies of Orange County's comprehensive plan. This objective shall be achieved by implementation of the following policies.

POLICIES

ICE1.7.1 ~~Refer to ICE 1.3.3 Orange County shall continue efforts with local utility agencies, through provision of information and technical assistance, and by participating in appropriate meetings, in order to identify sites for recreation purposes, such as the utilization of easements of power lines, drainage or gas lines and other lands for recreational trails or linear parks. (Added 12/00, Ord. 00-25; also Recreation Element, Policies R1.5.3 and R1.7.2)~~

Staff recommends deleting the policy, it is address in ICE1.3.3.

ICE1.7.2 Orange County shall continue to enter into an agreement with the Orange County School Board for the use of school recreation areas for public parks. (Added 12/00, Ord. 00- 25; also Recreation Element, Policy R1.5.5 and Open Space Element, Policy OS1.1.8)

ICE1.7.3 Orange County shall cooperate with the Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission, the St. John River Water Management District, and the Florida Division of Forestry in their management programs for the Wekiva Springs State Park/Rock Springs Run State Reserve, the Tosohatchee State Game Preserve, the Hal Scott Preserve, the Split Oak Preserve, and the Seminole Ranch Wildlife Management Area on their management of programs for those parks that extend into the Orange County service area. This cooperation shall include the provision of information and technical assistance, and by attending appropriate staff and public meetings. ~~(Also Recreation Element, Policy R1.5.1)~~

ICE1.7.4 Orange County shall continue to pursue public/private partnerships for funding land acquisitions of natural open spaces and environmentally sensitive lands. (Added 12/00, Ord. 00-25; ~~also Open Space Element, Policy OS1.2.3.1)~~

ICE1.7.5 Orange County shall use the Parks and Recreation System Master Plan to coordinate local transit to activity-based parks. (Added 12/00, Ord. 00-25; also Recreation Element, Policy R1.4.7)

- ICE1.7.6 Orange County shall continue to pursue joint agency funding for the purchase of public parks. ~~(Also Recreation Element, Policy R1.5.2)~~
- ICE1.7.7 Orange County shall continue to coordinate with municipalities and adjacent counties for provision of public parks and recreation facilities through the use of interlocal agreements. In cases where the park acreage of another jurisdiction, whose service area extends into unincorporated Orange County area, that acreage shall be counted towards the level of service standard if an interlocal agreement exists. ~~(Also Recreation Element, Policy R1.5.4)~~
- ICE1.7.8 In an effort to protect the Wekiva Springshed, for the portion of the Wekiva Study Area located within the Joint Planning Area of the City of Apopka, Orange County shall require compliance with minimum open space and density requirements described by the Joint Planning Agreement (JPA) with the City of Apopka adopted on October 26, 2004. If a discrepancy exists between the City of Apopka and Orange County in terms of requirements, the most stringent shall apply. (Added 6/10, Ord. 10-07; also Open Space Element, Policy OS1.3.6)

OBJ ICE1.8 Orange County shall coordinate with agencies and governments to address inconsistencies with and to further the environmental goals, objectives and policies of Orange County's comprehensive plan. This objective shall be achieved by implementation of the following policies.

POLICIES

- ICE1.8.1 Orange County shall continue to participate in conservation programs of the Water Management Districts, Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission, the Florida Division of Forestry, and other appropriate agencies. (Added 12/00, Ord. 00-25)
- ICE1.8.2 Orange County shall continue to identify important sources of surface water pollution in unincorporated Orange County and coordinate the development and implementation of methods and programs for the abatement of such pollution with local governments, and State and Federal agencies. This coordination shall include participation in joint committees, exchange of technical information, written and verbal communications, and attendance at appropriate public meetings. (Also Conservation Element, Objective C1.2)
- ICE1.8.3 Orange County shall, in conjunction with other appropriate agencies and governments, develop, seek funding, and implement lake management plans for those water bodies in greatest need of restoration. (Added 12/00, Ord. 00-25; also Conservation Element, Policy C1.2.12)
- ICE1.8.4 Orange County shall continue to identify and recommend to the State and the Water Management Districts environmentally sensitive lands, including but not limited to wetlands and floodplains that would warrant acquisition under the Conservation and Recreation Lands and the Save Our Rivers Programs. (Added 12/00, Ord. 00-25; also Conservation Element, Policy C1.3.2)
- ICE1.8.5 Orange County shall, on an ongoing basis, in conjunction with other appropriate agencies, such as the Water Management Districts, identify and prioritize for corrective measures problem floodplain areas through basin studies. (Also Conservation Element, Policy C1.3.5)

ICE1.8.6 Orange County shall continue to coordinate with the Army Corps of Engineers, the Florida Department of Environmental Protection, and the St. Johns River and South Florida Water Management Districts to identify and regulate wetland areas under their jurisdiction. This coordination shall include participation in joint committees, exchange of technical information, written and verbal communications, and attendance at appropriate public meetings. (Added 12/00, Ord. 00-25; also Conservation Element, Policy C1.4.2)

ICE1.8.7 Orange County shall implement a program in conjunction with the Water Management Districts, Florida Department of Environmental Protection, and other applicable agencies to improve soil management along Orange County surface water bodies. This assistance may include, but not be limited to, the protection and planting of desirable native species of aquatic vegetation. Additional measures will be taken to protect the species in the Wekiva Springs Study Area. (~~Also Conservation Element, Policy C1.5.3~~)

ICE1.8.8 Orange County shall continue to identify and recommend to the State and other appropriate agencies rare uplands that would warrant acquisition under appropriate land acquisition programs. Orange County shall pursue long-term revenue sources for purchases of rare upland habitat that warrants acquisition. (Conservation Element, Policy C1.7.9)

ICE1.8.9 Orange County shall establish ~~Interlocal Agreements~~interlocal agreements with adjacent counties and municipalities that protect wetlands, rare uplands, floodplains, habitat containing plants and wildlife listed as threatened, endangered, or species of special concern, and riverine corridors that are located in more than one jurisdiction. (Added 12/00, Ord. 00-25; ~~also Conservation Element, Policy C1.9.3~~)

ICE1.8.10 Orange County shall coordinate, through provision of information and technical assistance, with the St. Johns River Water Management District and adjacent counties for the development of consistent regulations to protect the Econ River Basin. (Added 12/00, Ord. 00-25; ~~also Conservation Element, Policy C2.3.2~~)

- ICE1.8.11 Orange County shall coordinate with the City of Apopka concerning implementation of the requirements of the Wekiva River Protection Act through meetings on an as needed basis. ~~(Also Conservation Element, Policy C2.2.13)~~
- ICE1.8.12 Orange County shall support, through the provision of information, technical assistance, planning, land acquisition, land use designations, and intergovernmental coordination the restoration of Lake Apopka through the Lake Apopka Surface Water Improvement and Management (SWIM) Program, the Lake Apopka Planning Initiative and the efforts of the Lake Apopka Restoration Council. Orange County shall also support the South Florida Water Management District's Lake Butler SWIM Program. ~~(Also Conservation Element, Policy C2.4.1)~~
- ICE1.8.13 Orange County shall cooperate with the Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission and the Florida Division of Forestry to improve the management of Wekiva Springs Park, the Rock Springs Run State Reserve, the Tosohatchee State Reserve, and the Seminole Ranch Wildlife Management Area, Neighborhood Lakes, Joshua Creek Conservation Area, Hal Scott Preserve and Split Oak Forest Preserve. ~~(Also Conservation Element, Policy C1.9.1)~~
- ICE1.8.14 Orange County shall cooperate with the applicable Water Management Districts in the enforcement of the provisions of their emergency water shortage plans. ~~(Also Conservation Element, Policy C1.11.2)~~
- ICE1.8.15 Orange County shall coordinate with the St. Johns River Water Management District to monitor and manage the quality of groundwater withdrawals, in order to prevent saltwater contamination due to a decline in potentiometric surface. ~~(Also Conservation Element, Policy C2.2.12)~~
- ICE1.8.16 Orange County shall continue to seek long-term revenue sources and partnerships for open-space acquisition and maintenance that will serve to balance habitat related goals with those for improved passive recreation areas and citizen education programs. ~~(Also Conservation Element, Policy C1.7.12)~~

ICE1.8.17 Orange County shall identify jurisdictions on a regional and even worldwide basis to partner in formal agreements to reduce ~~green~~ greenhouse gases (GHG) emissions and encourage local municipalities to develop local climate action plans to work together on this issue. ~~(Also Conservation Element, Policy C3.1.10)~~

ICE1.8.18 The County shall partner with various agencies that have the ability to support the ~~Orange County Climate Change Sustainable Orange County Plan~~ and can assist in reducing greenhouse gas (GHG) emissions. ~~The County shall also explore partnership opportunities with Orlando Orange County Expressway Authority to encourage the use of alternative vehicles and/or car pooling. (Also Conservation Element, Policy C3.1.11)~~

OBJ ICE1.9 **Orange County shall coordinate with agencies and governments to address inconsistencies with and to further the community facilities and services goals, objectives and policies of Orange County's comprehensive plan. ~~This objective shall be achieved by implementation of the following policies.~~**

POLICIES

- ICE1.9.3 Orange County shall continue to encourage the Orange County Sheriff's Department, through written and verbal requests, to attempt to enter into agreements with other law enforcement agencies operating in the County to ensure the health, safety, and general welfare of the people who live, work, and visit Orange County. These agreements should include joint response and compatible communication systems.
- ICE1.9.4 Orange County shall encourage the Orange County Sheriff's Department to co-locate substations proximate to other public safety facilities by participating in joint planning activities. (Added 12/00, Ord. 00-25)
- ICE1.9.5 Orange County shall maintain Interlocal Agreements listed in the Fire Rescue Element to prevent duplication of fire protection and emergency medical service efforts. The Interlocal Agreements shall outline the provision of mutual aid and first response and should provide for the following:
- A. Reduction of overlapping service areas;
 - B. A fire response agreement; and,
 - C. A compatible communications system. (Added 12/00, Ord. 00-25)
- ICE1.9.6 The County shall continue to cooperate with the Local Health Council of East Central Florida, by providing information and technical assistance, in order to ensure proper planning for the siting of all new health care facilities.
- ICE1.9.7 The County shall provide technical assistance to the Local Health Council wherever necessary to ensure the delivery of health services that are consistent with the needs, financial resources, and spatial distribution of the County's population.

ICE1.9.8 Orange County shall review and coordinate land use planning and development of Campus Master Plans prepared or amended pursuant to Section 1013.30, F.S. Subsequent development agreements shall be established and periodically amended in conjunction with or based on campus development, which singularly or cumulatively result in:

- A. A 10 percent increase in campus land use intensities or densities;
- B. A 10 percent decrease in campus natural areas, open space or buffers;
- C. A 10 percent increase of development impacts on roads or another public facility or service provided or maintained by the state, County or any affected local government. (Added 12/00, Ord. 00-25; Amended 06/17, Ord. 2017-12)

ICE1.9.9 Orange County should coordinate with the Orange County School Board to jointly fund and design new school facilities for joint use such as community meeting sites and community-based recreational activities (~~Also Public Schools Facilities Element, Policy PS2.1.4~~)

ICE1.9.10 Orange County and the Orange County School Board should enter into agreements for joint use of facilities to include, but not be limited to, schools, community centers, libraries and parks (~~Also Public Schools Facilities Element, Policy PS2.1.1~~)

ICE1.9.11 Where feasible, Orange County Public Schools (OCPS) and Orange County shall work jointly to co-locate public facilities such as parks, libraries, and community centers with public schools. Where such co-location occurs, both entities shall establish an ongoing management relationship via written agreement that permits the school's use of the public facilities and the public's use of school facilities for community meetings and sports activities. (~~Also Public Schools Facilities Element, Policy PS2.1.2~~)

OBJ ICE1.10 Orange County shall coordinate with agencies and governments to address inconsistencies with and to further the housing goals, objectives, and policies of Orange County's comprehensive plan. This objective shall be achieved by implementation of the following policies.

POLICIES

- ICE1.10.1 The County shall continue to meet annually and coordinate all County housing assistance programs with other municipal, regional, State, and Federal programs that are designed to provide housing opportunities for low and moderate income groups. ~~(Also Housing Element, Policy H1.3.3)~~
- ICE1.10.2 Orange County shall continue to negotiate ~~Agreements~~ agreements between the County, non-profit groups, and/or other units of local government to implement affordable housing programs. ~~(Also Housing Element, Policy H1.3.17)~~
- ICE1.10.3 The County shall use available local, State, and Federal assistance programs to provide or rehabilitate housing for low and moderate income households. ~~(Also Housing Element, Policy H1.5.1)~~
- ICE1.10.4 The County shall continue to cooperate with and provide technical assistance to all housing assistance programs that are designed to provide housing opportunities for low income households in rural areas, homeless people, and the population with special needs. ~~(Also Housing Element, Policies H1.7.2, H1.7.3, H1.7.12, H1.7.13)~~
- ICE1.10.5 The County shall continue to seek funds from all available sources for affordable housing and rent subsidies for low income eligible senior citizens and persons with disabilities, as well as for construction, modification, or special design improvements of housing for the physically disabled. ~~(Also Housing Element, Policies H1.7.9, H1.7.10)~~
- ICE1.10.6 The County shall continue to encourage the formation of public/private partnerships to aid in providing assistance to farmworker housing. ~~(Also Housing Element, Policy H1.7.14)~~
- ICE1.10.7 The County shall encourage and coordinate the delivery of housing programs to low wage employees in partnership with major employers. ~~(Also Housing Element, Policy H1.3.9)~~

- ICE1.10.8 The County shall continue to provide technical assistance to and coordinate with the Central Florida Community Reinvestment Corporation (CFCRC), a not-for-profit lending consortium of local banks and thrifts, in order to help finance affordable housing projects. ~~(Also Housing Element, Policy H1.3.15)~~
- ICE1.10.9 The County shall continue to use Community Development Block Grant (CDBG), Home Investment Partnership Program (HOME), and State Housing Initiative Partnership Program (SHIP) funds and also seek legislative authorization of other designated funding sources in the provision of very low, low, and moderate income housing. ~~(Also Housing Element, Policy H1.3.6)~~

OBJ ICE1.11 Orange County shall coordinate with agencies and governments to address inconsistencies with and to further the stormwater management goals, objectives and policies of Orange County's comprehensive plan. ~~This objective shall be achieved by implementation of the following policies.~~

POLICIES

ICE1.11.1 Orange County shall participate with other involved agencies to develop and implement lake management plans for those water bodies determined to be in greatest need. If stormwater is determined to be a major water quality problem for a lake, planning shall be undertaken for corrective measures as part of the master stormwater planning process. The Florida Department of Environmental Protection Total Maximum Daily Load Best Management Practices (FDEP TMDL BMAPs) will set the pollution reduction allocations to be accomplished by local, regional, and state agencies. (Also Stormwater Management Element, Policy SM1.2.8)

ICE1.11.2 Orange County shall coordinate with other entities such as the Water Management Districts and adjoining governments, through provision of information and technical assistance, in order to update the master stormwater plans identified in Stormwater Management Policy 1.4.1 on as needed basis.

Orange County shall also implement the multi-jurisdictional Stormwater Master Plan that was developed subsequent to the passage of the Wekiva Parkway and Protection Act of 2004. the Plan includes specific information related to the jurisdictions involved, while also providing regional approaches for the stormwater issues of the Wekiva Study Area. (Also Stormwater Management Element, Policy SM1.4.5)

ICE1.11.3 Orange County shall cooperate and consult with the City of Orlando, other municipalities, and adjoining governments for the completion of the identified master stormwater plans and the subsequent improvements to these systems. This cooperation shall include provision of information and technical assistance, participation on joint technical committees, and attendance at appropriate meetings. ~~(Also Stormwater Management Element, Policy SM1.4.8)~~

- ICE1.11.4 Orange County shall seek from Federal and State sources, additional opportunities for funding and joint projects to facilitate County-wide surface water management programs. (~~Also Stormwater Management Element, Policy SM1.5.10~~)
- ICE1.11.5 Orange County shall continue to establish and strengthen interlocal agreements ~~Interlocal Agreements~~ with other government agencies that are involved in stormwater management practices that affect Orange County or where the parties are jointly involved in a Total Maximum Daily Load Best Management Practice (TMDL BMAP). Data sharing and exchange of drainage information shall continue to be emphasized in the ~~Interlocal Agreements~~ interlocal agreements. As part of this process, Orange County shall encourage municipalities to enact surface water management criteria that are technically consistent and meet State, regional, and County requirements for new development. Actions by municipalities that affect the Orange County drainage system should likewise be communicated to the County. (~~Also Stormwater Management Element, Policy SM1.5.11~~)

OBJ ICE1.12 Orange County shall coordinate with agencies and governments to address inconsistencies with and to further the solid waste goals, objectives, and policies of Orange County's Comprehensive Plan. This objective shall be achieved by implementation of the following policies.

POLICIES

- ICE1.12.1 Orange County shall coordinate with local governments, through joint meetings and provision of technical assistance, to evaluate alternatives to landfilling solid waste as identified in the Solid Waste Element. ~~(Also Solid Waste Element, Objective SW1.6)~~
- ICE1.12.2 Orange County shall cooperate, through joint meetings and provision of information, with all State and Federal authorities in the regulation and disposal of hazardous wastes by establishing or expanding programs at the local level. ~~(Also Solid Waste Element, Policy SW2.1.1)~~
- ICE1.12.3 Orange County shall continue coordination with the Department of Environmental Protection regarding hazardous waste management and collection, to include distributing educational material on this subject to households. ~~(Added 12/00, Ord. 00-25; also Solid Waste Element, Policy SW2.1.4)~~
- ICE1.12.4 Orange County shall improve its intergovernmental coordination efforts for establishing fees, locating transfer station, and controlling the movement of waste within the County. ~~(Also Solid Waste Element, Objective SW1.3)~~
- ICE1.12.5 To prevent groundwater contamination, to the maximum extent possible, Orange County shall cooperate with all State and Federal authorities in the regulation, collection, and disposal of hazardous wastes as defined in the Solid Waste Element by implementing programs which include, but are not limited to, the Small Quantity Generator Notification Program and the Local Hazardous Waste Program. ~~(Also Aquifer Recharge Element, Policy AR1.2.8)~~

OBJ ICE1.13 Orange County shall participate in data sharing with local governments and other agencies for the purpose of improving communication, creating efficient provision of services, and encouraging cooperative planning efforts. This objective shall be achieved by implementation of the following policies.

POLICIES

- ICE1.13.1 Orange County shall actively seek to establish interlocal agreements with local governments and other agencies for the purpose of establishing a common data source to improve County-wide addressing database information. (Added 12/00, Ord. 00-25)
- ICE1.13.2 Where applicable, Orange County shall actively seek to establish interlocal agreements with local governments and other agencies regarding the use and application of geographic digital data. (Added 12/00, Ord. 00-25)
- ICE1.13.3 Where applicable, Orange County shall coordinate and actively participate in technical committees related to geographic data used with a Geographic Information System (GIS), and provide technical assistance to local governments within Orange County in the development and use of data and technology. (Added 12/00, Ord. 00-25)
- ICE1.13.4 Orange County will initiate meetings with cities, agencies, and other units of local government to jointly discuss, write, and implement small area studies and land use plans for areas of mutual interest. These areas shall be referred to as Cooperative Planning Areas (CPAs).

OBJ ICE1.14 The County shall, throughout the planning period, coordinate with Orange County Public Schools (OCPS) to ensure that sufficient school capacity is available to support proposed development and that necessary infrastructure is available to accommodate new schools. (Added 06/08, Ord. 2008-11)

POLICIES

- ICE1.14.1 The County shall designate a representative to serve on the Technical Advisory Committee to discuss issues and formulate recommendations regarding the coordination of land use and schools. (Added 06/08, Ord. 2008-11)
- ICE1.14.2 The County shall provide projected development data to Orange County Public Schools (OCPS) on a regular basis to assist in development of a long-range planning model to project student enrollment. (Added 06/08, Ord. 2008-11)
- ICE1.14.3 As a member of the Technical Advisory Committee, the County shall review Orange County Public Schools (OCPS) model projections for consistency with the County's projections and, if necessary, shall recommend additions or modifications to the model results. (Added 06/08, Ord. 2008-11)
- ICE1.14.4 The County shall comply with the Interlocal Agreement referenced in Policy PS5.1.10. (Added 06/08, Ord. 2008-11; Amended 11/17, Ord. 2017-19)

OBJ ICE1.15 Orange County shall, throughout the planning period, coordinate with Orange County Public Schools (OCPS) on issues of concurrency, school siting, population projections and other matters. This objective shall be achieved by implementation of the following policies.

POLICIES

- ICE1.15.1 Orange County shall use the Interlocal Agreement referenced in Policy PS5.1.10 to satisfy the applicable requirements of Section 163.3177(6)(h)2, Florida Statutes. (Amended 11/17, Ord. 2017-19)
- ICE1.15.2 The County shall meet regularly with Orange County Public Schools (OCPS) and municipal representatives to plan for the location of future public educational facilities and the needed infrastructure necessary to support future public education facilities, per the requirements of the Interlocal Agreement referenced in Policy PS5.1.10. (Amended 11/17, Ord. 2017-19)
- ICE1.15.3 The County shall continue to coordinate joint population projections, public school siting and the timing of infrastructure with the School Board, per the requirements of the Interlocal Agreement referenced in Policy PS5.1.10. (Amended 11/17, Ord. 2017-19)
- ICE1.15.4 In an effort to enhance local communities and neighborhoods, Orange County will participate with Orange County Public Schools (OCPS) in the school siting, design and development process so that the school serves as a focal point for the community and is compatible with the Future Land Use Map and with land uses surrounding proposed school sites. ~~(Also Public Schools Facilities Element, Policy PS2.2.8)~~
- ICE1.15.5 Orange County will coordinate with the Orange County School Board to evaluate alternative funding sources to fund school capital needs and consider support for changes to state legislation to provide for these options as needed. Additional school capital funding mechanisms shall be considered on a countywide basis, including all municipalities. ~~(Also Public Schools Facilities Element, Policy PS4.2.6)~~

- ICE1.15.6 Orange County and OCPS shall, throughout the planning period, coordinate the siting of new public schools to ensure to the extent possible public school facilities are located to address the needs of future residential development, are coordinated with necessary services and infrastructure development, provide for safe learning environments, are consistent with the County's adopted Future Land Use Map and with the other provisions of the Comprehensive Plan. ~~(Also Public Schools Facilities Element, Policy PS5.2.7)~~
- ICE1.15.7 Orange County shall review Orange County Public Schools (OCPS)-generated future enrollment and growth projections on an annual basis and provide input to the OCPS Planning Department. ~~(Also Public School Facilities Element, Policy PS5.1.13)~~
- ICE1.15.8 For purposes of coordinating planning efforts, Orange County shall annually initiate the compilation and provision to the school board of the data and reports identified in Policy PS5.1.6 of the Public Schools Facilities Element.
- ICE1.15.9 Orange County shall enter into an agreement with Orange County Public Schools (OCPS) for the School Board to annually provide the Orange County a general educational facilities report containing information outlined in Policy PS5.1.8 of the Public Schools Facilities Element.

OBJ ICE1.16 Orange County shall, throughout the planning period, coordinate with Orange County Public Schools (OCPS) on establishment and implementation of concurrency requirements for public school facilities, as specified in Section ~~163.3180(13)(f), FS. Such coordination should be achieved by implementing the policies described below.~~

POLICIES

- ICE1.16.1 Orange County in consultation with Orange County Public Schools (OCPS), and Orange County municipalities will review and update the school impact fee study at least once every four (4) years. ~~(Also Public Schools Facilities Element, Policy PS4.1.4)~~
- ICE1.16.2 Orange County shall cooperate with the Orange County School Board and other local jurisdictions and agencies to address and resolve multi-jurisdictional public schools issues. ~~(Also Public Schools Facilities Element, Policy PS5.1.2)~~
- ICE1.16.3 Pursuant to the Interlocal Agreement referenced in Policy PS5.1.10, a Technical Advisory Committee (TAC) comprised of representatives from the County, Municipalities, Orange County Public Schools (OCPS) and the Regional Planning Council shall be established to discuss issues of mutual concern. TAC shall meet quarterly, or as needed, to discuss issues and formulate recommendations regarding coordination of land use and school facilities. (See also Public Schools Facilities Element, Policies PS5.1.10 and PS5.1.11.) (Amended 11/17, Ord. 2017-19)
- ICE1.16.4 Pursuant to the Interlocal Agreement referenced in Policy PS5.1.10, Orange County shall provide an update of approved developments, phases of development and estimated build out by phase to the OCPS Planning Department on an annual basis. ~~(See also Public Schools Facilities Element, Policy PS5.1.12.)~~ (Amended 11/17, Ord. 2017-19)
- ICE1.16.5 Orange County shall coordinate with OCPS to implement a Concurrency Management System that ensures adequate classroom capacity to accommodate the impacts of new residential development throughout the planning period. ~~(Also Public Schools Facilities Element, Objective PS6.1)~~

ICE1.16.6 The County and OCPS, consistent with the Interlocal Agreement referenced in Policy PS5.1.10, shall establish, and annually review, school CSAs, which will be used to evaluate capacity of schools available to accommodate students generated by proposed development. ~~(See also Public Schools Facilities Element, Objective PS6.2)~~ (Amended 11/17, Ord. 2017-19)

ICE1.16.7 Orange County and OCPS shall develop and maintain throughout the planning period a joint process for the implementation of School Concurrency as provided for in the Interlocal Agreement referenced in Policy PS5.1.10. ~~(See also Public Schools Facilities Element, Objective PS6.3)~~ (Amended 11/17, Ord. 2017-19)

OBJ ICE1.17 Orange County shall coordinate its infrastructure improvements and capital facilities, as well as establishment of level of service for public facilities, with state, regional and local governments and agencies. ~~This objective shall be achieved by implementation of the following policies.~~

POLICIES

- ICE1.17.1 The County shall coordinate future capital improvement projects with the cities in the County, local governments adjacent to the County, and the state to ensure effectiveness, efficiency and logical phasing of projects that may be impacted by another governmental entity. A more formal coordination framework may also be established via an ~~Interlocal~~interlocal agreement.
- ICE1.17.2 Orange County shall coordinate establishment of level of service for public facilities, such as schools and roads, with applicable agencies at the local, state, and regional levels.
- ICE1.17.3 Once established, levels of service might be reviewed and updated, if needed. Appropriate mechanisms for level of service updates shall be established as a part of initial discussions with the agencies, and might include technical committee meetings, interlocal agreements and other means of intergovernmental coordination.
- ICE1.17.4 Orange County will initiate meetings with cities, agencies, and other units of local government to jointly discuss, write and implement small area studies and land use plans for areas of mutual interest. These areas shall be referred to as Cooperative Planning Areas (CPA).
- ICE1.17.5 Orange County shall establish plans, regulations and programs, in conjunction with Orange County Public Schools (OCPS) to facilitate the future availability of public school facilities to serve residents, consistent with the adopted level of service for public schools and with state of Florida concurrency statutes and regulations. (Also Public Schools Facilities Element, Goal PS6)
- ICE1.17.6 Per University of Central Florida's (UCF)'s Campus Master Plan, Orange County shall work cooperatively with the University to seek additional opportunities for joint use facilities.

OBJ ICE1.18 Orange County shall review and evaluate proposed development, infrastructure improvements, and comprehensive plan amendments occurring in local governments and adjacent jurisdictions to ensure their comparability with existing and proposed land uses in the County, as well as their overall impact on the region. ~~This objective shall be achieved by implementation of the following policies.~~

POLICIES

- ICE1.18.1 The County shall establish an internal team to monitor and review Development of Regional Impacts (DRIs) in adjacent counties to determine the environmental, traffic, and land use impacts of proposed development on the County and its residents.
- ICE1.18.2 The County shall establish a Capital Improvements Program (CIP) working group to share and discuss planned infrastructure improvements with adjacent jurisdictions and the University of Central Florida (UCF). This coordination shall consist of GIS data sharing and notification of planned improvements.
- ICE1.18.3 Orange County shall continue to exchange information with area local governments concerning development approvals in order to effectively monitor road conditions. (Added 12/00, Ord. 00-25, Policy 1.2.5)
- ICE1.18.4 Orange County shall consider existing and proposed land uses within adjacent local governments and exiting regional vision for the Central Florida Region when reviewing proposed development in the County.

OBJ ICE1.19 Orange County shall coordinate its comprehensive plan with the comprehensive plans of affected local governments, such as municipalities and adjacent counties, as well as with other government agencies. This objective shall be achieved by implementation of the following policies.

POLICIES

- ICE1.19.1 The County shall negotiate agreements with adjacent jurisdictions providing for notification of proposed developments or regulatory changes by those adjacent jurisdictions that may impact the County or County residents.
- ICE1.19.2 Orange County shall continue to review the comprehensive plans and plan amendments of adjacent local governments to monitor consistency with the goals, objectives, policies and implementation strategies of Orange County's Comprehensive Plan. (Policy 1.2.8)
- ICE1.19.3 Orange County shall continue using joint planning area agreements as a mechanism for establishing future annexation boundaries, joint land uses, and notification requirements for future comprehensive plan amendments, rezoning, and other development applications within the areas of the agreements.

FLU7.1.3 Orange County will use, if applicable, results of visioning facilitated by such organizations as myregion.org.

Staff recommends moving this policy from the Future Land Use element under OBJ ICE1.19

OBJ ICE1.20 Orange County shall work cooperatively with the University of Central Florida to eliminate or minimize land use compatibility problems and constraints between the University and Orange County.

POLICIES

- ICE1.20.1 Orange County shall review the campus master plan, development proposals and other development plans of the ~~university~~ University to ensure compatibility with off campus surrounding uses and to determine the impacts of the development on Orange County residents.
- ICE1.20.2 The ~~university~~ University and the county shall work cooperatively to develop shared design and signage guidelines to ensure compatibility of on-campus development with the surrounding community.
- ICE1.20.3 Where the acquisition of additional lands is necessary for the continued growth and expansion of university facilities, the county shall work cooperatively with UCF on any required amendments to the ~~CPP~~ Comprehensive Plan.
- ICE1.20.4 Orange County shall arrange an annual meeting to discuss and review updates related to campus development plans, infrastructure improvements and support facilities.
- ICE1.20.5 Orange County shall work with the University of Central Florida (UCF) to establish additional opportunities for increased coordination as identified in the ~~2005-2015~~ Campus Master Plan.
- FLU7.1.2 Orange County shall work cooperatively with the University of Central Florida to seek additional opportunities for joint use facilities in accordance with its Master Plan.

Staff recommends moving this policy from the Future Land Use element under OBJ ICE1.1.20

OBJ ICE1.21 Orange County shall work cooperatively with the City of Orlando to implement the recommendations of the Orange County/City of Orlando Consolidation of Services Study Commission.

POLICIES

- ICE1.21.1 Orange County and the City of Orlando should work cooperatively to develop a fire service boundary agreement that rounds off jurisdictional boundary to clearly establish service delivery areas.
- ICE1.21.2 Orange County and the City of Orlando should develop a joint planning process for emergency service provision, address the potential of joint purchasing of fire and emergency vehicles and equipment and coordinating emergency response resources and command procedures.
- ICE1.21.3 Orange County and the City of Orlando should explore opportunities to achieve a coordinated effort in planning for the provision of parks and recreation facilities and services, and multimodal transportation access to parks particularly for large, community-based parks.
- ICE1.21.4 Orange County and its municipalities should continue their close coordination ~~in concerning~~ planning for roadways, multimodal facilities, and operations of traffic signalization systems. ~~This coordination should extend to all other jurisdictions in Orange County and to adjacent counties.~~ (Amended 11/12, Ord. 2012-20)
- ICE1.21.5 Orange County and its municipalities should continue cooperation in the expansion of the provision of emergency power for signalized intersections and other aspects of transportation systems management and operations. (Amended 11/12, Ord. 2012-20)
- ICE1.21.6 Orange County, the City of Orlando and Orlando Utilities Commission (OUC) should establish a joint committee(s) to evaluate issues related to water production, water distribution, water treatment, reclaimed water distribution and stormwater treatment with the goal of consolidating their respective water systems.
- ICE1.21.7 Orange County and its municipalities should jointly plan for parks, fire, schools, ~~roads~~ transportation, and other critical infrastructure needs. (Amended 11/12, Ord. 2012-20)

The following pages reflect the Intergovernmental Coordination Element should the proposed changes be adopted.

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Intergovernmental Coordination Element Goals, Objectives and Policies

GOAL ICE1 Orange County shall coordinate effectively with adjacent local governments, regulatory agencies, and service and facility providers, to ensure a comprehensive approach to planning is achieved.

OBJ ICE1.1 Orange County shall establish joint planning area agreements to implement the goals, objectives, and policies of the Comprehensive Plan.

POLICIES

- ICE1.1.1 Orange County shall continue discussions and identify issues with:
- A. all local governments that have established joint planning area agreements with Orange County. (Amended 12/00, Ord. 00-25)
 - B. with local governments that have yet to establish joint planning area agreements with Orange County.
 - C. with its adjoining counties and adjacent cities in adjoining counties with regards to executing joint planning area agreements. (Added 12/00, Ord. 00-25)
- ICE1.1.2 Combined with ICE1.1.1
- ICE1.1.3 Joint planning area agreements shall establish mechanisms to resolve conflicts resulting from multi-jurisdictional land development and transportation regulations.
- ICE1.1.4 Orange County shall voluntarily enter into a dispute resolution process to resolve intergovernmental coordination disputes with other municipalities and jurisdictions on a case-by-case basis, using the procedures below:
- A. The County shall seek dispute resolution assistance and guidance from the East Central Florida Regional Planning Council or other mediation group.
 - B. The resolution process will be developed consistent with Chapter 164, F.S., Sections 164.101-164.1061.
 - C. Unless requested by the disputing parties, the process shall not be used to address environmental permitting or other regulatory issues. (Added 12/00, Ord. 00-25; Amended 06/17, Ord. 2017-12)
- ICE1.1.5 RESERVED.
- ICE1.1.6 Joint planning area agreements shall establish maps depicting the joint planning area boundaries, land use designations, and densities/intensities for development for areas of joint planning.
- ICE1.1.7 Joint planning area agreements shall include mechanisms for formal exchange of information and data including, but not limited to, comprehensive plan amendment review, rezoning requests, demographic projections, and regulatory changes.
- ICE1.1.8 Joint planning area agreements shall identify service and facility providers for development within the joint planning area.
- ICE1.1.9 Joint planning area agreements shall be used to coordinate level of service standards, transportation concurrency exception areas and concurrency management, where applicable.
- ICE1.1.10 Joint planning area agreements shall establish annexation procedures (if applicable) for land within the joint planning area.

- ICE1.1.11 When reviewing annexation proposals, Orange County shall strongly discourage the creation of enclaves through attendance at public hearings, written and verbal transmittals, negotiated settlements, and if necessary, through litigation.
- ICE1.1.12 Joint planning area agreements shall address consistent roadway design standards, extensions, widening, operational, and other improvements.
- ICE1.1.13 Joint planning area agreements shall provide for the uniform protection of high recharge areas. (Also Aquifer Recharge Element, Policy AR1.2.4)
- ICE1.1.14 Through joint planning area agreements, Orange County shall coordinate efforts with other local governments to avoid duplication of recreation services and facilities, and to promote efficient use of land and funding.
- ICE1.1.15 Orange County shall attempt to establish County-wide regulations for wetlands and rare upland vegetative communities through the use of joint planning area agreements.
- ICE1.1.16 As joint planning area agreements are adopted, maps depicting the joint planning area boundaries shall be incorporated into this element. (Added 10/94, Ord. 94-20; Amended 12/00, Ord. 00-25)
- ICE1.1.17 Orange County shall coordinate with adjacent municipalities and counties to prevent urban sprawl through the use of joint planning area agreements. These joint planning area agreements will ensure compact and contiguous growth patterns will be implemented through the review of future land use designations and impacts of development.
- ICE1.1.18 Joint planning area agreements shall include provisions for the following:
- A. Collection of County impact fees from development in annexed areas if the City does not collect their own impact fees for the public services or facilities impacted by development in annexed areas; or,
 - B. If City impact fees are collected, dedication of a portion of City impact fees for County facilities impacted by development in annexed areas. The provisions shall set forth the type, amount and use of the impact fees that will be dedicated to the County.
 - C. Provisions relevant to annexations, which include specific references to enclaves, stormwater, drainage, and the appropriate jurisdictional transfer of roadways and associated drainage facilities.
- ICE1.1.19 The County shall maintain the existing interlocal agreements, unless discontinued, with Edgewood, Oakland, and Belle Isle, which specify that the County shall perform building inspections, issue building permits and certificates of occupancy, and handle code enforcement duties. (Added 12/00, Ord. 00-25)

OBJ ICE1.2 Orange County shall continue to coordinate with adjacent local governments, adjacent Metropolitan Planning Organizations (“MPO”s), regulatory agencies, and service and facility providers, to promote compatible level of service standards and sound growth management. (Amended 11/12, Ord. 2012-20)

POLICIES

ICE1.2.1 Orange County shall continue its participation on technical committees and subcommittees of MetroPlan Orlando. Participation shall include the provision of information and technical assistance for coordinating concurrency management for roads. (Also Transportation Policy T2.2.8; Added 12/00, Ord. 00-25; Amended 11/12, Ord. 2012-20)

ICE1.2.2 Orange County shall continue to coordinate with all adjacent counties and local governments, in or adjacent to Orange County, as appropriate, to ensure the development impacts occurring within one jurisdiction will not cause the level of service on arterial and collector roads within Orange County or in the adjacent jurisdiction to not meet the adopted standard. This coordination shall include provision of information during the comprehensive plan amendment and development review process, and attendance at appropriate meetings. (Also Transportation Policy T2.2.7)

ICE1.2.3 Orange County shall continue to coordinate, through written and verbal transmittals, participation in joint technical committees, and by participating in appropriate meetings, transportation level of service standards associated improvements, and context-based planning for State roads with the Florida Department of Transportation.

ICE1.2.4 RESERVED.

ICE1.2.5 RESERVED.

ICE1.2.6 RESERVED.

ICE1.2.7 RESERVED.

ICE1.2.8 RESERVED.

OBJ ICE1.3 Orange County shall ensure efficient provision of services and facilities through the establishment of territorial/interlocal agreements. (Added 12/00, Ord. 00-25)

POLICIES

- ICE1.3.1 Orange County shall enter into interlocal agreements for solid waste disposal with other municipalities in order to maximize the long term capacity and economic efficiency of the Orange County Landfill. The County shall encourage specific commitments to be incorporated in to the interlocal agreements, examples of commitments include but are not limited to tipping rights at the transfer station, guaranteed access to the County's recycling processing facilities and long-term predictable disposal capacity and pricing.
- ICE1.3.2 RESERVED
- ICE1.3.2.1 The County shall develop a resource recovery program and shall administer and coordinate the program by establishing interlocal agreements with public and private entities. (Added 12/00, Ord. 00-25)
- ICE1.3.3 Orange County shall continue coordination efforts with County and local utility agencies to identify sites for recreation purposes, such as the utilization of easements of power lines, drainage, or gas lines for recreational trails or linear parks. (Added 12/00, Ord. 00-25)
- ICE1.3.7 Orange County shall continue to enter into territorial/joint planning area agreements with adjacent municipalities, counties, and other utilities regulated by the Public Service Commission in order to encourage cost-effective service to avoid unnecessary duplication in the provision of water and wastewater services, to describe the location of each utility's service area, and to coordinate and confirm the associated service provision commitments. Priorities for the extension of services by these other providers are referenced in the territorial/joint planning area agreements. (Added 12/00, Ord. 00-25)
- ICE1.3.8 Orange County shall attempt to expand its interlocal agreement with the Reedy Creek Improvement District to facilitate the extension of Reedy Creek Improvement District services and infrastructure into unincorporated Orange County in order to provide for affordable housing.

OBJ ICE1.4 Orange County shall coordinate with agencies and governments to further the transportation goals, objectives, and policies of Orange County’s comprehensive plan.

POLICIES

- ICE1.4.1 Orange County , in collaboration with MetroPlan Orlando, the Central Florida Commuter Rail Commission, the Florida Department of Transportation, LYNX, Central Florida Expressway Authority, local governments, and the private sector will plan the development and operation of viable and financially feasible transportation systems, including roadway and public transit facilities. (Also Transportation Policies T3.3.1 and T3.4.1)
- ICE1.4.2 Orange County will continue to coordinate with LYNX MetroPlan Orlando, Central Florida Expressway Authority, local governments, and private entities to identify needed transportation projects. These include projects named on the Orange County Five-Year Capital Improvements Program and Ten-Year Capital Improvements Schedule, MetroPlan Orlando Transportation Improvement Program, State Transportation Improvement Program, and MetroPlan Orlando Long Range Transportation Plan. (Also Transportation Policy T3.4.2 Added 12/00, Ord. 00-25)
- ICE1.4.3 RESERVED
- ICE1.4.4 RESERVED
- ICE1.4.5 RESERVED
- ICE1.4.6 Orange County shall continue to coordinate with LYNX, MetroPlan Orlando, and Florida Department of Transportation and others, as appropriate, to accommodate special needs of the transportation disadvantaged, in accordance with Federal, State, and local regulations and definitions. This includes the provision of safe, accessible, and convenient public transportation service and facilities, through financial and technical assistance and through inter-agency agreements. (Also Transportation Element, Policy T3.3.46)
- ICE1.4.7 RESERVED
- ICE1.4.8 Orange County shall continue to work with the Orange County School Board and LYNX to facilitate transportation of students to and from school, promote Safe Routes to School and the use of non-motorized transportation, and to identify and address hazardous walking conditions consistent with statutory requirements. . (Also Transportation Element, Policy T3.4.7)
- ICE1.4.9 Orange County shall continue to ensure that Greater Orlando Aviation Authority’s aviation improvements and operations are coordinated with area transportation agencies and projects, and are supported by appropriate land use and airport noise regulations, are reviewed for potential transportation and environmental impacts and required mitigation, and area consistent with the Comprehensive Plan. (Added 12/00, Ord. 00-25; also Transportation Element, Policy T3.4.2; Amended 11/12, Ord. 2012-20)
- ICE1.4.10 Orange County shall continue to coordinate land development proposals with the Orlando-Orange County Airports Zoning Board of Adjustment to review the placement of tall structures within the County and enforce the adopted ordinance, through participation in planning activities, exchange of information, and attendance at staff and public meetings. This coordination shall ensure that clear zones affiliated with existing publicly-owned, for-public-use airports and Federal Aviation Administration regulations are not violated. (Also Transportation Element, Policy T3.4.2.2)

- ICE1.4.11 Orange County shall continue to coordinate with the State, City of Orlando, and the Greater Orlando Aviation Authority to ensure mitigation of roadway deficiencies in airport access areas and determine appropriate mitigation measures for deficient transportation facilities that provide access to OIA, through cooperative communications with staff, provision of information and technical assistance, and participation in appropriate meetings. (Also Transportation Element, Policy T3.4.3.1)
- ICE1.4.12 RESERVED.
- ICE1.4.13 Orange County shall continue to support the transportation planning efforts of LYNX and MetroPlan Orlando, through provision of information, current land use data, socioeconomic projections, data on recent transportation improvements, and technical assistance, participation in meetings, and dissemination of pertinent information to the public. (Also Transportation Element, Policy T1.2.1)
- ICE1.4.14 Orange County shall coordinate with government agencies and public and private entities in order to implement financially feasible multi-modal transportation systems. The County will continue to participate in interlocal agreements and Joint Participation Agreements with other local jurisdictions and public/private partnerships with private developers as a means of funding necessary transportation improvements. (Also Transportation Element, Policies T1.3.5 and T1.3.5.1)
- ICE1.4.15 The County will continue to coordinate with Florida Department of Transportation (FDOT), MetroPlan Orlando, Central Florida Expressway Authority, local governments, and private entities to identify needed roadway improvement projects. These include projects named on the Orange County Five-Year and Ten-Year Capital Improvement Program, MetroPlan Orlando Transportation Improvement Program, State Transportation Improvement Program, and MetroPlan Orlando Long Range Transportation Plan Financially Constrained Network. (Also Transportation Element, Policy T3.3.2)
- ICE1.4.16 Orange County shall continue to coordinate with LYNX, Florida Department of Transportation (FDOT), MetroPlan Orlando and other local governments to identify and designate strategic locations for regional park-and-ride lots. (Also Transportation Element, Policy T3.3.3)
- ICE1.4.17 The County shall coordinate with MetroPlan Orlando and local governments to implement the regional connectivity of the Trails Master Plan. (Also Transportation Element, Policy T3.4.8)
- ICE1.4.18 RESERVED
- ICE1.4.19 RESERVED

OBJ ICE1.5 Orange County shall coordinate with other local governments to address inconsistencies with and to further the potable water and wastewater goals, objectives, and policies of Orange County's comprehensive plan.

POLICIES

- ICE1.5.1 Orange County shall continue to pursue sources of funding and participate with other localities in order to plan and construct potable water and wastewater systems, through written and verbal communications, joint meetings, participation in planning activities, and by providing technical assistance.
- ICE1.5.2 Orange County shall continue to participate in the regional water supply efforts of the St. Johns River Water Management District and the South Florida Water Management District to establish and implement efficient and cost-effective public water supply plans for the region without creating significant adverse impacts to natural systems.
- ICE1.5.3 Orange County shall coordinate with the Water Management Districts to monitor the amount of groundwater pumped from the aquifer underlying Orange County that is distributed for use outside the County; and, if necessary, assist in the emergency conservation of groundwater.
- ICE1.5.4 Refer to policy ICE1.3.7.
- ICE1.5.5 Orange County shall continue to support and assist the Department of Health, the St. Johns Water Management District, the Department of Environmental Protection, the Wekiva River Basin Commission, and the local governments in implementing the Wekiva Parkway and Protection Act of 2004.
- ICE1.5.6 Orange County shall promote the establishment of regional wastewater planning and development within the Wekiva Study Area in order to minimize the number of septic systems, minimize groundwater and surface water contamination, maximize the reuse of reclaimed water, and reduce future ground water demand through beneficial reuse.
- ICE1.5.7 Orange County shall encourage municipalities, counties, and private entities that export water underlying Orange County to use other sources of potable water and/or use water conservation measures. Such encouragement shall be by providing technical assistance and participating in studies conducted by the Water Management Districts.
- ICE1.5.8 Pursuant to Chapter 373.609, Florida Statutes, Orange County shall, upon request, assist the Water Management Districts in the enforcement of Water Management district guidelines during declared potable water shortages.
- ICE1.5.9 Orange County shall coordinate with the St. Johns River Water Management District, the South Florida Water Management District, and other entities to assist with implementation of goals and provisions of the applicable Regional Water Supply Plans, and other local/municipal water resource management and restoration programs, to evaluate the long-term needs of the natural and built environments; to restrict activities that may result in the degradation or overuse of potable water, treated wastewater, and reclaimed water resources; and to assure adequate water supply for the competing needs of native ecosystems, agriculture, and domestic and industrial users.
- ICE1.5.10 Orange County shall coordinate, cooperate, and participate with utility providers in the region and the water management districts in the development and update of local and regional water supply plans and assessments. In addition, Orange County will continue to collaborate and jointly develop interconnected sources and facilities to consolidate water services and to improve efficiencies that will support and enable Orange County to perform and implement an effective water supply program.

- ICE1.5.11 The County will coordinate with the City of Orlando to evaluate improvements and expansion of the Water Conserv II system to support the Master Plan recommendations and other City of Orlando plans.
- ICE1.5.12 Orange County shall adopt a Water Supply Facilities Work Plan (Work Plan), which will assess existing and projected water sources and needs for at least a 10-year planning period considering the Regional Water Supply Plans of the St. Johns River Water Management District and South Florida Water Management Districts. The Work Plan shall identify traditional and alternative water supply sources that the County may use to meet existing and projected water demands. The alternative water supply projects in the Work Plan will be selected from the applicable Water Management Districts' Regional Water Supply Plans or otherwise proposed by the County. (Also WSFWP)
- ICE1.5.13 Orange County shall coordinate with the St. Johns River Water Management District and South Florida Water Management District during updates to their Regional Water Supply Plans, to identify potentially feasible alternative water supply projects in Orange County. The County shall update its Work Plan every five years, within 18-months of the adoption of the later of the two Water Management Districts' Regional Water Supply Plans. (Also WSFWP)

OBJ ICE1.6 Orange County shall coordinate with agencies and governments to address inconsistencies with and to further the groundwater protection goals, objectives and policies of Orange County's comprehensive plan.

POLICIES

- ICE1.6.1 Orange County shall continue to support and assist the Water Management Districts in implementing the development of a County-wide consumptive use study program utilizing water use projections and groundwater modeling to monitor the effects of withdrawals from the Floridan Aquifer. (Added 12/00, Ord. 00-25)
- ICE1.6.2 Orange County shall coordinate with the Water Management Districts to monitor the drilling of new wells, enforce the capping of abandoned wells, and require the placement of valves on existing free flowing wells so water will be used only as required. It is not the intent of this policy to affect agricultural production or agricultural processing.
- ICE1.6.3 Orange County shall coordinate with other governmental entities, regarding groundwater pollution, through the establishment or continuation of programs, provision of technical assistance and information, and attendance at appropriate hearings. (Also Aquifer Recharge Element, Objective AR1.2)
- ICE1.6.4 Orange County shall coordinate with other local and State governmental entities, through written and verbal transmittals, and participation in meetings and joint committees, in order to implement the actions listed below.
- A. Consistent with the Future Land Use Element and Conservation Element, the County septic tank ordinance, shall specify usage and remediation of septic tank contamination to surface and/or groundwater resources.
 - B. A program shall be established to eliminate identified malfunctioning septic tanks. (Also Aquifer Recharge Element, Policy AR1.2.2)
 - C. The County shall continue to monitor County drainage wells for contamination and eliminate any adverse effects of contamination. The County shall seek assistance from other governmental entities regarding the monitoring effort, primarily for wells located within a municipality. (Added 12/00, Ord. 00-25)
- ICE1.6.5 Orange County shall continue to coordinate with all governmental entities to establish County-wide regulations for development within prime aquifer recharge areas. (Added 12/00, Ord. 00-25)
- ICE1.6.6 Orange County shall continue its drainage well monitoring program and assist other governments with their monitoring programs. The program shall identify those wells with the highest probability for contamination. Within two years of identification, an implementation program for pollution abatement shall be developed. (Added 12/00, Ord. 00-25; also Aquifer Recharge Element, Policy AR1.1.2)
- ICE1.6.7 Orange County shall continue coordination with the Water Management Districts and other governmental entities regarding development impacts on recharge areas and land surrounding Outstanding Florida Waters. (Added 12/00, Ord. 00-25; also Aquifer Recharge Element, Policy AR1.1.5)
- ICE1.6.8 If requested, Orange County shall continue to provide technical assistance to the St. Johns River and South Florida Water Management Districts for the preparation and completion of a Needs and Sources Inventory. (Added 12/00, Ord. 00-25)
- ICE1.6.9 During the course of the planning period Orange County shall attempt to enter into interlocal agreements with other governmental agencies that are involved in stormwater management practices that affect Orange County. Data sharing and exchange of drainage information shall be emphasized in the interlocal agreement. As part of this

process, Orange County shall encourage municipalities to enact surface water management criteria that are technically consistent with and meet State, regional, and County requirements for new development. Actions by municipalities that affect the Orange County drainage system should likewise be communicated to the County. (Added 12/00, Ord. 00-25)

- ICE1.6.10 Orange County shall provide technical assistance to the Water Management Districts and United States Geological Survey for the purposes of researching the impacts of impervious surface ratios and land development on the natural rate of aquifer recharge, and preparing Groundwater Basin Resource Availability Inventories.
- ICE1.6.11 In coordination with the St. Johns River Water Management District, the South Florida Water Management District, and other local governments or private utilities, Orange County shall seek the development of efficient, cost-effective, and technically feasible water sources that will satisfy existing and future demands, without causing adverse impacts to water quality, wetlands, aquatic systems or the environment. These sources may include, but are not limited to, fresh groundwater, treated wastewater, reclaimed water, stormwater, brackish groundwater, surface water and seawater. In addition, Orange County will proactively investigate the application of new water resource development technologies to meet existing and future water demand.
- ICE1.6.12 Orange County shall adopt a Water Supply Facilities Work Plan (Work Plan), which will assess existing and projected water sources and needs for at least a 10-year planning period considering the Regional Water Supply Plans of the St. Johns River Water Management District and South Florida Water Management District. The Work Plan shall identify traditional and alternative water supply sources that the County may use to meet existing and projected water demands. The alternative water supply projects in the Work Plan will be selected from the applicable Water Management Districts' Regional Water Supply Plans or otherwise proposed by the County. (Added based on WSFWP under review by DCA for the ORC Report; 08/08)
- ICE1.6.13 Orange County shall work with the St. John River Water Management Districts and South Florida Water Management District, during updates to their Regional Water Supply Plans, to identify potentially feasible alternative water supply projects, including those involving treated wastewater or reclaimed water sources within Orange County.

OBJ ICE1.7 Orange County shall coordinate and plan with agencies and governments to address inconsistencies with and to further the recreation goals, objectives and policies of Orange County's comprehensive plan.

POLICIES

- ICE1.7.1 Refer to ICE 1.3.3 (Added 12/00, Ord. 00-25; also Recreation Element, Policies R1.5.3)
- ICE1.7.2 Orange County shall continue to enter into an agreement with the Orange County School Board for the use of school recreation areas for public parks. (Added 12/00, Ord. 00- 25; also Recreation Element, Policy R1.5.5 and Open Space Element, Policy OS1.1.8)
- ICE1.7.3 Orange County shall cooperate with the Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission, the St. John River Water Management District, and the Florida Division of Forestry in their management programs for the Wekiva Springs State Park/Rock Springs Run State Reserve, the Tosohatchee State Game Preserve, the Hal Scott Preserve, the Split Oak Preserve, and the Seminole Ranch Wildlife Management Area on their management of programs for those parks that extend into the Orange County service area. This cooperation shall include the provision of information and technical assistance, and by attending appropriate staff and public meetings.
- ICE1.7.4 Orange County shall continue to pursue public/private partnerships for funding land acquisitions of natural open spaces and environmentally sensitive lands. (Added 12/00, Ord. 00-25)
- ICE1.7.5 Orange County shall use the Parks and Recreation System Master Plan to coordinate local transit to activity-based parks. (Added 12/00, Ord. 00-25; also Recreation Element, Policy R1.4.7)
- ICE1.7.6 Orange County shall continue to pursue joint agency funding for the purchase of public parks.
- ICE1.7.7 Orange County shall continue to coordinate with municipalities and adjacent counties for provision of public parks and recreation facilities through the use of interlocal agreements. In cases where the park acreage of another jurisdiction, whose service area extends into unincorporated Orange County area, that acreage shall be counted towards the level of service standard if an interlocal agreement exists.
- ICE1.7.8 In an effort to protect the Wekiva Springshed, for the portion of the Wekiva Study Area located within the Joint Planning Area of the City of Apopka, Orange County shall require compliance with minimum open space and density requirements described by the Joint Planning Agreement (JPA) with the City of Apopka adopted on October 26, 2004. If a discrepancy exists between the City of Apopka and Orange County in terms of requirements, the most stringent shall apply. (Added 6/10, Ord. 10-07; also Open Space Element, Policy OS1.3.6)

OBJ ICE1.8 Orange County shall coordinate with agencies and governments to address inconsistencies with and to further the environmental goals, objectives and policies of Orange County's comprehensive plan.

POLICIES

- ICE1.8.1 Orange County shall continue to participate in conservation programs of the Water Management Districts, Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission, the Florida Division of Forestry, and other appropriate agencies. (Added 12/00, Ord. 00-25)
- ICE1.8.2 Orange County shall continue to identify important sources of surface water pollution in unincorporated Orange County and coordinate the development and implementation of methods and programs for the abatement of such pollution with local governments, and State and Federal agencies. This coordination shall include participation in joint committees, exchange of technical information, written and verbal communications, and attendance at appropriate public meetings. (Also Conservation Element, Objective C1.2)
- ICE1.8.3 Orange County shall, in conjunction with other appropriate agencies and governments, develop, seek funding, and implement lake management plans for those water bodies in greatest need of restoration. (Added 12/00, Ord. 00-25; also Conservation Element, Policy C1.2.12)
- ICE1.8.4 Orange County shall continue to identify and recommend to the State and the Water Management Districts environmentally sensitive lands, including but not limited to wetlands and floodplains that would warrant acquisition under the Conservation and Recreation Lands and the Save Our Rivers Programs. (Added 12/00, Ord. 00-25; also Conservation Element, Policy C1.3.2)
- ICE1.8.5 Orange County shall, on an ongoing basis, in conjunction with other appropriate agencies, such as the Water Management Districts, identify and prioritize for corrective measures problem floodplain areas through basin studies.
- ICE1.8.6 Orange County shall continue to coordinate with the Army Corps of Engineers, the Florida Department of Environmental Protection, and the St. Johns River and South Florida Water Management Districts to identify and regulate wetland areas under their jurisdiction. This coordination shall include participation in joint committees, exchange of technical information, written and verbal communications, and attendance at appropriate public meetings. (Added 12/00, Ord. 00-25; also Conservation Element, Policy C1.4.2)
- ICE1.8.7 Orange County shall implement a program in conjunction with the Water Management Districts, Florida Department of Environmental Protection, and other applicable agencies to improve soil management along Orange County surface water bodies. This assistance may include, but not be limited to, the protection and planting of desirable native species of aquatic vegetation. Additional measures will be taken to protect the species in the Wekiva Springs Study Area.
- ICE1.8.8 Orange County shall continue to identify and recommend to the State and other appropriate agencies rare uplands that would warrant acquisition under appropriate land acquisition programs. Orange County shall pursue long-term revenue sources for purchases of rare upland habitat that warrants acquisition. (Conservation Element, Policy C1.7.9)
- ICE1.8.9 Orange County shall establish interlocal agreements with adjacent counties and municipalities that protect wetlands, rare uplands, floodplains, habitat containing plants and wildlife listed as threatened, endangered, or species of special concern, and riverine corridors that are located in more than one jurisdiction. (Added 12/00, Ord. 00-25)

- ICE1.8.10 Orange County shall coordinate, through provision of information and technical assistance, with the St. Johns River Water Management District and adjacent counties for the development of consistent regulations to protect the Econ River Basin. (Added 12/00, Ord. 00-25;
- ICE1.8.11 Orange County shall coordinate with the City of Apopka concerning implementation of the requirements of the Wekiva River Protection Act through meetings on an as needed basis.
- ICE1.8.12 Orange County shall support, through the provision of information, technical assistance, planning, land acquisition, land use designations, and intergovernmental coordination the restoration of Lake Apopka through the Lake Apopka Surface Water Improvement and Management (SWIM) Program, the Lake Apopka Planning Initiative and the efforts of the Lake Apopka Restoration Council. Orange County shall also support the South Florida Water Management District's Lake Butler SWIM Program. (
- ICE1.8.13 Orange County shall cooperate with the Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission and the Florida Division of Forestry to improve the management of Wekiva Springs Park, the Rock Springs Run State Reserve, the Tosohatchee State Reserve, and the Seminole Ranch Wildlife Management Area, Neighborhood Lakes, Joshua Creek Conservation Area, Hal Scott Preserve and Split Oak Forest Preserve.
- ICE1.8.14 Orange County shall cooperate with the applicable Water Management Districts in the enforcement of the provisions of their emergency water shortage plans. (AlsoRefer to
- ICE1.8.15 Orange County shall coordinate with the St. Johns River Water Management District to monitor and manage the quality of groundwater withdrawals, in order to prevent saltwater contamination due to a decline in potentiometric surface.
- ICE1.8.16 Orange County shall continue to seek long-term revenue sources and partnerships for open-space acquisition and maintenance that will serve to balance habitat related goals with those for improved passive recreation areas and citizen education programs
- ICE1.8.17 Orange County shall identify jurisdictions on a regional and even worldwide basis to partner in formal agreements to reduce greenhouse gases (GHG) emissions and encourage local municipalities to develop local climate action plans to work together on this issue.
- ICE1.8.18 The County shall partner with various agencies that have the ability to support the Sustainable Orange County Plan and can assist in reducing greenhouse gas (GHG) emissions

OBJ ICE1.9 Orange County shall coordinate with agencies and governments to address inconsistencies with and to further the community facilities and services goals, objectives and policies of Orange County's comprehensive plan.

POLICIES

- ICE1.9.3 Orange County shall continue to encourage the Orange County Sheriff's Department, through written and verbal requests, to attempt to enter into agreements with other law enforcement agencies operating in the County to ensure the health, safety, and general welfare of the people who live, work, and visit Orange County. These agreements should include joint response and compatible communication systems.
- ICE1.9.4 Orange County shall encourage the Orange County Sheriff's Department to co-locate substations proximate to other public safety facilities by participating in joint planning activities. (Added 12/00, Ord. 00-25)
- ICE1.9.5 Orange County shall maintain Interlocal Agreements listed in the Fire Rescue Element to prevent duplication of fire protection and emergency medical service efforts. The Interlocal Agreements shall outline the provision of mutual aid and first response and should provide for the following:
- A. Reduction of overlapping service areas;
 - B. A fire response agreement; and,
 - C. A compatible communications system. (Added 12/00, Ord. 00-25)
- ICE1.9.6 The County shall continue to cooperate with the Local Health Council of East Central Florida, by providing information and technical assistance, in order to ensure proper planning for the siting of all new health care facilities.
- ICE1.9.7 The County shall provide technical assistance to the Local Health Council wherever necessary to ensure the delivery of health services that are consistent with the needs, financial resources, and spatial distribution of the County's population.
- ICE1.9.8 Orange County shall review and coordinate land use planning and development of Campus Master Plans prepared or amended pursuant to Section 1013.30, F.S. Subsequent development agreements shall be established and periodically amended in conjunction with or based on campus development, which singularly or cumulatively result in:
- A. A 10 percent increase in campus land use intensities or densities;
 - B. A 10 percent decrease in campus natural areas, open space or buffers;
 - C. A 10 percent increase of development impacts on roads or another public facility or service provided or maintained by the state, County or any affected local government. (Added 12/00, Ord. 00-25; Amended 06/17, Ord. 2017-12)
- ICE1.9.9 Orange County should coordinate with the Orange County School Board to jointly fund and design new school facilities for joint use such as community meeting sites and community-based recreational activities
- ICE1.9.10 Orange County and the Orange County School Board should enter into agreements for joint use of facilities to include, but not be limited to, schools, community centers, libraries and parks
- ICE1.9.11 Where feasible, Orange County Public Schools (OCPS) and Orange County shall work jointly to co-locate public facilities such as parks, libraries, and community centers with public schools. Where such co-location occurs, both entities shall establish an ongoing management relationship via written agreement that permits the school's use of the public facilities and the public's use of school facilities for community meetings and sports activities.

OBJ ICE1.10 Orange County shall coordinate with agencies and governments to address inconsistencies with and to further the housing goals, objectives, and policies of Orange County's comprehensive plan.

POLICIES

- ICE1.10.1 The County shall continue to meet annually and coordinate all County housing assistance programs with other municipal, regional, State, and Federal programs that are designed to provide housing opportunities for low and moderate income groups.
- ICE1.10.2 Orange County shall continue to negotiate agreements between the County, non-profit groups, and/or other units of local government to implement affordable housing programs.
- ICE1.10.3 The County shall use available local, State, and Federal assistance programs to provide or rehabilitate housing for low and moderate income households.
- ICE1.10.4 The County shall continue to cooperate with and provide technical assistance to all housing assistance programs that are designed to provide housing opportunities for low income households in rural areas, homeless people, and the population with special needs.
- ICE1.10.5 The County shall continue to seek funds from all available sources for affordable housing and rent subsidies for low income eligible senior citizens and persons with disabilities, as well as for construction, modification, or special design improvements of housing for the physically disabled.
- ICE1.10.6 The County shall continue to encourage the formation of public/private partnerships to aid in providing assistance to farmworker housing.
- ICE1.10.7 The County shall encourage and coordinate the delivery of housing programs to low wage employees in partnership with major employers.
- ICE1.10.8 The County shall continue to provide technical assistance to and coordinate with the Central Florida Community Reinvestment Corporation (CFCRC), a not-for-profit lending consortium of local banks and thrifts, in order to help finance affordable housing projects.
- ICE1.10.9 The County shall continue to use Community Development Block Grant (CDBG), Home Investment Partnership Program (HOME), and State Housing Initiative Partnership Program (SHIP) funds and also seek legislative authorization of other designated funding sources in the provision of very low, low, and moderate income housing.

OBJ ICE1.11 Orange County shall coordinate with agencies and governments to address inconsistencies with and to further the stormwater management goals, objectives and policies of Orange County's comprehensive plan.

POLICIES

- ICE1.11.1 Orange County shall participate with other involved agencies to develop and implement lake management plans for those water bodies determined to be in greatest need. If stormwater is determined to be a major water quality problem for a lake, planning shall be undertaken for corrective measures as part of the master stormwater planning process. The Florida Department of Environmental Protection Total Maximum Daily Load Best Management Practices (FDEP TMDL BMAPs) will set the pollution reduction allocations to be accomplished by local, regional, and state agencies. (Also Stormwater Management Element, Policy SM1.2.8)
- ICE1.11.2 Orange County shall coordinate with other entities such as the Water Management Districts and adjoining governments, through provision of information and technical assistance, in order to update the master stormwater plans identified in Stormwater Management Policy 1.4.1 on as needed basis.
- Orange County shall also implement the multi-jurisdictional Stormwater Master Plan that was developed subsequent to the passage of the Wekiva Parkway and Protection Act of 2004. the Plan includes specific information related to the jurisdictions involved, while also providing regional approaches for the stormwater issues of the Wekiva Study Area. (Also Stormwater Management Element, Policy SM1.4.5)
- ICE1.11.3 Orange County shall cooperate and consult with the City of Orlando, other municipalities, and adjoining governments for the completion of the identified master stormwater plans and the subsequent improvements to these systems. This cooperation shall include provision of information and technical assistance, participation on joint technical committees, and attendance at appropriate meetings.
- ICE1.11.4 Orange County shall seek from Federal and State sources, additional opportunities for funding and joint projects to facilitate County-wide surface water management programs.
- ICE1.11.5 Orange County shall continue to establish and strengthen interlocal agreements with other government agencies that are involved in stormwater management practices that affect Orange County or where the parties are jointly involved in a Total Maximum Daily Load Best Management Practice (TMDL BMAP). Data sharing and exchange of drainage information shall continue to be emphasized in the interlocal agreements. As part of this process, Orange County shall encourage municipalities to enact surface water management criteria that are technically consistent and meet State, regional, and County requirements for new development. Actions by municipalities that affect the Orange County drainage system should likewise be communicated to the County.

OBJ ICE1.12 Orange County shall coordinate with agencies and governments to address inconsistencies with and to further the solid waste goals, objectives, and policies of Orange County's Comprehensive Plan.

POLICIES

- ICE1.12.1 Orange County shall coordinate with local governments, through joint meetings and provision of technical assistance, to evaluate alternatives to landfilling solid waste as identified in the Solid Waste Element.
- ICE1.12.2 Orange County shall cooperate, through joint meetings and provision of information, with all State and Federal authorities in the regulation and disposal of hazardous wastes by establishing or expanding programs at the local level.
- ICE1.12.3 Orange County shall continue coordination with the Department of Environmental Protection regarding hazardous waste management and collection, to include distributing educational material on this subject to households.
- ICE1.12.4 Orange County shall improve its intergovernmental coordination efforts for establishing fees, locating transfer station, and controlling the movement of waste within the County.
- ICE1.12.5 To prevent groundwater contamination, to the maximum extent possible, Orange County shall cooperate with all State and Federal authorities in the regulation, collection, and disposal of hazardous wastes as defined in the Solid Waste Element by implementing programs which include, but are not limited to, the Small Quantity Generator Notification Program and the Local Hazardous Waste Program.

OBJ ICE1.13 Orange County shall participate in data sharing with local governments and other agencies for the purpose of improving communication, creating efficient provision of services, and encouraging cooperative planning efforts.

POLICIES

- ICE1.13.1 Orange County shall actively seek to establish interlocal agreements with local governments and other agencies for the purpose of establishing a common data source to improve County-wide addressing database information. (Added 12/00, Ord. 00-25)
- ICE1.13.2 Where applicable, Orange County shall actively seek to establish interlocal agreements with local governments and other agencies regarding the use and application of geographic digital data. (Added 12/00, Ord. 00-25)
- ICE1.13.3 Where applicable, Orange County shall coordinate and actively participate in technical committees related to geographic data used with a Geographic Information System (GIS), and provide technical assistance to local governments within Orange County in the development and use of data and technology. (Added 12/00, Ord. 00-25)
- ICE1.13.4 Orange County will initiate meetings with cities, agencies, and other units of local government to jointly discuss, write, and implement small area studies and land use plans for areas of mutual interest. These areas shall be referred to as Cooperative Planning Areas (CPAs).

OBJ ICE1.14 The County shall, throughout the planning period, coordinate with Orange County Public Schools (OCPS) to ensure that sufficient school capacity is available to support proposed development and that necessary infrastructure is available to accommodate new schools. (Added 06/08, Ord. 2008-11)

POLICIES

- ICE1.14.1 The County shall designate a representative to serve on the Technical Advisory Committee to discuss issues and formulate recommendations regarding the coordination of land use and schools. (Added 06/08, Ord. 2008-11)
- ICE1.14.2 The County shall provide projected development data to Orange County Public Schools (OCPS) on a regular basis to assist in development of a long-range planning model to project student enrollment. (Added 06/08, Ord. 2008-11)
- ICE1.14.3 As a member of the Technical Advisory Committee, the County shall review Orange County Public Schools (OCPS) model projections for consistency with the County's projections and, if necessary, shall recommend additions or modifications to the model results. (Added 06/08, Ord. 2008-11)
- ICE1.14.4 The County shall comply with the Interlocal Agreement referenced in Policy PS5.1.10. (Added 06/08, Ord. 2008-11; Amended 11/17, Ord. 2017-19)

OBJ ICE1.15 Orange County shall, throughout the planning period, coordinate with Orange County Public Schools (OCPS) on issues of concurrency, school siting, population projections and other matters.

POLICIES

- ICE1.15.1 Orange County shall use the Interlocal Agreement referenced in Policy PS5.1.10 to satisfy the applicable requirements of Section 163.3177(6)(h)2, Florida Statutes. (Amended 11/17, Ord. 2017-19)
- ICE1.15.2 The County shall meet regularly with Orange County Public Schools (OCPS) and municipal representatives to plan for the location of future public educational facilities and the needed infrastructure necessary to support future public education facilities, per the requirements of the Interlocal Agreement referenced in Policy PS5.1.10. (Amended 11/17, Ord. 2017-19)
- ICE1.15.3 The County shall continue to coordinate joint population projections, public school siting and the timing of infrastructure with the School Board, per the requirements of the Interlocal Agreement referenced in Policy PS5.1.10. (Amended 11/17, Ord. 2017-19)
- ICE1.15.4 In an effort to enhance local communities and neighborhoods, Orange County will participate with Orange County Public Schools (OCPS) in the school siting, design and development process so that the school serves as a focal point for the community and is compatible with the Future Land Use Map and with land uses surrounding proposed school sites.
- ICE1.15.5 Orange County will coordinate with the Orange County School Board to evaluate alternative funding sources to fund school capital needs and consider support for changes to state legislation to provide for these options as needed. Additional school capital funding mechanisms shall be considered on a countywide basis, including all municipalities.
- ICE1.15.6 Orange County and OCPS shall, throughout the planning period, coordinate the siting of new public schools to ensure to the extent possible public school facilities are located to address the needs of future residential development, are coordinated with necessary services and infrastructure development, provide for safe learning environments, are consistent with the County's adopted Future Land Use Map and with the other provisions of the Comprehensive Plan..
- ICE1.15.7 Orange County shall review Orange County Public Schools (OCPS)-generated future enrollment and growth projections on an annual basis and provide input to the OCPS Planning Department.
- ICE1.15.8 For purposes of coordinating planning efforts, Orange County shall annually initiate the compilation and provision to the school board of the data and reports identified in Policy PS5.1.6 of the Public Schools Facilities Element.
- ICE1.15.9 Orange County shall enter into an agreement with Orange County Public Schools (OCPS) for the School Board to annually provide the Orange County a general educational facilities report containing information outlined in Policy PS5.1.8 of the Public Schools Facilities Element.

OBJ ICE1.16 Orange County shall, throughout the planning period, coordinate with Orange County Public Schools (OCPS) on establishment and implementation of concurrency requirements for public school facilities

POLICIES

- ICE1.16.1 Orange County in consultation with Orange County Public Schools (OCPS), and Orange County municipalities will review and update the school impact fee study at least once every four (4) years.
- ICE1.16.2 Orange County shall cooperate with the Orange County School Board and other local jurisdictions and agencies to address and resolve multi-jurisdictional public schools issues.
- ICE1.16.3 Pursuant to the Interlocal Agreement referenced in Policy PS5.1.10, a Technical Advisory Committee (TAC) comprised of representatives from the County, Municipalities, Orange County Public Schools (OCPS) and the Regional Planning Council shall be established to discuss issues of mutual concern. TAC shall meet quarterly, or as needed, to discuss issues and formulate recommendations regarding coordination of land use and school facilities. (See also Public Schools Facilities Element, Policies PS5.1.10 and PS5.1.11.) (Amended 11/17, Ord. 2017-19)
- ICE1.16.4 Pursuant to the Interlocal Agreement referenced in Policy PS5.1.10, Orange County shall provide an update of approved developments, phases of development and estimated build out by phase to the OCPS Planning Department on an annual basis.
- ICE1.16.5 Orange County shall coordinate with OCPS to implement a Concurrency Management System that ensures adequate classroom capacity to accommodate the impacts of new residential development throughout the planning period.
- ICE1.16.6 The County and OCPS, consistent with the Interlocal Agreement referenced in Policy PS5.1.10, shall establish, and annually review, school CSAs, which will be used to evaluate capacity of schools available to accommodate students generated by proposed development. (Amended 11/17, Ord. 2017-19)
- ICE1.16.7 Orange County and OCPS shall develop and maintain throughout the planning period a joint process for the implementation of School Concurrency as provided for in the Interlocal Agreement referenced in Policy PS5.1.10. (Amended 11/17, Ord. 2017-19)

OBJ ICE1.17 Orange County shall coordinate its infrastructure improvements and capital facilities, as well as establishment of level of service for public facilities, with state, regional and local governments and agencies.

POLICIES

- ICE1.17.1 The County shall coordinate future capital improvement projects with the cities in the County, local governments adjacent to the County, and the state to ensure effectiveness, efficiency and logical phasing of projects that may be impacted by another governmental entity. A more formal coordination framework may also be established via an interlocal agreement.
- ICE1.17.2 Orange County shall coordinate establishment of level of service for public facilities, such as schools and roads, with applicable agencies at the local, state, and regional levels.
- ICE1.17.3 Once established, levels of service might be reviewed and updated, if needed. Appropriate mechanisms for level of service updates shall be established as a part of initial discussions with the agencies, and might include technical committee meetings, interlocal agreements and other means of intergovernmental coordination.
- ICE1.17.4 Orange County will initiate meetings with cities, agencies, and other units of local government to jointly discuss, write and implement small area studies and land use plans for areas of mutual interest. These areas shall be referred to as Cooperative Planning Areas (CPA).
- ICE1.17.5 Orange County shall establish plans, regulations and programs, in conjunction with Orange County Public Schools (OCPS) to facilitate the future availability of public school facilities to serve residents, consistent with the adopted level of service for public schools and with state of Florida concurrency statutes and regulations. (Also Public Schools Facilities Element, Goal PS6)
- ICE1.17.6 Per University of Central Florida's (UCF) Campus Master Plan, Orange County shall work cooperatively with the University to seek additional opportunities for joint use facilities.

OBJ ICE1.18 Orange County shall review and evaluate proposed development, infrastructure improvements, and comprehensive plan amendments occurring in local governments and adjacent jurisdictions to ensure their comparability with existing and proposed land uses in the County, as well as their overall impact on the region.

POLICIES

- ICE1.18.1 The County shall establish an internal team to monitor and review Development of Regional Impacts (DRIs) in adjacent counties to determine the environmental, traffic, and land use impacts of proposed development on the County and its residents.
- ICE1.18.2 The County shall establish a Capital Improvements Program (CIP) working group to share and discuss planned infrastructure improvements with adjacent jurisdictions and the University of Central Florida (UCF). This coordination shall consist of GIS data sharing and notification of planned improvements.
- ICE1.18.3 Orange County shall continue to exchange information with area local governments concerning development approvals in order to effectively monitor road conditions. (Added 12/00, Ord. 00-25, Policy 1.2.5)
- ICE1.18.4 Orange County shall consider existing and proposed land uses within adjacent local governments and exiting regional vision for the Central Florida Region when reviewing proposed development in the County.

OBJ ICE1.19 Orange County shall coordinate its comprehensive plan with the comprehensive plans of affected local governments, such as municipalities and adjacent counties, as well as with other government agencies.

POLICIES

- ICE1.19.1 The County shall negotiate agreements with adjacent jurisdictions providing for notification of proposed developments or regulatory changes by those adjacent jurisdictions that may impact the County or County residents.
- ICE1.19.2 Orange County shall continue to review the comprehensive plans and plan amendments of adjacent local governments to monitor consistency with the goals, objectives, policies and implementation strategies of Orange County's Comprehensive Plan. (Policy 1.2.8)
- ICE1.19.3 Orange County shall continue using joint planning area agreements as a mechanism for establishing future annexation boundaries, joint land uses, and notification requirements for future comprehensive plan amendments, rezoning, and other development applications within the areas of the agreements.
- FLU7.1.3 Orange County will use, if applicable, results of visioning facilitated by such organizations as myregion.org.

OBJ ICE1.20 Orange County shall work cooperatively with the University of Central Florida to eliminate or minimize land use compatibility problems and constraints between the University and Orange County.

POLICIES

- ICE1.20.1 Orange County shall review the campus master plan, development proposals and other development plans of the University to ensure compatibility with off campus surrounding uses and to determine the impacts of the development on Orange County residents.
- ICE1.20.2 The University and the county shall work cooperatively to develop shared design and signage guidelines to ensure compatibility of on-campus development with the surrounding community.
- ICE1.20.3 Where the acquisition of additional lands is necessary for the continued growth and expansion of university facilities, the county shall work cooperatively with UCF on any required amendments to the Comprehensive Plan.
- ICE1.20.4 Orange County shall arrange an annual meeting to discuss and review updates related to campus development plans, infrastructure improvements and support facilities.
- ICE1.20.5 Orange County shall work with the University of Central Florida (UCF) to establish additional opportunities for increased coordination as identified in the Campus Master Plan.
- FLU7.1.2 Orange County shall work cooperatively with the University of Central Florida to seek additional opportunities for joint use facilities in accordance with its Master Plan.

OBJ ICE1.21 Orange County shall work cooperatively with the City of Orlando to implement the recommendations of the Orange County/City of Orlando Consolidation of Services Study Commission.

POLICIES

- ICE1.21.1 Orange County and the City of Orlando should work cooperatively to develop a fire service boundary agreement that rounds off jurisdictional boundary to clearly establish service delivery areas.
- ICE1.21.2 Orange County and the City of Orlando should develop a joint planning process for emergency service provision, address the potential of joint purchasing of fire and emergency vehicles and equipment and coordinating emergency response resources and command procedures.
- ICE1.21.3 Orange County and the City of Orlando should explore opportunities to achieve coordinated planning for the provision of parks and recreation facilities and services, and multimodal transportation access to parks particularly for large, community-based parks.
- ICE1.21.4 Orange County and its municipalities should continue their close coordination in planning for roadways, multimodal facilities, and operations of traffic signalization systems. (Amended 11/12, Ord. 2012-20)
- ICE1.21.5 Orange County and its municipalities should continue cooperation in the expansion of the provision of emergency power for signalized intersections and other aspects of transportation systems management and operations. (Amended 11/12, Ord. 2012-20)
- ICE1.21.6 Orange County, the City of Orlando and Orlando Utilities Commission (OUC) should establish a joint committee(s) to evaluate issues related to water production, water distribution, water treatment, reclaimed water distribution and stormwater treatment with the goal of consolidating their respective water systems.
- ICE1.21.7 Orange County and its municipalities should jointly plan for parks, fire, schools, transportation, and other critical infrastructure needs. (Amended 11/12, Ord. 2012-20)