ORDINANCE NO. 96-11

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING ORANGE COUNTY ORDINANCE NO. 91-16, WHICH ESTABLISHED THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "1990-2010 COMPREHENSIVE POLICY PLAN," AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Legislative Findings, Purpose, and Intent.

a. On July 1, 1991, the Orange County Board of County Commissioners adopted a new comprehensive plan pursuant to Sections 163.3161 - 163.3243, Florida Statutes, known as the “Local Government Comprehensive Planning and Land Development Regulation Act” (“Act”), which sets forth the procedures and requirements for a local government in the State of Florida to adopt a comprehensive plan and amendments to a comprehensive plan.

b. The Board of County Commissioners (“Board”) adopted this comprehensive plan by Ordinance No. 91-16.

c. This comprehensive plan is known as the “1990-2010 Comprehensive Policy Plan” (“CPP”).

d. The Board amended the CPP by Ordinance No. 92-24, approved August 11, 1992; by Ordinance No. 93-12, approved April 27, 1993; by Ordinance Nos. 93-19 and 93-20, both approved August 31, 1993; by Ordinance No. 93-30, approved December 7, 1993; by Ordinance No. 94-07, approved March 8, 1994; by Ordinance No. 94-13, approved June 14, 1994; by Ordinance Nos. 94-20, approved October 25, 1994; by Ordinance No. 95-9, approved May 9, 1995; by Ordinance No. 95-13, approved June 6, 1995; and by Ordinance No. 95-35, approved November 14, 1995.
e. Orange County has complied with the requirements of the Act of amending the CPP again.

f. On January 3, 1996, the Orange County Local Planning Agency ("LPA") held a public hearing on the transmittal of the new proposed amendments to the CPP described in Sections 3, 4 and 5 of this ordinance, and recommended the transmittal of those proposed amendments to the Florida Department of Community Affairs ("DCA").

g. On January 23, 1996, the Board held a public hearing on the transmittal of the proposed amendments to the CPP described in Sections 3, 4 5 of this ordinance, and decided to transmit those proposed amendments to the DCA.

h. On April 3, 1996, the DCA issued its "Objections, Recommendations, and Comments Report" concerning the proposed amendments to the CPP described in Sections 3, 4 and 5 of this ordinance.

i. On April 18, 1996, the LPA held a public hearing at which it reviewed and made recommendations regarding the proposed amendments to the CPP described in Sections 3, 4 and 5 of this ordinance.

j. On May 7, 1996, the Board held an adoption public hearing to consider the proposed amendments described in Sections 3, 4 and 5 of this ordinance.

Section 2. Authority. This ordinance is adopted in compliance with and pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 - 163.3243, Florida Statutes, as amended.

Section 3. Amendments to Objectives and Policies in the 1990-2010 Comprehensive Policy Plan. The CPP, as amended, is hereby further amended by adding or modifying the following objectives and policies which are set forth by Element and Objective or Policy Number:
a. Future Land Use Element
   • Policy 1.1.2.2 (New)
   • Policy 1.1.14 (Amended)
   • Policy 1.1.18 (New)
   • Policies 1.2.6.1 through 1.2.6.14 (New)
   • Policy 2.2.7 (New)

b. Capital Improvements Element
   • Policy 1.7.4 (New)

c. International Drive Activity Center Element
   • Policy 1.1.10 (New)

d. Stormwater Element
   • Objective 1.7 (New) and Supporting Policies 1.7.1 through 1.7.4 (New)

The text of the above changes to the objectives and policies are specifically set forth in Exhibit 1, entitled “First Regular Cycle Amendment and Small Scale Development Amendments to the 1990-2010 Comprehensive Policy Plan and Stipulated Settlement Agreement Adoption Document,” dated May 7, 1996. A copy of Exhibit 1 is on file with the Orange County Planning Department and the Clerk of the Board of County Commissioners at 201 South Rosalind Avenue, Orlando, Florida. The specific text of the changes to the objectives and policies listed above, as those changes are set forth in Exhibit 1, is incorporated by this reference as if the text of those changes was set forth fully in this ordinance.

**Section 4. Amendments to the Future Land Use Element Map Series.** The CPP, as amended, is hereby further amended by amending the Future Land Use Designations as described in Exhibit 2 which is attached hereto and incorporated herein. Graphic representations of each of the Future Land Use Element Map Amendments contained in Exhibit 2 are depicted in the document entitled “1996 First Regular Cycle Amendments and Small Scale Development Amendments to the 1990-2010 Comprehensive Policy Plan and Stipulated Settlement Agreement Adoption Document”
dated May 7, 1996 which is on file with the Clerk to the Board of County Commissioners and the Orange County Planning Department, 201 South Rosalind Avenue, Orlando, Florida.

Section 5. Effective Date.

a. Subject to subsection b below, this ordinance shall become effective as provided by general law.

b. Pursuant to Section 163.3189, Florida Statutes, and Rule 9J-11.011, Florida Administrative Code, the effective date of the plan amendments described in Sections 3, 4 and 5 of this ordinance shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendments in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on these amendments may be issued or commence before they have become effective. If a final order of non-compliance is issued by the Administration Commission, these amendments may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Community Affairs, Bureau of Local Planning, 2740 Centerview Drive, Tallahassee, Florida 32399-2100.
POLICY AND TEXTUAL AMENDMENTS
NEW FUTURE LAND USE POLICY 1.1.2.2

This proposed policy will increase the total of vacant land from the adopted 14,801 developable acres allocation (identified in Future Land Use Element Policies 1.1.2 and 1.1.2.1) to 23,382 acres. This equals a difference of 8,581 acres. To date, through various USA expansions, our current remaining allocations is 10,400 acres. Per this amendment, a total of 23,382 acres will be needed during the planning period (1990-2010) to accommodate future employment and population. The modified 23,382 acres will occur only within the Urban Service Area (USA), Growth Centers, Urban Expansion Areas or other areas as required by policies in the plan (e.g. Horizon West). The new acreage figure is based on the 1990 census and the 1990-2010 residential growth increment (see Table 1) provided by Real Estate Research Consultants. It should be noted that in the adopted Comprehensive Policy Plan, there was an over-allocation of multi-family development. According to the 2010 housing split, Orange County should amend its vacant developable acreage limit from 14,801 to 23,382 acres.

In order to utilize the additional 8,581 acres of vacant developable land, staff recommends that the following criteria must be met or addressed. The criteria includes:

A. Is the Comprehensive Plan Amendment County-initiated or part of an overall sector/special study?
B. Does the amendment discourage urban sprawl?
C. Are there adequate public facilities available to meet the proposed development?
D. Are there sufficient schools/parks to serve the proposed amendment?
E. Does the amendment promote the urban form recommended by the County?
F. What type of land use concept does the amendment utilize (village, mixed use, etc.)?
G. How contiguous is the amendment to the existing Urban Service Area boundary?

<table>
<thead>
<tr>
<th>Type of Dwelling Unit</th>
<th>1990 Census</th>
<th>1990-2010 Figures</th>
<th>Total Existing 2010</th>
<th>2010 Housing Split</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td>156,426</td>
<td>82,035</td>
<td>238,461</td>
<td>59.00%</td>
</tr>
<tr>
<td>Multi Family</td>
<td>103,642</td>
<td>37,010</td>
<td>140,652</td>
<td>34.80%</td>
</tr>
<tr>
<td>Mobile Home</td>
<td>19,933</td>
<td>4,905</td>
<td>24,838</td>
<td>06.20%</td>
</tr>
<tr>
<td>Totals</td>
<td>280,001</td>
<td>123,950</td>
<td>403,951</td>
<td>100%</td>
</tr>
</tbody>
</table>

In addition, staff is recommending, future land use acreage allocations should be distributed along the ratios provided by the American Planning Association (APA) (1992) and shown on Table #2. These ratios were derived from a 1983 land use study concerning land use allocations by the APA which was conducted between 1978 and 1982, as well as, a study conducted between the years 1939 and 1985 by Eisner and Associates. According to these studies the breakdown for Future Land Use Acreage Allocations should include:

April 23, 1996
Orange County Future Land Use Acreage Allocations

Table 2

<table>
<thead>
<tr>
<th>Land Uses</th>
<th>Low Ratio</th>
<th>High Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
<td>4,300.00</td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
<td>500.00</td>
</tr>
<tr>
<td>Industrial</td>
<td></td>
<td>1,000.00</td>
</tr>
<tr>
<td>Public Areas</td>
<td></td>
<td>2,500.00</td>
</tr>
</tbody>
</table>
ACMU/ACR

Growth Center

In making the transition from the Future Land Use Map designation to the most appropriate zoning district classification, it shall be permissible to require the use of a P-D 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 only establish 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.

Finally, in determining consistency with the Future Land Use Plan, this policy shall be coordinated and considered in conjunction with Future Land Use Policies 1.1.11, 1.1.12, 1.1.13 and 1.1.15, as well as other applicable policies of the Plan. The zoning categories indicated above are those in effect as of August 31, 1993 July 20, 1995.

*Rural Settlement Only

RECOMMENDATIONS:

STAFF:

ADOPT.

LOCAL PLANNING AGENCY (LPA):

ADOPT.

BOARD OF COUNTY COMMISSIONERS (BCC):

(TO BE INSERTED)
distribution of land uses, the additional urban increment shall be based on the following:

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>MAXIMUM PERMITTED PERCENTAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>45%</td>
</tr>
<tr>
<td>Commercial*</td>
<td>15%</td>
</tr>
<tr>
<td>Industrial</td>
<td>15%</td>
</tr>
<tr>
<td>Public Use**</td>
<td>25%</td>
</tr>
</tbody>
</table>

* Includes office uses
** Institutional uses, parks and recreation, transportation and utility facilities

B. Does the CPP amendment discourage urban sprawl?

C. Are there adequate public facilities available to meet the proposed development?

D. Are there sufficient schools/parks to serve the proposed amendment?

E. Does the amendment promote an urban form recommended by the County?

F. What type of innovative land use concept does the amendment utilize (village, mixed use, etc.)?

In addition, the County shall evaluate such requests in terms of pre-existing criteria in the CPP (ex. mixed use projects, traditional neighborhood development, contiguity, etc.) as well as, how the proposed additional increment relates to, in a cumulative nature, the general range of land use ratios promulgated by the American Planning Association (PAS Meme, 1992).

RECOMMENDATIONS:

STAFF:

ADOPT as modified above based on DCA’s objections.

LOCAL PLANNING AGENCY (LPA):

ADOPT as modified above based on DCA’s objections.
BOARD OF COUNTY COMMISSIONERS (BCC):

(TO BE INSERTED)

TRANSMITTAL SYNOPSIS:

A representative from the City of Orlando’s Planning Department raised concerns about this change as it relates to the Joint Planning Area Agreement.

DCA OBJECTIONS

DCA requested additional information in terms of the methodology used to substantiate the change. In particular, how population changes impact the housing split. DCA requested more specific criteria for allocating the additional 8,581 acres and how this increment will be distributed among land uses. The policy has been modified, as shown in bold, in response to these objections.

LPA ADOPTION SYNOPSIS:

No one spoke for or against this change.
AMENDED FUTURE LAND USE ELEMENT POLICY 1.1.14

The following changes to the correlation table are intended to reflect the changes approved by the Board of County Commissioners in adopting the Standard Industrial Classification (SIC), and to provide consistency with other policies in the Comprehensive Policy Plan.

1.1.14  The Future Land Use Map establishes the proposed long-range general use of property for a designated target year. In contrast, the Zoning Map in the Land Development Code indicates the specific type of land use that the property is currently suited for based on existing conditions. The Zoning Map is subject to continuous amendments so that land, over time, will gradually and systematically be rezoned to be consistent with the planning policies and long-range objectives of the Comprehensive Policy Plan.

The following zoning and future land use correlation below shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum allowed by the Future Land Use Map designation regardless of zoning.

| Industrial: | Ind-1A, Ind-1/Ind-5, Ind-2r/Ind-3, Ind-4, Ind-5r/C-3 |
| Commercial: | C-1, C-2, C-3, P-O |
| Office: | P-O, UR-3 |
| High Density Residential: | R-3r, UR-3 |
| Medium Density Residential | R-3, R-2 |
| Low-Medium Density Residential | R-2, R-1, R-1 Cluster, R-1A Cluster, R-T, R-T-1 |
| Low Density Residential: | R-CE*, UR-1, R-1, R-1A, R-1AA, R-1AAA, R-1AAAA, Cluster Residential Districts (except R-1-C), R-T-1, R-T-2, R-L-D |

April 23, 1996
R-CE-5, R-CE-5 Cluster

ACMU/ACR  P-D
Growth Center  P-D

In making the transition from the Future Land Use Map designation to the most appropriate zoning district classification, it shall be permissible to require the use of a P-D 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 only establish 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.

Finally, in determining consistency with the Future Land Use Plan, this policy shall be coordinated and considered in conjunction with Future Land Use Policies 1.1.11, 1.1.12, 1.1.13 and 1.1.15, as well as other applicable policies of the Plan. The zoning categories indicated above are those in effect as of August 31, 1993 July 20, 1995.

*Rural Settlement Only

RECOMMENDATIONS:

STAFF:
ADOPT.

LOCAL PLANNING AGENCY (LPA):
ADOPT.

BOARD OF COUNTY COMMISSIONERS (BCC):
(TO BE INSERTED)
TRANSMITTAL SYNOPSIS:

No one spoke for or against the request.

DCA OBJECTIONS:

No objections were raised by DCA related to this proposal.

LPA ADOPTION SYNOPSIS:

Approved on the Consent Agenda.
NEW FUTURE LAND USE ELEMENT POLICY 1.1.18

WITHDRAWN

BY STAFF BASED ON OBJECTIONS FROM DCA
NEW FUTURE LAND USE ELEMENT POLICY 2.2.7

The proposed policy below is intended to allow consideration of urban level densities within the Rural Service Area (RSA) under special circumstances. These circumstances include consideration of the relationship and compatibility of a proposed development located between higher density urban development located in other jurisdictions, rural settlement areas, and the RSA. The proposed policy amendment also allows Orange County to facilitate the disposition, use, and development of such properties to ensure that development is compatible with surrounding land uses, and that adequate public facilities exist concurrent with the impacts of such development and to permit clustering of development. Furthermore, this proposed change will provide for a logical transition between land uses. This policy was written as to have County-wide applicability. However, based on DCA objections, staff is recommending that the policy be specific to Belmere only.

This proposed policy is an outgrowth of the Board's annexation discussion held in December, whereby the County should attempt to assist property owners who, for various reasons, wish to not annex. For example, this policy change can relate to the proposed agreement between the County and the owners of the Belmere P-D in which they are offering to provide park and school sites, if their vested density can be increased to 4 DU/Acre. The Belmere P-D is designated Rural, but vested for One DU/Acre (366 units), due in part to water/sewer capacity reservations with Orange County which were purchased prior to adoption of the Comprehensive Policy Plan in 1991. The unique characteristics of this site (see Exhibit #1 on page 12), include being located abutting Winter Garden and Ocoee on two (2) sides, and the cities have designated land uses up to Four DU/Acre and greater, as well as, commercial and office designations. Also, the existing rural settlement development to the south makes this property an ideal transition project and logical candidate for this exception. In addition, the property is within the Ocoee Joint Planning Area (Exhibit #2 on page 13) and if annexed, could be developed up to 4 DU/Acre. Finally, Orange County's comprehensive plan generally prohibits extension of water/sewer to the Rural Service area, however, the project's vested rights permits such an extension without setting a precedence for other properties to use this exception. The transmitted policy has been modified, as shown below, based on objections raised by DCA. The policy is now specific to Belmere and does not have County-wide applicability.

2.2.7 Orange County shall permit residential development at urban densities for property located in the Rural Service Area (RSA) that is at least thirty-five percent (35%) contiguous to higher density or intensity urban development located in an adjacent municipality. This provision is intended to permit a transitional use between higher density urban development and densities within the RSA. Higher density urban development shall be defined as:

- Existing or vested development greater than that permitted in the RSA;
- Or future land use designations allowing up to 3.5 residential units per acre or greater;
- Or non-residential uses (excluding agricultural uses);

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Transitional uses will be restricted to no more than four (4) dwelling units per acre. The County shall evaluate this type of transitional development based on the following:

A. Compatibility of the proposed project with existing/vested development, and the general development trend in the project area;

B. Contiguity of the proposed project to adjacent municipality(ies) must be at least 35 percent;

C. Ability or willingness to provide public facilities, and park and school sites;

D. Existence of urban infrastructure, such as water and sewer, consistent with the comprehensive plan or vested rights;

E. Must be approved as a Planned Development;

F. Whether the project is part of a Joint Planning Area Agreement; and

G. Ability to meet other criteria allowing urban development (e.g., USA amendment, Growth Center expansion, etc.).

In recognition of the fact that central water and wastewater service will be provided to the Belmere Planned Development (as referenced on Exhibit #1), pursuant to existing agreements with Orange County and the City of Ocoee and based on the developer’s commitment to provide additional public purpose facilities in terms of a school sites; and the donation of a park site and to effect transition of land uses between rural and urban areas, and based on the property's compact and contiguous character and its unique proximity to higher urban densities in adjacent municipalities, this development shall be permitted to develop at a density not exceeding 4 DU/Acre. This exception to Future Land Use Element Policy 1.1.5, related to expansion of the Urban Service Area, is explicitly for the above referenced property only and founded on the unique aspects listed above. In order to promote intergovernmental cooperation and adequate public facilities, prior to issuance of final development permits, the County shall make available to the City of Ocoee, impact fees from said development for improvements to the adjacent road network. Such pipe-lining of transportation impact fees shall be through an interlocal agreement. In the event that Orange County and the City of Ocoee fail to execute such an agreement within six (6) months of the effective date of this amendment, the development may be permitted to proceed. In addition, the developable acreage of this property shall be part of the County’s urban allocation referenced in Future Land Use Policy 1.1.2, and the provision of urban services to this development shall not
Recommends additional urbanization of the Rural Service Area. This property shall be developed as a planned development.

RECOMMENDATIONS:

STAFF:
ADOPT as modified above.

LOCAL PLANNING AGENCY (LPA):
ADOPT as modified above.

BOARD OF COUNTY COMMISSIONERS (BCC):
(TO BE INSERTED)

LPA SYNOPSIS:

Representatives of the City of Ocoee spoke in opposition to the request as being inconsistent with our Rural Service Area concept and that notice requirements of the Joint Planning Area (JPA) Agreement were not met. They were also concerned about traffic impacts the proposed would have on Maguire Road. A City of Orlando planner stated they would like to further evaluate the impact of this proposal on the Orlando JPA. A representative of the Gotha Rural Settlement was concerned about impacts on schools and whether the Rural Settlement Transition District would be more appropriate. (NOTE: The Transition District, per Future Land Use Element Policy 2.1.17, only permits densities up to two (2) dwelling units per acre (DU/Acre) and cannot exceed fifty (50) acres.) A representative of Belemere Subdivision, located north of the Belemere P-D was concerned about the type of housing and potential traffic impacts.

Staff stated that notice of this process was given at the public hearings related to the Balmier P-D at which Ocoee officials were in attendance. In addition, staff provided copies on December 21, 1995 to Ocoee, in less than the required ten (10) days for notice, since the final draft of the policies were not completed until December 18th.

BCC SYNOPSIS:

Representatives from the City of Ocoee again spoke in opposition to the request. Speaking were the City Attorney, Mayor and City Councilman (who is also a resident of the development north

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of Belmere). The latter speaker stated that the City does not intend to annex the property. Major issues raised include school capacity, exacting more concessions from the developer, and violation of the Joint Planning Area (JPA) Agreement. The Town of Windermere’s Planner raised concerns about schools and traffic. A City of Orlando Planner stated that the policy may undermine the Urban Service Area (USA) concept and is inconsistent with the JPA by discouraging annexation. Winter Garden’s Attorney raised concerns related to their reserve area and impact on annexations. (NOTE: The County does not have a JPA with Winter Garden, only a Reserve Area Agreement setting forth a boundary for annexations.) Several speakers asked that further discussions occur between the County and cities impacted by this proposal.

A representative for Belmere stated the real issue was annexation. The developer is offering school and park facilities, as well as, offering to help fund improvements to Maguire Road. The proposed development will also provide for internal transition between the Rural Settlement to the south and cities to the north.

DCA OBJECTIONS:

DCA stated this policy change would create urban level densities in the Rural Service Area, inconsistent with the comprehensive plan. The Department also noted that the change did not demonstrate consistency with adopted joint planning area agreements, nor was there an assessment of other potential parcels impacted by this exception. DCA recommended that the Urban Service Area line be modified to include the Belmere Planned Development.

LPA ADOPTION SYNOPSIS:

A senior planner with the City of Ocoee raised the following points:

◊ The City needs more time to evaluate the issue;
◊ This property is not “unique;”
◊ The amendment may set a precedence;
◊ Commitments to the park and school sites are speculative;
◊ County’s Rural Service Area concept is undermined;
◊ Joint Planning Area states the City should plan for this area;
◊ Impact on fire service has not been analyzed;
◊ Although the site is designated for 4 DU/Acre in the JPA, the City might not have approved that high a density during the rezoning;
◊ The City has not reviewed the final Development Agreement and the County should not approve this amendment without approving the Development Agreement at the same time; and,
◊ The six (6) months provided for in the policy is not adequate.
NEW STORMWATER ELEMENT OBJECTIVE 1.7 AND POLICIES 1.7.1 - 1.7.4

Below are proposed policies recommended by the Urban Design Task Force. The intent of these new policies is to promote more visually pleasing drainage features for both residential and nonresidential development.

**OBJECTIVE 1.7** Orange County shall adopt Land Development Regulations that require stormwater management systems to be designed, constructed and maintained in an aesthetically pleasing manner and with greater efficiency, giving importance to the aesthetic characteristics of each pond, structure and other features of the system visible to the public.

**POLICIES**

1.7.1 By January 1, 1997, Orange County shall develop design guidelines for the construction of stormwater ponds that are visually pleasing, and safe. The design guidelines should consider, but not be limited to, fencing, slope, construction materials, location within a tract, landscaping, and passive park uses.

1.7.2 Orange County shall consider including incentives as part of the LDR’s for developers that design their stormwater ponds in an aesthetically pleasing manner, by January 1, 1997. Incentives should consider, but not be limited to, density and open space credits.

1.7.3 Orange County shall implement by January 1, 1997, a stormwater beautification program to integrate existing stormwater ponds with surrounding land uses in order to be more visually pleasing.

1.7.4 By January 1, 1997, Orange County shall implement guidelines to encourage master stormwater planning and the reliance on fewer larger ponds rather than a system of many smaller ponds. The overall master planning concept shall consider the impact to local aquifer recharge and potential for groundwater contamination clean-up.

**RECOMMENDATIONS:**

**STAFF:**

**ADOPT.**

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LOCAL PLANNING AGENCY (LPA):

ADOPT.

BOARD OF COUNTY COMMISSIONERS (BCC):

(TO BE INSERTED)

TRANSMITTAL SYNOPSIS:

No one spoke in opposition to the amendment.

DCA OBJECTIONS:

No objections were raised concerning this amendment.

LPA ADOPTION SYNOPSIS:

Approved on the Consent Agenda.
NEW CAPITAL IMPROVEMENTS ELEMENT POLICY 1.7.4

The following new Capital Improvements Element Policy will serve to implement the long-term Transportation Concurrency Management System (CMS) (Traffic Circulation Element Policies 1.1.1.5, 1.1.1.6, and 1.1.1.7) previously adopted in 1995, pursuant to ELMS III provisions. The Concurrency Management Ordinance is currently being revised to include the long-term CMS system. This policy change is also required by the Florida Administrative Code.

1.7.4 Orange County shall adopt a ten (10) year schedule of capital improvements to implement the long-term Transportation Concurrency Management System (see Traffic Circulation Element Policies 1.1.1.5, 1.1.1.6, and 1.1.1.7).

RECOMMENDATIONS:

STAFF:

ADOPT.

LOCAL PLANNING AGENCY (LPA):

ADOPT.

BOARD OF COUNTY COMMISSIONERS (BCC):

(TO BE INSERTED)

TRANSMITTAL SYNOPSIS:

No one spoke for or against this amendment.

DCA OBJECTIONS:

No objections were raised for this change.

LPA ADOPTION SYNOPSIS:

Approved on the Consent Agenda.
NEW INTERNATIONAL DRIVE ACTIVITY CENTER POLICY 1.1.10

The ELMS III Legislation includes provisions for increased development thresholds for Developments of Regional Impact (DRI) in specified areas designated as Urban Central Business District or Regional Activity Centers. These areas must have been established after the effective date of the guidelines and standards authorized by Chapter 380, Florida Statutes (F.S.), and implemented in Rule Chapter 28-24.014(10), Florida Administrative Code (FAC). In Orange County, the International Drive Activity Center was recently designated as a Regional Activity Center (RAC). Exhibit #1 shows the location of the existing Orange County Convention Center and the boundary of the existing International Drive Activity Center/Regional Activity Center.

In order to utilize Rule 28-24.0141(10)(a)3, “Resort or Convention Hotel” development guidelines and standards, the local government must also specifically designate that a particular development is a resort or convention hotel development which will serve an existing convention center of more than 250,000 gross square feet built prior to July 1, 1992. Orange County Convention Center meets this standard.

The proposed policy identified below is written to define what type of development constitutes a resort or convention hotel development to serve an existing convention center (within 1.5 mile radius in the International Drive Activity Center) and therefore, qualifies for additional threshold increases (see hash-marked area on Exhibit #1).

In order to be more specific in terms of the area affected by this change, and to respond to DCA’s comment on this issue, staff has modified the policy to include Exhibit #1 by reference. See bolded addition below.

1.1.10 Any proposed resort or convention hotel development of greater than 200 rooms which is within the International Drive Activity Center which is designated as a Regional Activity Center and is within a 1.5-mile radius of the existing Orange County Convention Center, as referenced on Exhibit #1, is specifically designated as a resort or hotel development that will serve the convention center for purposes of the increased threshold specified in Chapter 380, Florida Statutes, (F.S.), and Rule 28-24.014(10), Florida Administrative Code, (F.A.C.).

RECOMMENDATIONS:

STAFF:

ADOPT as modified in bold above.

LOCAL PLANNING AGENCY (LPA):

ADOPT as modified in bold above.

April 23, 1996
EXHIBIT 1

SOURCE: ORANGE COUNTY PLANNING DEPARTMENT GIS 1995
BOARD OF COUNTY COMMISSIONERS (BCC):

(TO BE INSERTED)

TRANSMITTAL SYNOPSIS:

No one spoke for or against this request.

DCA OBJECTIONS:

No objections were raised concerning this request. However, the DCA did comment that the area included in this change is not sufficiently identified. Staff is recommending that Exhibit #1 be included by reference.

LPA ADOPTION SYNOPSIS:

Approved on the Consent Agenda.