

ORANGE COUNTY

PLANNING DIVISION

2021-1 REGULAR

TAB 5

2021-1-A-1-2

2010 - 2030 COMPREHENSIVE PLAN

BOARD OF COUNTY COMMISSIONERS

FEBRUARY 9, 2021
TRANSMITTAL PUBLIC HEARING

PREPARED BY:
ORANGE COUNTY COMMUNITY, ENVIRONMENTAL
AND DEVELOPMENT SERVICES

PLANNING DIVISION
COMPREHENSIVE PLANNING SECTION






Interoffice Memorandum

February 9, 2021

TO: Mayor Jerry L. Demings
-AND-
County Commissioners (BCC)

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

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

SUBJECT: 2021-1 Regular Cycle Comprehensive Plan
Amendments 2021-1-A-1-2 and 2021-1-B-FLUE-2 (Avalon Grove PD)
Board of County Commissioners (BCC) Transmittal Public Hearing

2021-1 Regular Cycle Comprehensive Plan Amendments 2021-1-A-1-2 and 2021-1-B-FLUE-2 are scheduled for a BCC transmittal public hearing on February 9, 2021. These amendments were heard by the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) at a transmittal public hearing on January 21, 2021.

The report is also available under the Amendment Cycle section of the County's Comprehensive Planning webpage. See:

<http://www.orangecountyfl.net/PlanningDevelopment/ComprehensivePlanning.aspx>.

The above-referenced 2021-1 Regular Cycle Amendments scheduled for consideration on February 9 include a privately-initiated Future Land Use Map Amendment located in District 1 and one associated staff-initiated text amendment. The privately-initiated map amendment involves a change to the Future Land Use Map (FLUM) for a property over 10 acres in size. The staff-initiated text amendment entails changes to the Goals, Objectives, and/or Policies of the Comprehensive Plan.

Following the BCC transmittal public hearing, the proposed amendments will be transmitted to the Florida Department of Economic Opportunity (DEO) and other State agencies for review and comment. Staff expects to receive comments from DEO and/or the other State agencies in March 2021. Pursuant to 163.3184, Florida Statutes, the proposed amendments must be adopted within 180 days of receipt of the comment letter. The adoption hearings are tentatively scheduled before the LPA on April 15, 2021, and before the BCC on May 11, 2021.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch, Manager, Planning Division, at (407) 836-5802 or Alberto.Vargas@ocfl.net or Greg

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Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or
Gregory.Golgowski@ocfl.net.

AAV/sw

Enc: 2021-1 Regular Cycle Amendments 2021-1-A-1-2 and 2021-1-B-FLUE-2 BCC
Transmittal Staff Report

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

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**2021-1 Regular Cycle State Expedited Review Comprehensive Plan Amendments
Privately Initiated Future Land Use Map Amendment**

Amendment Number	Concurrent Rezoning or Substantial Change	Owner	Agent	Tax ID Number(s)	General Location / Comments	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:	Zoning Map Designation FROM:	Zoning Map Designation TO:	Acreage	Project Planner	Staff Rec	LPA Rec
District 1													
2021-1-A-1-2 (Avalon Grove PD)	Expected	Hartzog Road Property, LLC	Erika Hughes, VHB, Inc.	31-24-27-0000-00-016/039/040/044	14405 Hartzog Rd; Generally located on the east side of Avalon Rd., south of Hartzog Rd., north of Grove Blossom Wy., and west of Vista Del Lago Blvd.	Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-CMDR)	Growth Center-Planned Development-Medium Density Residential (GC-PD-MDR)	PD (Planned Development District) (Avalon Groves PD)	PD (Planned Development District) (Avalon Groves PD)	37.82 gross ac./35.88 net developable ac.	Sue Watson	Transmit	Transmit (6-0)

**2021-1 Regular Cycle Comprehensive Plan Amendments
Staff Initiated Comprehensive Plan Text Amendment**

Amendment Number	Sponsor	Description of Proposed Changes to the 2010-2030 Comprehensive Plan (CP)	Project Planner	Staff Rec	LPA Rec
2021-1-B-FLUE-2 (FLU8.1.4)	Planning Division	Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County associated with Amendment 2021-1-A-1-2	Sue Watson	Transmit	Transmit (6-0)

ABBREVIATIONS INDEX: IND-Industrial; C-Commercial; O-Office; LDR-Low Density Residential; LMDR-Low-Medium Density Residential; MDR-Medium Density Residential; MHDR-Medium-High Density Residential; HDR-High Density Residential; PD-Planned Development; V-Village; CONS-Wetland/Conservation; PR/OS-Parks/Recreation/Open Space; OS-Open Space; GB-Greenbelt; SPA-Special Planning Area; R-Rural/Agricultural; TS-Timshare; RS-Rural Settlement; ACMU-Activity Center Mixed Use; ACR-Activity Center Residential; GC-Growth Center; R-Resort; PD-Planned Development; USA-Urban Service Area; WB-Water Body; CP-Comprehensive Plan; FLUM-Future Land Use Map; FLUE-Future Land Use Element; TRAN-Transportation Element; GOPS-Goals, Objectives, and Policies; OBJ-Objective; LUP-Land Use Plan; LUPA-Land Use Plan Amendment; CDR-Change Determination Request; PD-Planned Development District; A-2-Farmland Rural District; A-1-Citrus Rural District; SR-State Road; AC-Acres

2021 FIRST REGULAR CYCLE AMENDMENTS TO THE 2010-2030 COMPREHENSIVE PLAN TRANSMITTAL PUBLIC HEARING

INTRODUCTION

This is the Board of County Commissioners (BCC) transmittal staff report for the First Regular Cycle Amendments 2021-1-A-1-2 and 2021-1-B-FLUE-2 to the Future Land Use Map (FLUM) and Comprehensive Plan (CP). These amendments were heard by the Local Planning Agency (LPA) during a transmittal public hearing held on January 21, 2021, and will go to the Board of County Commissioners (BCC) for a transmittal public hearing on February 9, 2021.

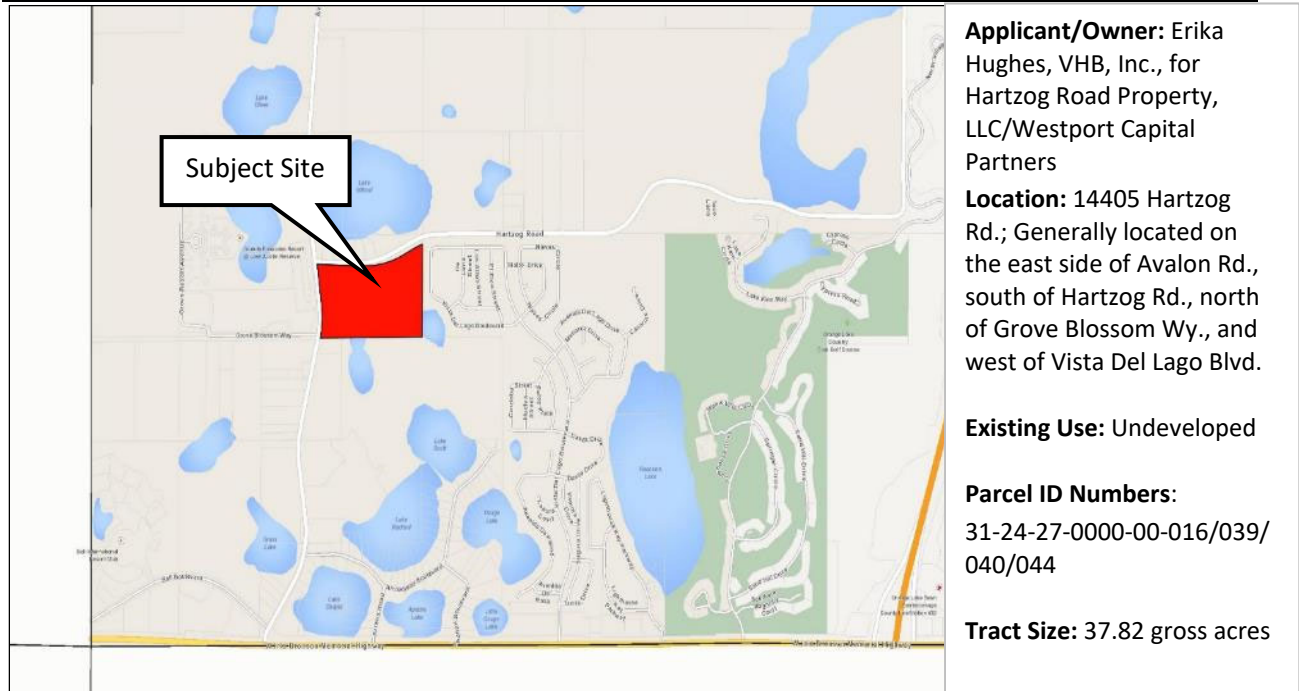
Please note the following modifications to this report:

KEY TO HIGHLIGHTED CHANGES	
Highlight	When changes made
Gray	Following the LPA transmittal public hearing (by staff)

The above-referenced 2021-1 Regular Cycle Amendments include a privately-initiated map amendment located in District 1 and one staff-initiated text amendment. Since this is the transmittal stage for these amendments, there will be a second round of public hearings for adoption after the Florida Department of Economic Opportunity (DEO) and other State agencies complete their review of the proposed amendments and provide comments, expected in March 2021. Adoption public hearings are tentatively scheduled before the LPA on April 15, 2021 and the BCC on May 11, 2021.

Once the Regular Cycle amendments have been adopted by the BCC, they will become effective 31 days after DEO notifies the County that the plan amendment package is complete. These amendments are expected to become effective in June 2021, provided no challenges are brought forth for any of the amendments.

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



Applicant/Owner: Erika Hughes, VHB, Inc., for Hartzog Road Property, LLC/Westport Capital Partners

Location: 14405 Hartzog Rd.; Generally located on the east side of Avalon Rd., south of Hartzog Rd., north of Grove Blossom Wy., and west of Vista Del Lago Blvd.

Existing Use: Undeveloped

Parcel ID Numbers:
31-24-27-0000-00-016/039/040/044

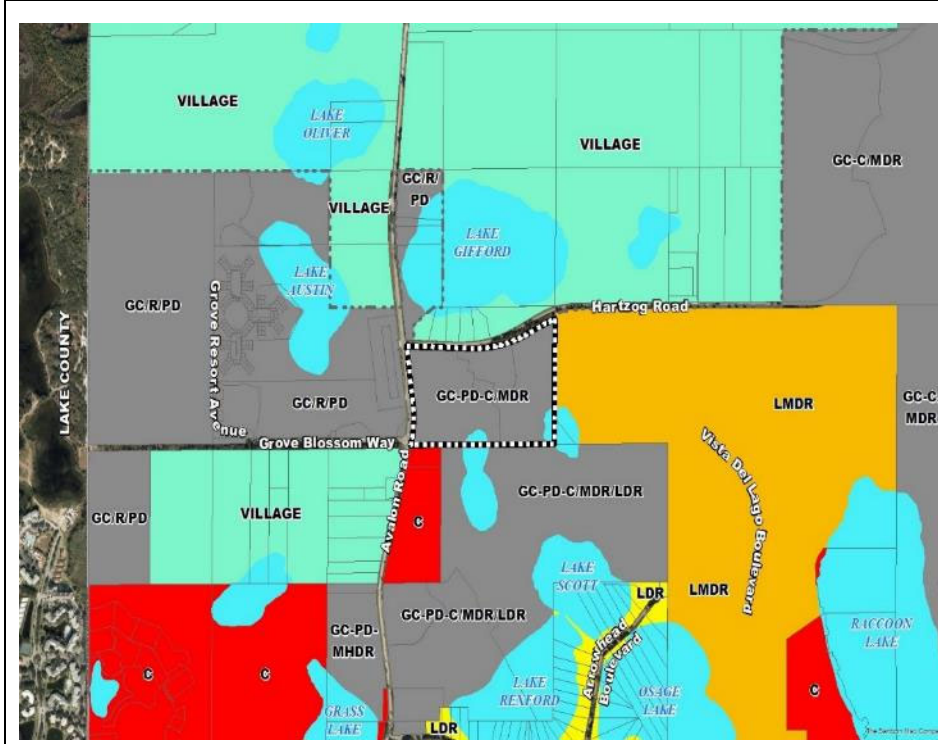
Tract Size: 37.82 gross acres

+The following meetings and hearings have been held for this proposal:		Project Information	
Report/Public Hearing	Outcome	Request: Growth Center-Planned Development-Commercial/ Medium Density Residential (GC-PD-C/MDR) to Growth Center-Planned Development-Medium Density Residential (GC-PD-MDR)	
✓	A PIP notice was sent November 3, 2020, and was made available to the public until January 20, 2021. A virtual community meeting was held on January 19, 2021; 0 people in attendance. (440 notices sent)	Proposed Development Program: Up to 600 multi-family dwelling units.	
✓	Staff Report	Division Comments: Public Facilities and Services: Please see the Public Facilities Analysis Appendix for specific analysis on each public facility. Transportation: The proposed use will generate 264 p.m. peak hour trips resulting in a net reduction of 57 p.m. peak hour trips. Utilities: The subject property is located within the Toho Water Authority's potable water and wastewater service areas. A full commitment for utility service will be provided based on meeting all applicable service requirements. Schools: Per Orange County Public Schools' email dated August 14, 2020, the 600 multi-family units included the 300 short-term rental units, so the conversion of the 300 short-term rental units to full multi-family units will not trigger another capacity review.	
✓	LPA Transmittal January 21, 2021	Concurrent Rezoning: If this amendment is transmitted to DEO, the submittal of a proposed substantial change to the current Avalon Groves PD Land Use Plan to allow the additional 300 multi-family dwelling units is expected during the adoption public hearing stage.	
	BCC Transmittal	February 9, 2021	
	State Agency Comments	March 2021	
	LPA Adoption	April 15, 2021	
	BCC Adoption	May 11, 2021	

AERIAL



FUTURE LAND USE - CURRENT



Current Future Land Use Designation:

Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR)

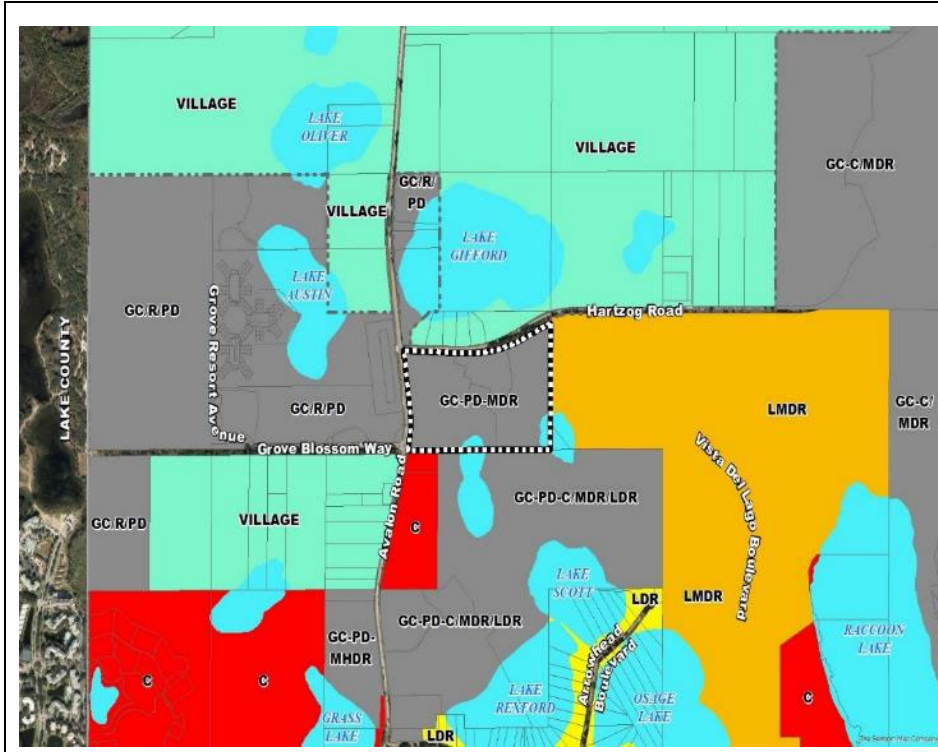
Special Area Information:

Growth Center: U.S. 192 Growth Center

JPA: N/A

Rural Settlement: N/A

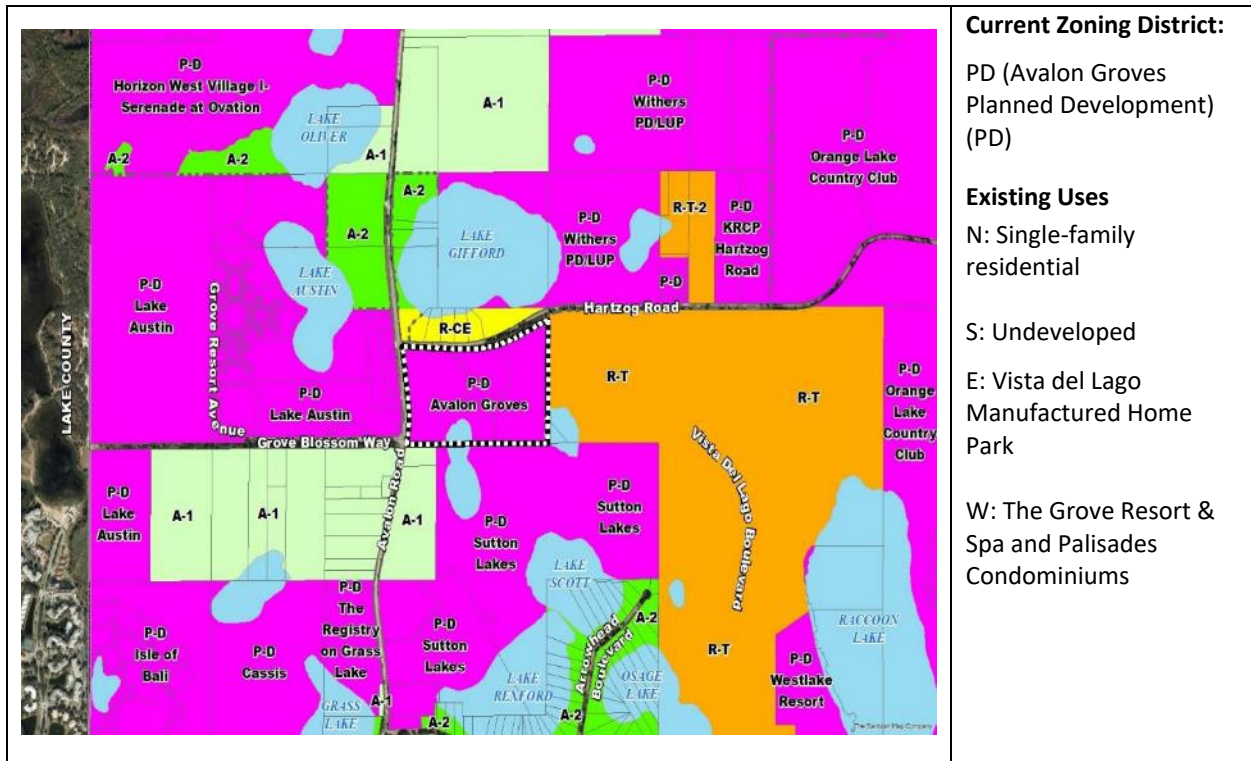
FUTURE LAND USE - PROPOSED



Proposed Future Land Use Designation:

Growth Center-Planned Development-Medium Density Residential (GC-PD-MDR)

ZONING – CURRENT



Current Zoning District:

PD (Avalon Groves
 Planned Development)
 (PD)

Existing Uses

N: Single-family
 residential

S: Undeveloped

E: Vista del Lago
 Manufactured Home
 Park

W: The Grove Resort &
 Spa and Palisades
 Condominiums

Staff Recommendations

- 1. FUTURE LAND USE MAP AMENDMENT 2021-1-A-1-2:** Make a finding that the information contained in the application for the proposed amendment is sufficiently complete; that the proposed amendment has the potential to be found “in compliance,” as defined by Section 163.3184(1)(b), Florida Statutes; and recommend to the Local Planning Agency that the amendment, 2021-1-A-1-2, be **TRANSMITTED** to the state reviewing agencies.
- 2. FUTURE LAND USE TEXT AMENDMENT 2021-1-B-FLUE-2:** Make a finding the proposed amendment has the potential to be found “in compliance,” as defined by Section 163.3184(1)(b), Florida Statutes; and recommend to the Local Planning Agency that the Amendment 2021-1-B-FLUE-2, to include the development program for Amendment 2021-1-A-2-1 in Future Land Use Element Policy FLU8.1.4, be **TRANSMITTED** to the state reviewing agencies

Analysis

1. Background and Development Program

The applicant, Erika Hughes, VHB, Inc., has requested to change the Future Land Use Map (FLUM) designation of the 37.82-acre subject site from Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR) to Growth Center-Planned Development-Medium Density Residential (GC-PD-MDR). The applicant is proposing a development program of up to 600 multi-family dwelling units on the subject site.

The subject site consists of four contiguous parcels that are located within the existing Avalon Groves Planned Development (PD). Originally, all four parcels were located within the Island Reef PD which was approved by the Board of County Commissioners (BCC) on May 19, 1998, with an approved development program of 502 timeshare units. On October 20, 2015, the BCC approved a Substantial Change Request (CDR-13-06-160) to reduce the size of the PD from 38.50 gross acres to 24.62 gross acres while also reducing the existing development entitlements from 502 timeshare units to 318 timeshare units. On November 19, 2013, the BCC approved Future Land Use Map Amendment (FLUMA) 2013-2-A-1-3 to change the FLUM designation of the extracted 13.88-acre east parcel (Groves of West Orange PD) from Growth Center-Commercial (GC-C) to Growth Center-Planned Development-Low-Medium Density Residential (GC-PD-LMDR). The proposed development program at that time was for up to 139 single-family dwelling units. On October 20, 2015, the BCC approved the rezoning (LUP-14-01-009) of the extracted 13.88-acre property to create the Groves of West Orange PD with a development program consisting of up to 108 single-family detached and attached (townhome) residential dwelling units. On June 28, 2016, the Board of County Commissioners (BCC) approved FLUMA 2016-1-A-1-8 to change the FLUM designation of the remaining 23.94-acre west parcels (Island Reef PD) from Growth Center-Commercial (GC-C) to Growth Center-Planned Development-Commercial/Low-Medium Density Residential (GC-PD-C/LMDR). The approved development program at that time consisted of up to 220 single-family dwelling units (attached and detached) and 20,000 square feet of retail commercial uses. Both east and west parcels, however, were never developed for single-family dwelling purposes or for commercial purposes.

A FLUMA for the subject site was scheduled for consideration during the 2019-1 Regular Cycle as Amendment 2019-1-A-1-6 for a proposed development program of up to 328 short-term rental units and up to 20,000 square feet of C-1 (Retail Commercial District) uses. The proposed amendment was transmitted to the Florida Department of Economic Opportunity (DEO), but the applicant withdrew the

request prior to the April 18, 2019 Local Planning Agency (LPA) adoption public hearing to revise the development program.

On November 12, 2019, the BCC approved FLUMA 2019-2-A-1-1 and rezoning, LUPA-18-12-405, to recombine the east and west parcels, the Groves of West Orange PD (east parcel) and Island Reef PD (west parcel), to create a new PD, Avalon Groves PD. Currently, the approved development program consists of a mix of 300 short-term rental units and 300 multi-family dwelling units on the entire 37.82-acre subject site. A Development Plan (DP), DP-19-12-415, has been approved by the Development Review Committee (DRC) for the proposed 300 multi-family development (Avalon Groves PD/Avalon Pointe Apartments) on the northern portion of the site. Another DP, DP-20-07-203, is currently proceeding through the DRC review process for the proposed 300 short-term rental units (Avalon Groves PD-South Parcel DP) on the southern portion of the site. Now, the applicant is proposing a new development program of up to 600 multi-family dwelling units on the entire subject property. If this proposed amendment is adopted by the BCC, a substantial change to the current Avalon Groves PD Land Use Plan will be required to allow the change from 300 short-term rental units to 300 multi-family dwelling units. It is the applicant's intent to submit a substantial change request to the current Avalon Groves PD Land Use Plan during the adoption public hearing stage if this amendment is transmitted to the Department of Economic Opportunity (DEO).

The 37.82-acre undeveloped subject property is located on the east side of Avalon Road, south of Hartzog Road, north of Grove Blossom Way, and west of Vista Del Lago Boulevard. Two existing short-term rental resorts, the Grove Resort & Spa and the Palisades Condominiums are located directly across the street on Avalon Road, west of the subject site. Both developments are part of the Lake Austin PD and both have corresponding Growth-Center/Resort/Planned Development FLUM designations. Hartzog Subdivision, a single-family residential subdivision, is located across the street on Hartzog Road, north of the site. The residential lots are zoned R-CE (Country Estate District) and have a corresponding Village (V) FLUM designation. Vista del Lago, a 925-unit manufactured home community, abuts the subject property to the east. It is zoned R-T (Mobile Home Park District) and it has a corresponding Low-Medium Density Residential (LMDR) FLUM designation.

The Sutton Lakes PD is located immediately to the south and has an approved development program of up to 700 residential units and up to 20,000 square feet of retail commercial uses. The property has a Growth Center-Planned Development-Commercial/Medium Density Residential/Low Density Residential (GC-PD-C/MDR/LDR) FLUM designation.

On May 21, 2019, the BCC approved FLUMA 2019-1-A-1-2 (The Registry on Grass Lake) to change the FLUM designation from Growth Center-Commercial (GC-C) to Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR) for a property located further south of the subject property on the west side of Avalon Road. The proposed development program was for up to 360 multi-family dwelling units.

More recently, on December 15, 2020, the BCC approved FLUMA 2018-2-A-1-2 to change the FLUM designation of 108.03 acres (South Parcel) of the 210.98-acre Lake Austin PD, which is also located directly across the street on Avalon Road, west of the subject site, from Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR) and 9.86 acres (North Parcel) from Village (V) to the same Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR) as that for the South Parcel. The applicant's development program for the combined 117.89 acres includes a mix of resort, residential, commercial, and office uses, with the flexibility to offer a range of housing and lodging options within the project boundary. The resort and LMDR adopted residential uses are capped

at 500 units in total. The Resort and LMDR uses shall be separated by a road network that does not integrate the uses on the same street or internal PD neighborhood. Resort uses could consist of any combination of up to 500 detached/attached multi-family or single-family units, hotel rooms, resort villas, or timeshare units, all operated as transient or short-term uses. LMDR residential uses could feature any combination of up to 500 detached/attached, multi-family or single-family residential units. In addition to the resort and residential uses, up to 10,000 square feet of commercial development and 20,000 square feet of office space were approved.

Additionally, the Grand Luxx Planned Development (PD)/Land Use Plan (LUP), LUP-20-05-151, is currently proceeding through the DRC review process. The Grand Luxx PD/LUP application is proposing a development program of 260 short-term rental detached units and a 240-room hotel on the 117.89-acre subject site that is identical to the approved 2018-2-A-1-2 FLUM Amendment.

Community Meeting

A Public Information Presentation (PIP), in lieu of a traditional community meeting, was made available to the public on November 3, 2020, and will be available to the public until January 20, 2021. A total of 440 notices were mailed to surrounding property owners within 1,500 feet of the subject property. To date, staff has not received any responses for the proposed amendment.

In addition to the PIP, a virtual community meeting was held for the proposed amendment on January 19, 2021. 440 meeting notices were mailed, but no members of the public attended.

If this proposed amendment is adopted by the Board of County Commissioners, a Substantial Change to the approved Avalon Groves PD Land Use Plan will be required to allow for the 300 multi-family residential units on the southern portion of the subject site.

2. Future Land Use Map Amendment Analysis

Consistency

The requested FLUM amendment initially appears to be consistent with the applicable Goals, Objectives, and Policies of the Comprehensive Plan. The subject property lies within the U.S. 192 Growth Center. Future Land Use Element **Policy FLU1.1.4F** states that 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. The subject property lies within the Tohopekaliga (Toho) Water Authority's potable water, wastewater, and reclaimed water service areas. The Toho Water Authority is based in adjacent Osceola County and it currently has existing water and sewer lines in place along Avalon Road and existing water lines in place along Hartzog Road to service the subject property. In a letter dated October 1, 2019, the Toho Water Authority's Engineering Division informed the applicant that the Toho Water Authority will provide the potable water, irrigation, and sewer service for the proposed project, provided the developer complies with all applicable Toho Water Authority's design and construction standards and enters into the necessary Developer's Service Agreement.

Policy FLU7.4.4 states that 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. Also, **Policy FLU7.4.4** states that 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.

In accordance with **Policy FLU1.1.2.A**, the applicant has specified the maximum desired development program for the project is 600 multi-family dwelling units under the Medium Density Residential (MDR) FLUM designation, which allows for residential development at a maximum density of twenty (20) dwelling units per acre.

The subject property is located in an area characterized by existing or proposed residential developments. The subject property is situated in an area characterized by a mix of resort development, existing and planned residential communities featuring a variety of housing types—including residential/agricultural homesites, conventional single-family subdivision development (Hartzog Subdivision), proposed single-family and multi-family developments, and a manufactured home development (the 925-unit Vista Del Lago Manufactured Home Park). The site is located in the immediate vicinity of two short-term vacation rental resorts (The Grove & Spa Resort and Palisades Condominiums) that are located directly across the street on Avalon Road, west of the subject site. As mentioned above, FLUMA 2018-2-A-1-2 was recently approved by the BCC on December 15, 2020 with Resort and LMDR uses. The Resort uses could consist of any combination of up to 500 detached/attached multi-family or single-family units, hotel rooms, resort villas, or timeshare units, all operated as transient or short-term uses. The LMDR residential uses could feature any combination of up to 500 detached/attached, multi-family or single-family residential uses. In addition to the resort and residential uses, up to 10,000 square feet of commercial development and 20,000 square feet of office space were approved. Additionally, a proposed 300-unit multi-family development, Avalon Pointe Apartments, Case DP-19-12-415, has been approved for the northern portion of the subject site, and a proposed 300-unit short-term rental development, Avalon Groves PD, South Parcel, Case DP-20-07-203, is currently proceeding through the DRC process for the southern portion of the subject site. If this proposed amendment is adopted by the BCC, it is the applicant's intent to request a substantial change to the Avalon Grove PD Land Use Plan to change the 300 short-term rental units to 300 multi-family units. Also, the Registry at Grass Lake, a 360 multi-family residential development is proposed to be constructed south of the subject property, along Avalon Road. Timeshare resorts (Bali International Resort Club and Isle of Bali 2), hotel and tourist commercial retail uses, and retail establishments along the U.S. 192 corridor are located further south of the site.

With the proposal to develop a maximum of 600 multi-family dwelling units, the proposed FLUMA is consistent with **Housing Element GOAL H1** and **Objective H1.1**, which state that the County will promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, and will support private sector housing production capacity sufficient to meet current and anticipated housing needs. The proposed multi-family units will provide needed housing for those employees that work at nearby theme parks, hotels, short-term vacation rental resorts, and tourist-oriented businesses. **Policy FLU8.2.2** states that continuous stretches of similar housing types and density of units shall be avoided. **Policy 8.2.2** also states that a diverse mix of residential housing types shall be promoted. The proposed multi-family project will contribute to the mix of available housing options in an area of the County deemed appropriate for urban uses, as set forth in **Policy FLU1.1.1**.

Conservation-related OBJ C1.4 and its supporting policies call for the protection of wetlands and existing native wildlife (flora and fauna). Per the Orange County Environmental Protection Division, the site includes wetlands that extend off-site: a Class II wetland of 1.23 acres, a Class III wetland of 0.41 acre, and a non-jurisdictional wetland of 1.02 acres. Conservation Area Determination CAD 97-211 was completed for these properties with a certified survey of the conservation area boundary approved on

January 15, 1998. This determination is still binding. Conservation Area Impact Permit CAI-20-01-000 was approved on April 15, 2020 to remove the Class III wetland of 0.41 acre.

Compatibility

The proposed FLUM amendment appears to be **compatible** with the existing development and development trend of the surrounding area. **Future Land Use Element Objective FLU8.2** states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development pattern and development trends in the area. The subject property is located in an area characterized by existing or proposed residential developments. As stated above, the subject property is situated in an area characterized by a mix of resort development, existing and planned residential communities featuring a variety of housing types, individual residential/agricultural homesites, multi-family, and vacant land. As mentioned previously, The Grove Resort & Spa and the Palisades Condominiums are located directly across the street on Avalon Road, west of the subject site. Both developments are currently used for short-term rentals. As mentioned previously, FLUMA 2018-2-A-1-2 was recently approved by the BCC on December 15, 2020 with Resort and LMDR uses. The Resort uses could consist of any combination of up to 500 detached/attached multi-family or single-family units, hotel rooms, resort villas, or timeshare units, all operated as transient or short-term uses. The LMDR residential uses could feature any combination of up to 500 detached/attached, multi-family or single-family residential uses. In addition to the resort and residential uses, up to 10,000 square feet of commercial development and 20,000 square feet of office space were approved. Also, a proposed 300-unit multi-family development, Avalon Pointe Apartments, Case DP-19-12-415, has been approved for the northern portion of the subject site, and a proposed 300-unit short-term rental development, Avalon Groves PD, South Parcel, Case DP-20-07-203, is currently proceeding through the DRC process for the southern portion of the subject site. If the proposed amendment is adopted, a Substantial Change to the approved Avalon Groves PD Land Use Plan will be required to allow for the residential units on the southern portion of the subject site. Furthermore, FLUMA 2019-1-A-1-2, The Registry on Grass Lake, a proposed 360-unit apartment complex, located south of the subject property, was approved by the BCC on May 21, 2019. It is staff's belief that the proposed multi-family project is compatible with the existing mix of residential/agricultural homesites, conventional single-family subdivision development, short-term vacation rental resorts, timeshare rental resorts, proposed single family and multi-family residential developments, and manufactured homes uses within the U.S. 192 Growth Center.

3. Staff-Initiated Text Amendment 2021-1-B-FLUE-2

Future Land Use Element Policy FLU8.1.4 establishes the development programs for Planned Development (PD) and Lake Pickett (LP) FLUM designations adopted since January 1, 2007. The development program for this requested amendment is proposed for incorporation into **Policy FLU8.1.4** via a corresponding staff-initiated text amendment, Amendment 2021-1-B-FLUE-2.

Presently, the approved Avalon Groves development program established in Policy FLU8.1.4 allows for up to 300 short-term rental units and 300 multi-family dwelling units. Now, the applicant is requesting to change the 300 short-term rental units to 300 multi-family dwelling units and replace the Avalon Groves development program with the Avalon Grove PD program of up to 600 multi-family dwelling units. The maximum development program for Amendment 2021-1-A-1-2, if adopted, would be as follows:

Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
***	***	***	***
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
***	***	***	***
<u>2021-1-A-1-2 Avalon Grove PD</u>	<u>Growth Center-Planned Development-Medium Density Residential (GC-PD-MDR)</u>	<u>Up to 600 multi-family dwelling units</u>	<u>2021-</u>

Division Comments: Environmental, Public Facilities, and Services

Environmental: This site includes wetlands that extend offsite: a Class II wetland of 1.23 acres, a Class III wetland of 0.41 acre, and a non-jurisdictional wetland of 1.02 acres. Orange County Conservation Area Determination CAD 97-211 was completed for these properties with a certified survey of the conservation area boundary approved on January 15, 1998. This determination is still binding. Conservation Area Impact Permit CAI-20-01-000 was approved on April 15, 2020 to remove the Class III wetland of 0.41 acre.

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

Per Comprehensive Plan Policy FLU1.1.2.C, Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. In order to include Class I, II, and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Impact (CAI) permit from the Orange County Environmental Protection Division (EPD), in addition to an approved CAD. Approval of this request does not authorize any direct or indirect impacts to conservation areas or protective buffers.

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

All development is required to treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Please reference Orange County Code Sections 30-277 and 30-278.

Schools: Per Orange County Public Schools' email dated August 14, 2020, Capacity Enhancement Agreement (CEA) application, OC-19-079 (fka OC-19-011), the 600 multi-family units included the 300 short-term rental units, so the conversion of the 300 short-term rental units to full multi-family units will not trigger another capacity review.

Utilities: The subject property lies within the Toho Water Authority's potable water and wastewater service areas. Per the Toho Water Authority's Engineering Division, water and sewer lines are currently in place along Avalon Road, and water lines are currently in place along Hartzog Road. Presently, there is adequate capacity to serve the proposed development, provided the developer enters into the necessary service agreements with the Toho Water Authority.

Transportation: Based on trip generation estimates from the 10th Edition of the Institute of Transportation Engineers Trip Generation Handbook, it was determined that the maximum allowable development of 300 short-term rental units and 300 multi-family dwelling units based on the current future land use designation of Growth Center-Planned Development-Commercial/Medium Density Residential would generate approximately 321 new p.m. peak hour trips, while the proposal to develop up to 600 multi-family dwelling units under the Growth Center-Planned Development-Medium Density Residential future land use designation will generate 264 new p.m. peak hour trips, resulting in a decrease of 57 p.m. peak hour trips.

Future Roadway Network

Road Agreements: The BCC has a Condition of Approval (COA) that requires a Right-of-Way Agreement prior to Development Plan approval.

Planned and Programmed Roadway Improvements:

North of the subject property - Hartzog Road Realignment, Flamingo Crossings Boulevard - CR 545 (Avalon Road) to Flamingo Crossings Boulevard. New roadway alignment of Hartzog Road from CR 545 (Avalon Road) to Flamingo Crossings Boulevard. The overall completion is estimated at 70% complete. C.R. 545 (Avalon Road) and Flemings Road Preliminary Design Study (Village I PDS). C.R. 545 (Avalon Road) and Flemings Road - Flemings Road to North of Water Springs Boulevard. Overall completion is estimated at 6% complete. This information is dated and subject to change.

Right-of-Way Requirements: Right-of-way is needed for Avalon Road.

Summary

The applicant is requesting to change 37.82 acres from GC-PD-C/MDR to GC-PD-MDR and request approval to convert the 300 short-term rental units to 300 multi-family units - no additional units are proposed. Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed development will result in a decrease in the number of p.m. peak trips and therefore will not impact the area roadways. The subject property is not located within the County's Alternative Mobility Area.

- The allowable development based on the approved future land use will generate 321 p.m. peak hour trips.
- The proposed use will generate 264 p.m. peak hour trips, resulting in a net decrease of 57 p.m. peak hour trips.
- Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the

analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Plan.

4. Policy References

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

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

OBJ 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.

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.

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

FLU1.1.4.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 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.

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.

FLU8.1.4 – The following table details the maximum densities and intensities for the Planned Development (PD) Future Land Use designations that have been adopted subsequent to January 1, 2007.

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

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.

OBJ C1.4 - Orange County shall protect identified wetland areas and existing native wildlife (flora and fauna) habitats by implementing the following policies.

Site Visit Photos

Subject Site



North – Single-Family Residential



South – Undeveloped

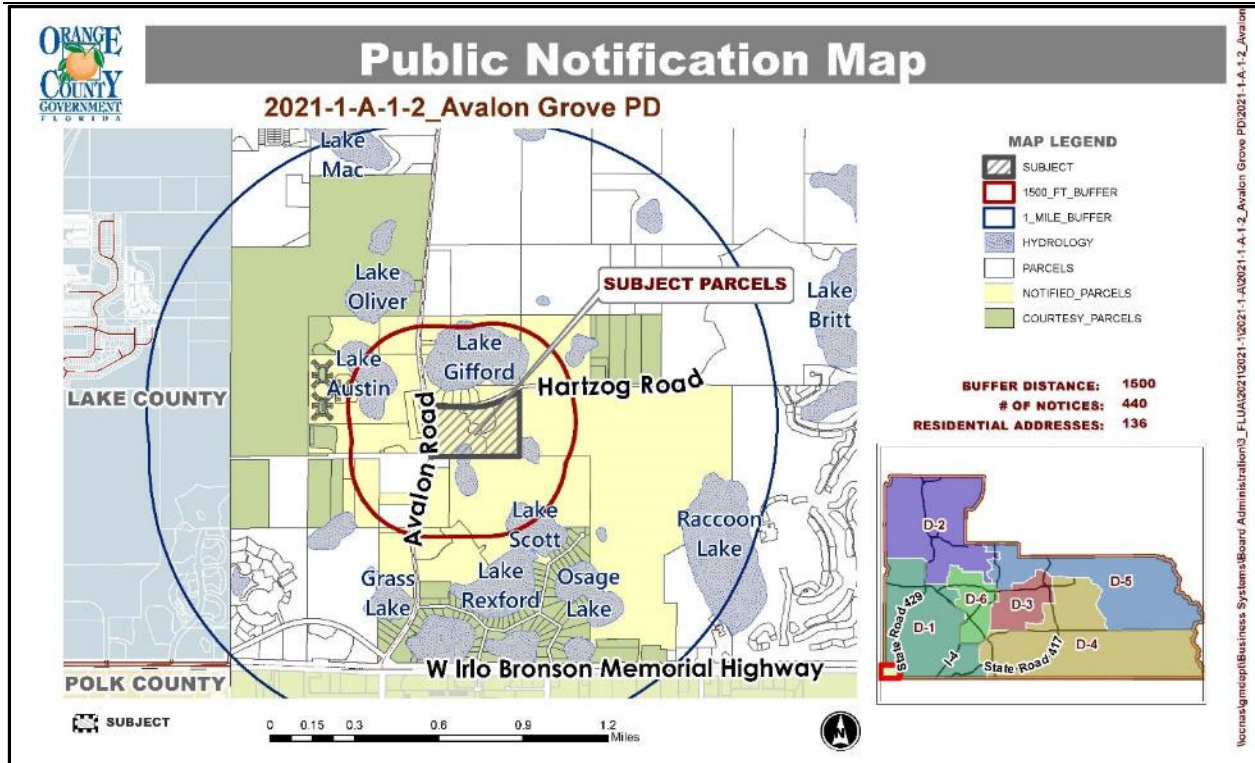


East – Vista del Lago Manufactured Home Park



West – Palisades Condominiums





Notification Area:

1,500 feet, plus homeowners’ associations within a one-mile radius of the subject site

440 notices sent



LAND USE CHANGE REQUEST

REGULAR CYCLE FUTURE LAND USE MAP AMENDMENT

Commission District #1
Betsy VanderLey, Commissioner

Case Planner:
Sue Watson, Planner
407-836-5618
Sue.Watson@ocfl.net

An informational presentation summarizing the Future Land Use Map Amendment application referenced below has been prepared in lieu of holding a formal community meeting. To access this information and submit any related questions or comments, visit the web address www.bit.ly/ocpublic and select the folder labeled "Avalon Grove PD".

You are encouraged to view a prepared informational presentation regarding the Future Land Use Map Amendment application listed below at www.bit.ly/ocpublic. The presentation includes a summary of the application and the review process, as well as instructions for providing questions or comments prior to the Local Planning Agency (LPA) / Planning & Zoning Commission (PZC) public hearing.

REQUEST

Future Land Use Map (FLUM) Amendment: 2021-1-A-1-2

From: Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR)

To: Growth Center-Planned Development-Medium Density Residential (GC-PD-MDR)

Project Name: Avalon Grove PD

Owner: Hartzog Road Property, LLC

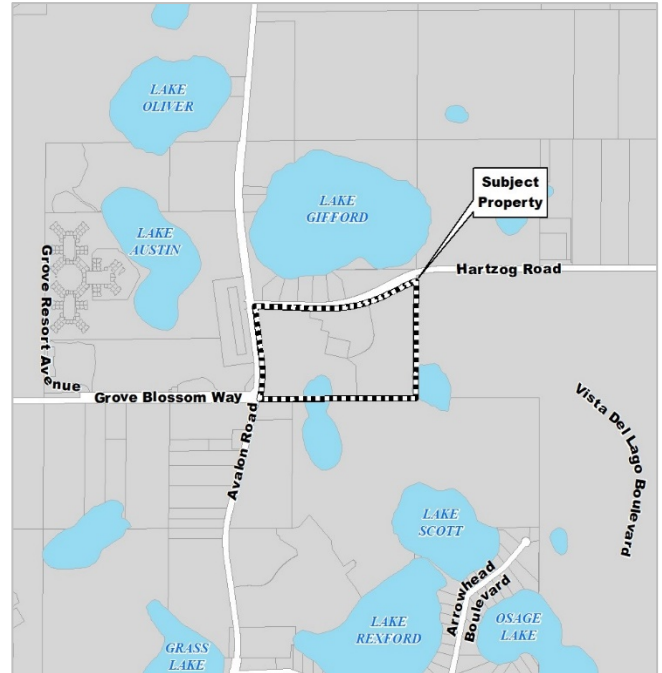
Applicant: Erika Hughes
VHB, Inc.

Parcel IDs: 31-24-27-0000-00-016/039/040/044

Acres: 37.82 gross/35.88 net acres

Location: 14405 Hartzog Rd; Generally located on the east side of Avalon Rd., south of Hartzog Rd., north of Grove Blossom Wy., and west of Vista Del Lago Blvd.

SUBJECT PROPERTY LOCATION



SUMMARY OF REQUEST

The proposal is to change the Future Land Use Map designation of the subject property from **Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR)** to **Growth Center-Planned Development-Medium Density Residential (GC-PD-MDR)** to allow for the development of up to 600 multi-family dwelling units.

PUBLIC HEARING NOTICE

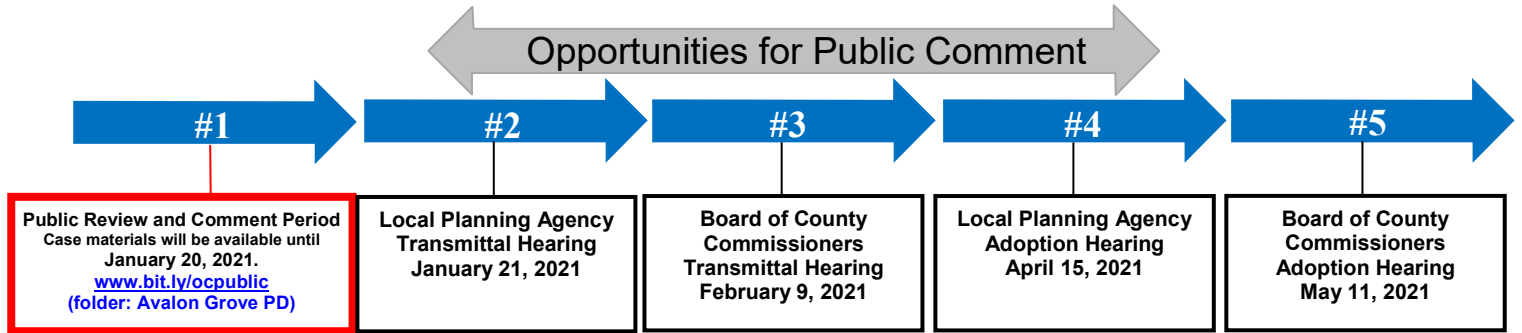
Public hearings for this request will be held before the Orange County Local Planning Agency (LPA) / Planning & Zoning Commission (PZC) and Board of County Commissioners (BCC). Each public hearing will be advertised in the *Orlando Sentinel*. Please note that the hearing dates shown on the second page of this announcement are tentative and subject to change.

FREQUENTLY ASKED QUESTIONS

Q: Will there be a traditional, in-person community meeting?

Due to the COVID-19 health emergency, Orange County is unable to conduct community meetings at this time. In lieu of a community meeting, we are providing a community review period with information related to the applicant's request shared through a web folder, available at www.bit.ly/ocpublic. Questions or comments may be submitted through the feedback form which is included with the case materials or via email to the Case Planner(s) listed on this notice.

Q: How can I participate in the development review process?



If you are unable to access the web folder listed above, written comments or requests may be mailed or emailed to the Case Planner. Property information can also be obtained by accessing the Orange County Property Appraiser's website at www.ocpafl.org or the OCFL Atlas at www.OCFL.net/Atlas.

Q: Where will the public hearings be held?

In compliance with the CDC's Social Distancing Guidelines and to keep our citizens safe, the Orange County Local Planning Agency (LPA) / Planning & Zoning Commission (PZC) and the Board of County Commissioners (BCC) will conduct public hearings virtually until further notice. However, Orange County remains committed to providing alternative public comment platforms. All comments directed to the LPA/PZC may be submitted through feedback forms which are included with the case materials (shared folders are located at www.bit.ly/ocpublic), or by mailing or emailing the Case Planner listed on the front page of this notice. Comments directed to the BCC may be emailed to the Mayor and/or District Commissioners (mayor@ocfl.net, District1@ocfl.net; District2@ocfl.net; District3@ocfl.net; District4@ocfl.net; District5@ocfl.net; and District6@ocfl.net).

Q: What is the difference between Future Land Use and Zoning?

Future Land Use Map designations indicate the general use or "vision" for a property, and regulate the types of activity or development that may ultimately be allowed on it, including maximum allowable residential and non-residential development. Future Land Use Map designations are adopted as part of the County's Comprehensive Plan, with oversight by the State. Zoning districts are more descriptive planning classifications, but must be consistent with Future Land Use Map designations. Zoning categories regulate more specific development aspects, such as allowed uses, building sizes, setbacks, or parking.

Q: What type of activity or development could take place on the subject site today?

The County's adopted 2010-2030 Future Land Use Map depicts the 37.82-acre subject property as **Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR)**. The Growth Center designation recognizes urban development and/or planned development outside and adjacent to the boundaries of unincorporated Orange County through the extension of urban services and facilities from the adjacent local government. The County's Official Zoning Map depicts the site as **Avalon Groves Planned Development (PD)**. The Avalon Groves PD is currently entitled for 300 multi-family dwelling units and 300 short-term rental units.

Q: What type of activity could be considered if the Board of County Commissioners adopted the request?

If approved, the requested **Growth Center-Planned Development-Medium Density Residential (GC-PD-MDR)** Future Land Use Map designation will allow for the development of up to 600 multi-family dwelling units.

Any party requesting additional information regarding the proposed amendment should contact the Orange County Planning Division at 201 S. Rosalind Ave., 2nd Floor, Orlando, FL, 32801, (407) 836-5600, or via email at planning@ocfl.net.

In accordance with the Americans with Disabilities Act (ADA), any person requiring special accommodations to participate in this proceeding should contact the Orange County Communications Division no later than two (2) business days prior to the proceeding at 201 S. Rosalind Ave., 3rd Floor, Orlando, FL, 32801, (407) 836-6568

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Pou plis enfòmasyon, kontakté Dépatman Planifikasyon, nan nimewo (407) 836-5600



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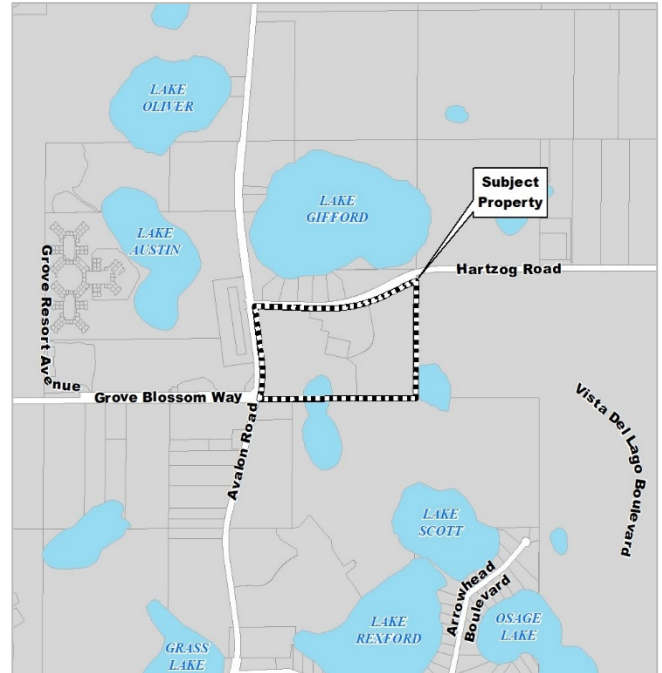
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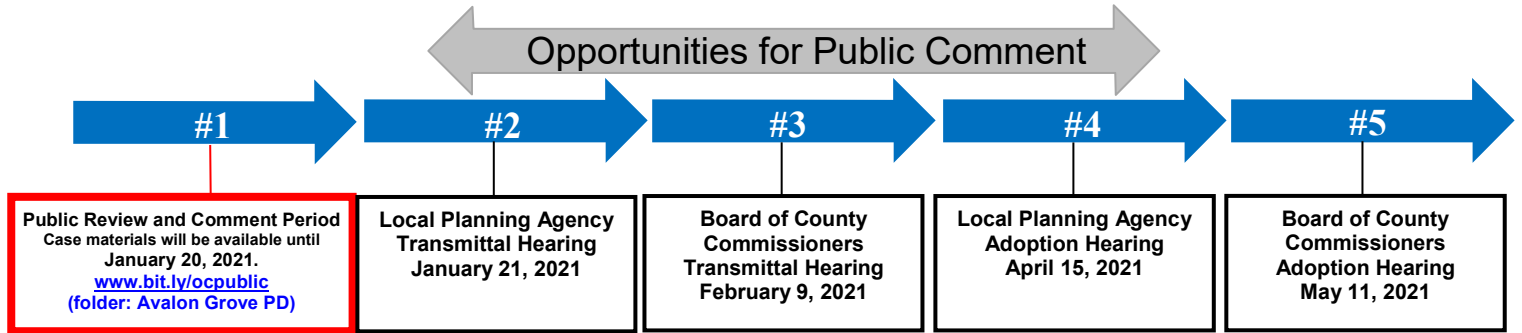
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