

ORANGE COUNTY

PLANNING DIVISION

2022-1 REGULAR

CYCLE

AMENDMENT

2022-1-A-1-1

REZONING

LUP-21-11-353

2010 - 2030 COMPREHENSIVE PLAN

BOARD OF COUNTY COMMISSIONERS

SEPTEMBER 13, 2022

ADOPTION PUBLIC HEARING

PREPARED BY:

ORANGE COUNTY PLANNING, ENVIRONMENTAL
AND DEVELOPMENT SERVICES

PLANNING DIVISION
COMPREHENSIVE PLANNING SECTION






Interoffice Memorandum

September 13, 2022

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: 2022-1 Regular Cycle Comprehensive Plan Amendment
2022-1-A-1-1 and Concurrent Rezoning Request# LUP-21-11-353 (Villages at Westwood PD/LUP)
Board of County Commissioners (BCC) Adoption Public Hearings

2022-1 Regular Cycle Comprehensive Plan Amendment 2022-1-A-1-1 is scheduled for a BCC adoption public hearing on September 13, 2022. The amendment was heard by the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) at an adoption public hearing on August 18, 2022.

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 2022-1 Regular Cycle State-Expedited Amendment scheduled for consideration on September 13 includes one privately-initiated Future Land Use Map Amendment located in District 1 with a concurrent rezoning request for a property greater than ten acres in size.

In summary, the action items addressed by this memo for September 13 are:

- Amendment 2022-1-A-1-1 (Villages at Westwood)
- Concurrent Rezoning Request LUP-21-11-353 (Villages at Westwood PD/LUP).

In conjunction with these two action items, the BCC will also consider adopting an Ordinance for Amendment 2022-1-A-1-1.

The 2022-1 Regular Cycle State-Expedited Review Amendment was heard by the PZC/LPA at a transmittal public hearing on January 20, 2022, and by the BCC at a transmittal public hearing on February 8, 2022. The amendment has been reviewed by the Florida Department of Economic Opportunity (DEO), as well as other state and regional agencies. On March 25, 2022, DEO issued a comment letter, which did not contain any concerns about the amendment undergoing the State-Expedited Review process. Pursuant to 163.3184, F.S., the proposed amendment must be adopted within 180 days of the comment letter. The Regular Cycle Amendment undergoing the State-Expedited Review process will become effective 31 days after DEO notifies the County that the plan amendment package is complete. The amendment is expected to become effective in October 2022, provided no challenges are brought forth for it.

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

2022-1 Regular Cycle Amendment 2022-1-A-1-1 and
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September 13, 2022
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AAV/sw

Enc: 2022-1 Regular Cycle Amendment 2022-1-A-1-1 and Concurrent Rezoning Request# LUP-21-11-353 –
BCC Adoption 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 Gologowski, AICP, Chief Planner, Planning Division
Olan D. Hill, AICP, Assistant Manager, Planning Division
Nicolas Thalmueller, AICP, Planning Administrator, Planning Division
Read File

**2022-1 Regular Cycle State-Expedited Review Comprehensive Plan Amendment
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 Designatio TO:	Zoning Map Designation FROM:	Zoning Map Designation TO:	Acreage	Project Planner	Staff Rec	LPA Rec
District 1													
2022-1-A-1-1 (Friedman Property Apartments)	LUP-21-11-353	Rita J. Friedman	M. Rebecca Wilson, Lowndes, Droschick, Dotler, Kantor & Reed, P.A.	23-24-28-5944-00-680	Generally located south of International Drive S, east of Wildewood Ave, and west of Vistana Palm Beach Dr.	Activity Center Mixed Use (ACMU)	Activity Center Residential (ACR)	R-CE (Country Estate District)	PD (Planned Development District) (Villages at Westwood PDI/LUP)	14.43 gross ac./12.86 net developable ac.	Jennifer DuBois	Adopt & Approve rezoning, subject to nineteen (19) conditions	Adopt & Approve rezoning, subject to nineteen (19) conditions (6-9)

ABBREVIATIONS INDEX:

ABBREVIATIONS INDEX: IND-Industrial; C-Commercial; O-Office; LDR-Low Density Residential; LMDR-Low-Medium Density Residential; MDR-Medium Density Residential; HDR-High Density Residential; PD-Planned Development; EDU-Educational; CONS-Wetland/Conservation; PR/OS-Parks/Recreation/Open Space; OS-Open Space; R-Rural/Agricultural; RS-Rural Settlement; RS 1/1-Rural Settlement 1/1; RS 1/2-Rural Settlement 1/2; RSLD 2/1-Rural Settlement Low Density; GC-Growth Center; LP-Lake Pickett; 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; A-1-Citrus Rural District; A-2-Farmland Rural District; R-CE-Country Estate District; RCE-S-Rural Country Estate Residential District; PD-Planned Development District; PD-RP-Planned Development-Regulating Plan; PD-RS-Planned Development-Rural Settlement; LUP-Land Use Plan; SR-State Road; AC-Acres

2022 FIRST REGULAR CYCLE AMENDMENT TO THE 2010-2030 COMPREHENSIVE PLAN ADOPTION PUBLIC HEARING

INTRODUCTION

This is the Board of County Commissioners (BCC) adoption public hearing staff report for the First Regular Cycle Amendment 2022-1-A-1-1 to the Future Land Use Map (FLUM) and Comprehensive Plan (CP). The adoption public hearing for the amendment was conducted before the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) on August 18, 2022. The amendment is scheduled for an adoption public hearing before the BCC on September 13, 2022.

The 2022-1 Regular Cycle Amendment scheduled for BCC consideration on September 13 was heard by the PZC/LPA at a transmittal public hearing on January 20, 2022, and by the BCC at a transmittal public hearing on February 8, 2022.

Please note the following modifications to this report:

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

The 2022-1 Regular Cycle – State-Expedited Review Amendment scheduled for consideration on September 13 includes one privately-initiated Future Land Use Map Amendment located in District 1 with a concurrent rezoning request. The proposed Future Land Use Map Amendment entails a change to the Future Land Use Map for a property greater than ten acres in size.

The Regular Cycle State-Expedited Review Amendment has been reviewed by the Department of Economic Opportunity (DEO), as well as other state and regional agencies. On March 25, 2022, DEO issued a comment letter, which did not contain any concerns about the amendment undergoing the State-Expedited Review process. Pursuant to 163.3184, F.S., the proposed amendment must be adopted within 180 days of the comment letter. The Regular Cycle Amendment undergoing the State-Expedited Review process will become effective 31 days after DEO notifies the County that the plan amendment package is complete. The amendment is expected to become effective in October 2022, provided no challenges are brought forth for it.

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

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1.	2022-1-A-1-1 Villages at Westwood	Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR)	1
	-and-		
	Rezoning LUP-21-11-353	<p>R-CE (Country Estate District) to PD (Planned Development District) (Villages at Westwood PD/LUP). Also requested are three (3) waivers from Orange County Code:</p> <ol style="list-style-type: none"> 1) A waiver from Section 38-1300 to allow a maximum building height of sixty (60) feet in height for buildings located no closer than seventy-five (75) feet from the single-family residential zoned property to the east and west in lieu of a maximum building height of thirty-five (35) feet in height within one hundred (100) feet of single-family residential; 2) A waiver from Section 38-1476(a) to allow 1.65 spaces per unit in lieu of the required 2 spaces per unit for each dwelling unit that are two (2) and three (3) bedrooms for apartments of three (3) dwelling units or more; and 3) A waiver from Section 38-1476(a) to allow 1.4 spaces per unit in lieu of the required 1.5 spaces for each dwelling unit that are efficiencies and one-bedrooms for apartments of three (3) dwelling units or more. 	

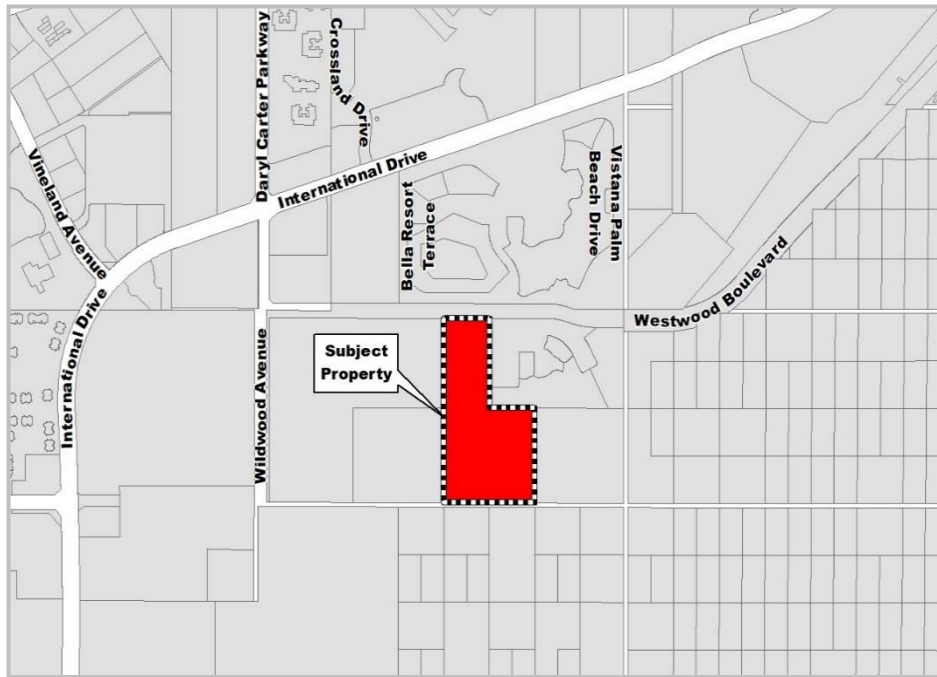
Ordinance..... **Tab 3**

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Facilities Analysis..... **Tab 5**

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Environmental Analysis..... **Tab 7**



Applicant/Owner:
 M. Rebecca Wilson,
 Lowndes, Drosdick, Doster,
 Kantor & Reed, P.A. / Rita J.
 Friedman

Location: Generally located south of International Drive S and the planned Westwood Boulevard extension, east of Wildwood Avenue, and west of Vistana Palm Beach Drive.

Existing Use: Undeveloped land

Parcel ID Number:
 23-24-28-5844-00-680

Tract Size: 14.43 gross /
 12.86 net developable acres

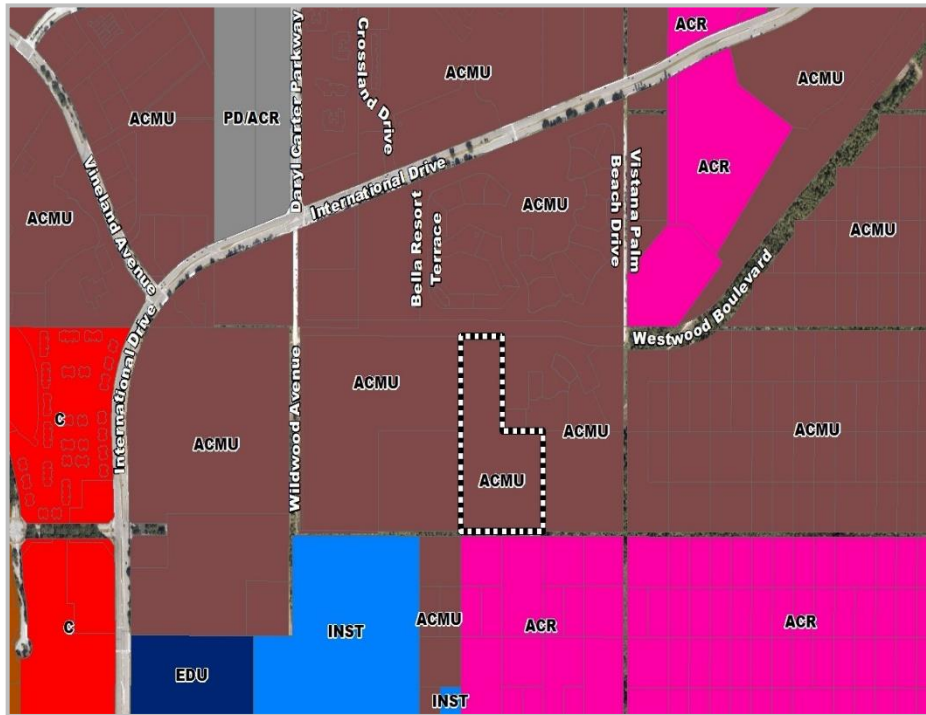
The following meetings and hearings have been held:	
Report/Public Hearing	Outcome
✓ Community meeting held December 2, 2021, with four attendees.	Positive
✓ Staff Report	Recommend Transmittal
✓ LPA Transmittal January 20, 2022	Recommend Transmittal (8-0)
✓ BCC Transmittal February 8, 2022	Transmit (7-0)
✓ State Agency Comments March 25, 2022	The DEO comment letter contained no objections to the requested amendment.
✓ LPA Adoption August 18, 2022	Recommend Adoption and Approval, subject to 19 conditions (6-0)
BCC Adoption	September 13, 2022

Project Information
Request: Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR)
Proposed Development Program: Multi-family residential community featuring up to 350 dwelling units
Public Facilities and Services: Please see the Public Facilities & Services Appendix for specific analyses of each public facility.
Environmental: Conservation Area Determination CAD 91-026 delineated 1.57 acres of onsite Class III wetlands. Conservation Area Impact Permit CAI-22-02-008, authorizing impacts to the 1.57 acres of Class III wetlands and compensating for 0.28 acre of offsite secondary wetland impacts, was issued July 5, 2022.
Transportation: Safe and adequate access shall be required from the intersection of International Drive and Wildwood Avenue, south to Westwood Boulevard, and then east along Westwood Boulevard to the entrance to the subject property.
Schools: Per School Capacity Determination OC-21-044, dated November 15, 2021, capacity is not available at Freedom Middle School. The mitigation of 18.750 seats will be required.
Concurrent Rezoning: Case LUP-21-11-353 A proposed rezoning from R-CE (Country Estate District) to PD (Planned Development District) (Villages at Westwood PD/LUP) will be considered in conjunction with the requested Future Land Use Map Amendment during the adoption public hearings.

AERIAL



FUTURE LAND USE – CURRENT



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

Special Area Information

Activity Center:
 International Drive Activity Center

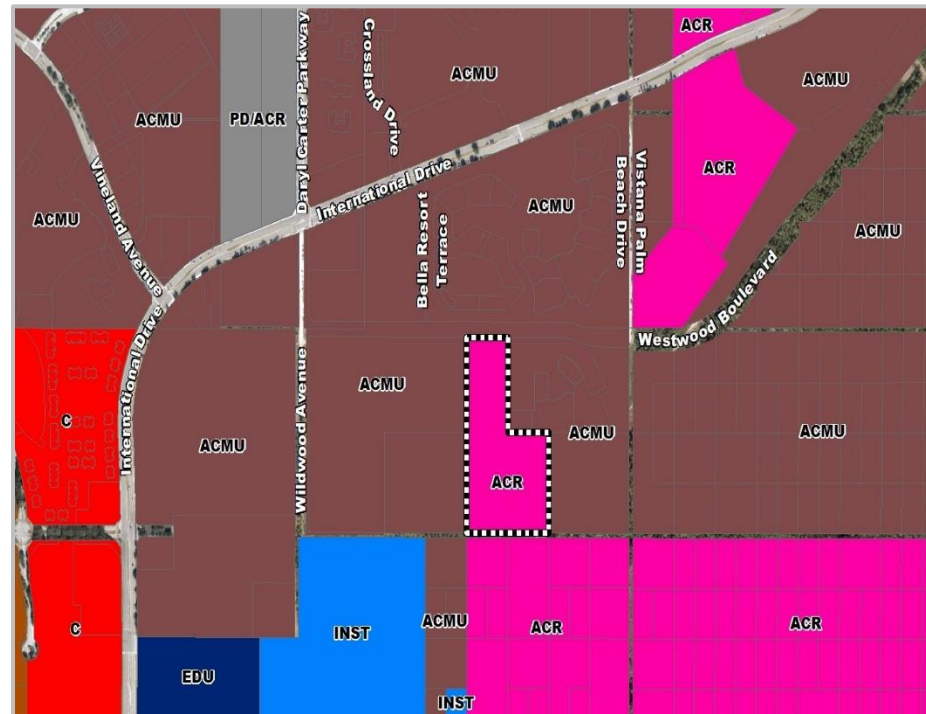
Overlay District: Tourist Commercial Signage District

Rural Settlement: N/A

JPA: N/A

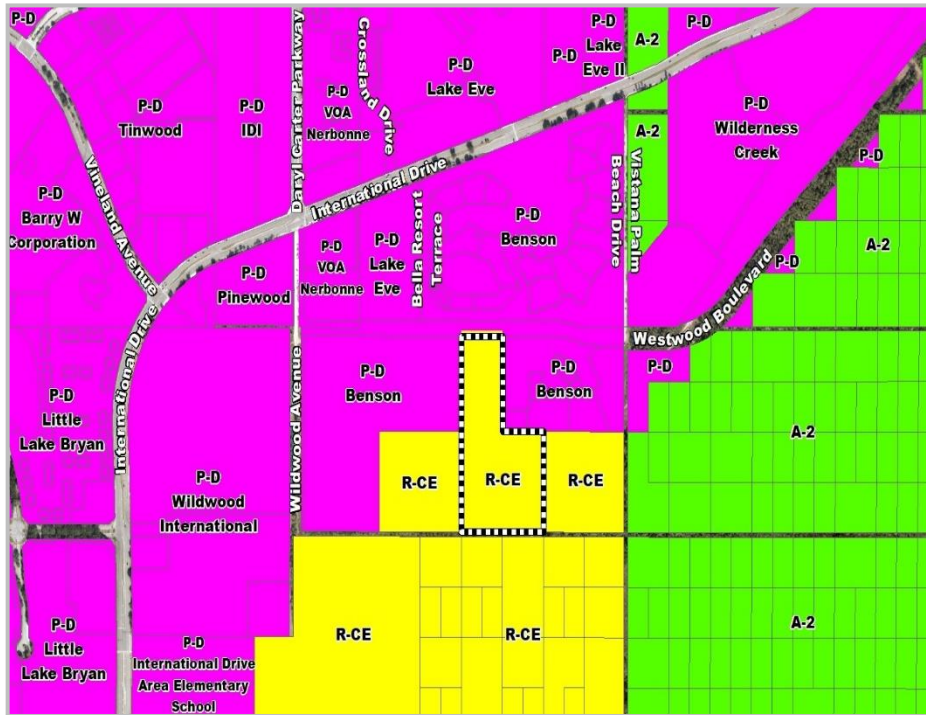
Airport Noise Zone: N/A

FUTURE LAND USE – AS PROPOSED



Proposed Future Land Use:
 Activity Center Residential (ACR)

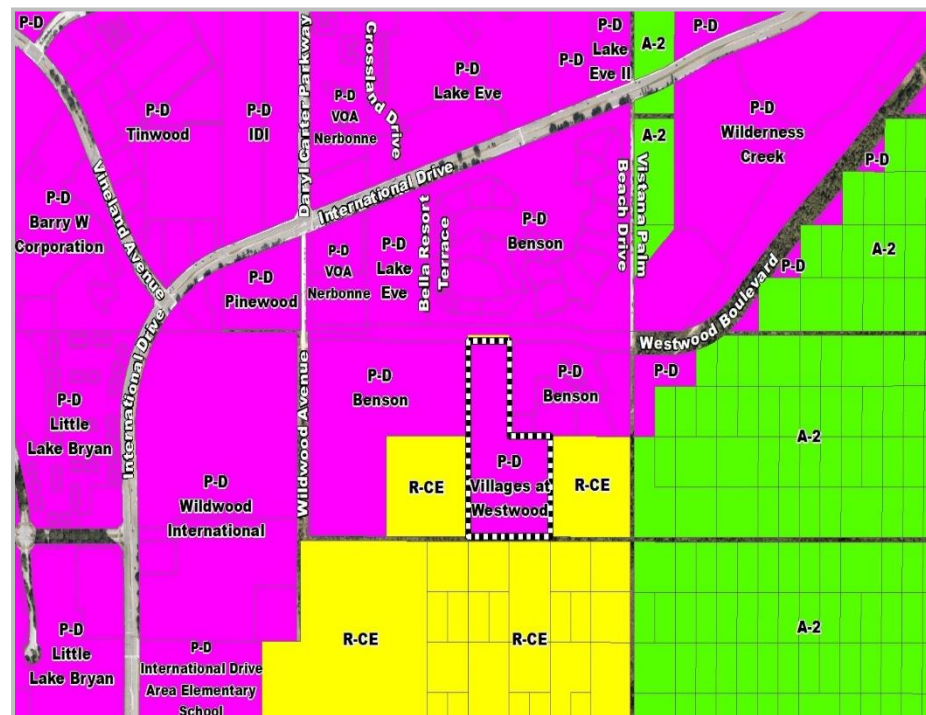
ZONING - CURRENT



Current Zoning District:
 R-CE (Country Estate District)

Existing Uses:
 North: Sheraton Vistana Villages Orlando
 South: Undeveloped land (Shingle Creek Management Area and Duke Energy property)
 East: Sheraton Vistana Villages Orlando and undeveloped land (Duke Energy property)
 West: Future Davis Vistana Apartments site (approved 400-unit multi-family community) and undeveloped land

ZONING – PROPOSED



Proposed Zoning District:
 PD (Planned Development District) (Villages at Westwood PD/LUP)

Staff Recommendations

If the requested Comprehensive Plan amendment is adopted, the Board will then need to take action on the proposed rezoning. These items need to be addressed as two separate motions by the Board. Below are the staff recommendations for each of these items.

1. **COMPREHENSIVE PLAN AMENDMENT:** Make a finding of **consistency** with the Comprehensive Plan (see International Drive Activity Center Element Goal ID3 and Policies ID4.1.1; Housing Element Goal H1 and Objective H1.1; and Future Land Use Element Objectives FLU2.2 and FLU8.2 and Policies FLU1.1.2.A, FLU1.1.4.D, and FLU8.2.1), determine that the amendment is in compliance, and recommend **ADOPTION** of Amendment 2022-1-A-1-1, Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR).
2. **REZONING (August 18, 2022, PZC Recommendation):** Make a finding of **consistency** with the Comprehensive Plan and recommend **APPROVAL** of Rezoning Case LUP-21-11-353, Villages at Westwood Planned Development/Land Use Plan (PD/LUP) dated "Received July 23, 2022", subject to the following nineteen (19) conditions:
 1. Development shall conform to the Villages at Westwood Land Use Plan (LUP) dated "Received July 23, 2022," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received July 23, 2022," the condition of approval shall control to the extent of such conflict or inconsistency.
 2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.
 3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the

permit, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. Prior to DP approval or the recording of the first plat associated with this Planned Development, whichever occurs first, the applicant shall submit a traffic study which analyzes the associated infrastructure including, but not limited to, connecting roadways such as Westwood Boulevard, public utilities, intersection improvements, right, left, and thru lanes, and traffic signal upgrade (if so warranted) at the intersection of Daryl Carter Parkway and International Drive.
7. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal and must be approved prior to Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.
8. Unless a Conservation Area Impact (CAI) Permit is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland Conservation Areas", prior to Construction Plan approval, no conservation area or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect conservation area impacts.
9. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

10. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any direct or indirect conservation area impacts.
11. This site is located in close proximity to the Shingle Creek Management Area managed by the South Florida Water Management District. The applicant/owner has an affirmative obligation to expressly notify potential purchasers, builders, and/or tenants of this development, through an appropriate mechanism, including a conspicuous note on the plat and/or a recorded restrictive covenant, as applicable, that the adjacent land use includes publicly managed property. The notice shall indicate that the adjacent property will require the use of resource management practices that may result in periodic temporary conditions that may limit outdoor activities. These practices will include, but not be limited to, ecological burning, pesticide and herbicide usage, exotic plant and animal removal, usage of heavy equipment and machinery, and other practices as may be deemed necessary for proper resource management.
12. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
13. A Master Utility Plan (MUP) for the PD shall be submitted to Orange County Utilities at least thirty (30) days prior to submittal of the first set of construction plans. Construction plans within this PD shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The MUP and updates must be approved prior to Construction Plan approval.
14. The proposed development is adjacent to the existing and permitted Orange County Western Effluent Disposal site (WEDS). The design and permitting (stormwater, etc.) for the proposed development shall take into account the groundwater mounding produced by the adjacent WEDS when loaded at full permitted capacity and during wet weather conditions. At the time of construction plan submittal, provide calculations and documentation certifying that the design complies with this condition.
15. The developer shall obtain water, wastewater, and reclaimed water service from Orange County Utilities, subject to County rate resolutions and ordinances.
16. Tree removal/earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan, with a tree removal and mitigation plan, have been approved by Orange County.
17. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 Tourist Commercial.
18. Short-term/transient rental is prohibited. Length of stay shall be for 180 consecutive days or greater.
19. The following waivers from Orange County Code are granted:
 - a. A waiver from Section 38-1300 to allow a maximum building height of sixty (60) feet in height for buildings located no closer than seventy-five (75) feet from the single-family residential

zoned property to the east and west in lieu of a maximum building height of thirty-five (35) feet in height within one hundred (100) feet of single-family residential.

- b. A waiver from Section 38-1476(a) to allow 1.65 spaces per unit in lieu of the required 2 spaces per unit for each dwelling unit that are two (2) and three (3) bedrooms for apartments of three (3) dwelling units or more.
- c. A waiver from Section 38-1476(a) to allow 1.4 spaces per unit in lieu of the required 1.5 spaces for each dwelling unit that are efficiencies and one-bedrooms for apartments of three (3) dwelling units or more.

Analysis

1. Background and Development Program

The applicant, Rebecca Wilson, is seeking to change the Future Land Use Map (FLUM) designation of the 14.43-acre subject parcel, presently undeveloped, from Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR). The property—consisting of 12.86 upland acres and 1.57 acres of Class III wetlands—is located in the International Drive Activity Center, to which its present ACMU and requested ACR future land use designations correspond. The site’s current ACMU designation is intended to provide for a combination of tourist-related development and supporting residential activity. However, as established in **Future Land Use Element Policy FLU1.1.4.D** of the Orange County Comprehensive Plan, no more than 30 percent of an ACMU-classified site may be developed for residential purposes. As the prospective developer, Hanover Land Company, LLC, desires to utilize the entire 14.43-acre property for the construction of a multi-family community featuring up to 350 dwelling units, the applicant is thus proposing this change in land use to ACR.

As depicted on the aerial map, the subject property is located just south of a stretch of the International Drive tourist commercial corridor characterized by resort development (including the Sheraton Vistana Villages Orlando resort bordering the site to the north and east), vacation condominium communities, and supporting commercial activity. Interspersed with these tourist-oriented uses are multi-family residential complexes, including the future 400-unit Davis Vistana Apartments development directly west of the subject property, approved by the Orange County Development Review Committee on October 6, 2021 (DP-21-02-048). If ultimately approved, the proposed 350-unit multi-family community, presently known as Villages at Westwood, will provide an additional housing opportunity for residents of Orange County, particularly those employed by the numerous theme parks (including nearby Sea World, Discovery Cove, and Walt Disney World), resorts, hotels, tourist attractions, shopping areas, and restaurants in the surrounding area.

Currently, the subject property is bounded to the north by the unimproved Westwood Boulevard/Wildwood Avenue right-of-way, with a width of 100 feet, which the prospective developer and the developer of the neighboring Davis Vistana Apartments complex must improve to County standards, in accordance with their respective development approvals. In their analysis of this proposed amendment, the Orange County Transportation Planning Division emphasizes that safe and adequate access will be required from the intersection of International Drive and Wildwood Avenue, south to Westwood Boulevard, and then east along Westwood Boulevard to the entrance of the subject property. This will require, at a minimum, a two-lane road built to County specifications. If the developer chooses to build a four-lane road to County standards, the developer will need to go before the Roadway Agreement Committee (RAC) with a construction agreement. Transportation Planning adds that if the four-lane option is chosen, additional right-of-way will be needed along Wildwood Avenue.

As discussed above, 1.57 acres of Class III wetlands are present on the subject property, as delineated via Orange County Conservation Area Determination CAD 91-26, issued March 11, 1992, with no expiration date. The prospective developer requested approval to alter these wetlands via the submittal of a Conservation Area Impact (CAI) Permit application to the Orange County Environmental Protection Division (EPD). On July 5, 2022, EPD issued CAI Permit CAI-22-02-008, authorizing impacts to the 1.57 acres of onsite Class III wetlands to allow for the construction of the proposed multi-family residential buildings, associated infrastructure, and a stormwater pond. The permit also compensates for 0.28 acre of offsite secondary wetland impacts. As established in the permit, mitigation will include the purchase of 0.95 credit from the Hatchineha Ranch Mitigation Bank. CAI-22-02-008 expires July 5, 2027.

In addition, EPD has informed staff that the subject site is located in close proximity to the Shingle Creek Management Area, managed by the South Florida Water Management District, including abutting property to the south. The applicant/owner has an affirmative obligation to expressly notify potential purchasers, builders, and/or tenants of this development, through an appropriate mechanism, including a conspicuous note on the plat and/or a recorded restrictive covenant, as applicable, that the adjacent land use includes publicly-managed property. The notice shall indicate that the adjacent property will require the use of resource management practices that may result in periodic temporary conditions that may limit outdoor activities. These practices will include, but are not limited to, ecological burning, pesticide and herbicide usage, exotic plant and animal removal, usage of heavy equipment and machinery, and other practices as may be deemed necessary for proper resource management.

Finally, **Future Land Use Element Policy FLU1.1.4.D** mandates that a Planned Development (PD) zoning classification shall be required for all new development on ACR-designated land. Accordingly, the applicant is petitioning to rezone the subject property from R-CE (Country Estate District) to PD (Planned Development District) to create the Villages at Westwood PD and establish design and development standards for the project. This rezoning application, Case LUP-21-11-353, has undergone review by the Orange County Technical Review Group (TRG) and Development Review Committee (DRC). On June 22, 2022, the DRC recommended approval of Case LUP-21-11-353, subject to nineteen (19) conditions, including three (3) requested waivers from Orange County Code. The proposed rezoning will be considered in conjunction with the requested FLUM Amendment during the adoption public hearings before the Planning and Zoning Commission/Local Planning Agency (PZC/LPA) and Board of County Commissioners (BCC).

DEO Comment Letter

In its March 25, 2022, comment letter, the Florida Department of Economic Opportunity (DEO) informed the County that it had reviewed the proposed Future Land Use Map Amendment and identified no comment related to adverse impacts to important state resources and facilities within the Department's authorized scope of review. In addition to this statement, DEO provided a technical assistance comment consistent with Section 163.3168(3), F.S. DEO emphasized that the technical assistance comment will not form the basis of a challenge. Rather, it is offered either as a suggestion that can strengthen the County's Comprehensive Plan to foster a vibrant, healthy community or is technical in nature and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S. The technical assistance comment reads as follows:

- The Department strongly encourages Orange County to coordinate with the South Florida Water Management District, St. Johns River Water Management District, and Southwest Florida Water Management District on all matters pertaining to regional water supply, water

conservation, water supply planning, and water use permitting.

Community Meeting

A community meeting for this proposed FLUM Amendment and associated PD/LUP rezoning petition was held on December 2, 2021, at Sand Lake Elementary School. Four members of the public attended the meeting. Staff provided an overview of the requested amendment and rezoning, noting the scheduled dates of the transmittal and adoption public hearings. McGregor Love of Lowndes, Drosdick, Doster, Kantor and Reid, representing the applicant team, provided details about the proposed multi-family project, noting that it is expected to feature a mix of one-, two-, and three-bedroom apartments and townhome-style units. The height of each building would be limited to four stories.

Mr. Love informed the area residents in attendance that under the current ACMU future land use designation, approximately 1.8 million square feet of tourist commercial development could occur on the subject site. With respect to concerns about traffic and congestion on area roads, utilization of the property for a multi-family community with a maximum unit count of 350 would result in an approximately 90 percent reduction in vehicle trips. In response to a meeting participant, he stated that the current access management plan calls for the improvement of the Westwood Boulevard right-of-way from Wildwood Avenue east to the subject property, with the road to be constructed to County standards. Mr. Love added that further improvements to the unpaved right-of-way may be made in the future, eventually connecting to the existing Westwood Boulevard, but emphasized that such improvements are not associated with this request. The attendees voiced no objections to the proposed multi-family development, and the tone of the meeting was **POSITIVE**.

2. Future Land Use Map Amendment Analysis

Consistency

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

As discussed above, the subject property is located within the International Drive Activity Center, an area characterized by intense tourist-oriented development. The site lies just south of a stretch of International Drive characterized by resort development, vacation condominium communities, and supporting commercial uses, with existing and planned multi-family complexes integrated into this non-residential activity. As stated in **Future Land Use Element Policy FLU1.1.4.D**, the requested ACR future land use designation is intended to provide for residential development in proximity to employment areas to minimize travel distances between uses. Staff finds this proposed amendment consistent with **International Drive Activity Center Element Goal ID3**, which establishes that it is Orange County's goal to facilitate the development of residential communities in proximity to employment areas of the activity center in order to minimize workers' travel distances and times.

In accordance with **Future Land Use Element Policy FLU1.1.2.A**, the applicant has specified the maximum desired development program for the residential project, proposing up to 350 multi-family dwelling units under the "urban-scale" ACR future land use designation, which allows residential development at a minimum density of twelve (12) dwelling units per net acre and a maximum density of thirty (30) units per net acre. Staff finds the proposed amendment consistent with Orange County's commitment to ensuring that sufficient land is available to meet the identified housing needs of its present and future residents. The applicant's intent to develop a multi-family residential community is consistent with **Housing Element GOAL H1** and **Objective H1.1**, which state that the County will

promote and assist in the provision of an ample housing supply, with a broad range of types and price levels, and will support private sector housing production capacity sufficient to meet current and anticipated housing needs. It is staff's belief that the project, if approved, would provide an additional housing option for employees of the numerous tourist-oriented businesses in the larger surrounding area.

Staff further finds the proposed project consistent with **Future Land Use Element Objective OBJ FLU2.2**, which establishes that Orange County shall develop, adopt, and implement mixed-use strategies and incentives as part of its comprehensive planning and land development code efforts, including standards for determining consistency with the Future Land Use Map. Other objectives of mixed-use development include reducing trip lengths, providing for diverse housing types, using infrastructure efficiently and promoting a sense of community. Staff notes that if approved, the project will use infrastructure that is either already in place or planned for construction. Per Orange County Utilities (OCU), the property lies within its potable water, wastewater, and reclaimed water service areas. OCU has informed staff that it presently has sufficient plant capacity to serve the proposed development. In addition, the multi-family community would use the existing and planned transportation network, which serves pedestrians, transit riders, and automobile drivers. A LYNX bus stop is located on International Drive to the north of the property, at the entrance to the Sheraton Vistana Villages Orlando resort, and sidewalks are in place along both sides of International Drive and along one side of the improved segment of Wildwood Avenue to help ensure pedestrian safety. As noted previously, access to the subject property will be achieved via the improvement of the Westwood Boulevard right-of-way, in accordance with County standards, from Wildwood Avenue east to the site entrance. Lastly, staff finds this request consistent with **International Drive Activity Center Element Policy ID4.1.1**, which mandates that approval of development within the International Drive Activity Center shall be conditioned upon the availability of adequate services and facilities, as measured by the adopted level of service standards of the Comprehensive Plan.

Compatibility

The proposed FLUM amendment appears to be **compatible** with the development trend of the surrounding area. **Future Land Use Element Objective FLU8.2** states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development pattern and development trends in the area. As discussed above, the subject property is located in the International Drive Activity Center, an area characterized by intense tourism-related development, including theme parks, resorts, hotels, tourist attractions, shopping areas, and restaurants. The property's proximity to this activity makes it well-suited for the development of housing for employees of these tourist-oriented establishments.

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

Division Comments: Environmental, Public Facilities, and Services

Environmental. The Environmental Protection Division (EPD) has reviewed the proposed amendment and provided the following comments:

Conservation Area Determination - The project site was included in a completed Orange County Conservation Area Determination, CAD 91-026, with a certified wetland boundary survey approved

by EPD on March 11, 1992. This historic CAD has no expiration. The project site contains 1.57 acres of Class III wetlands.

Conservation Area Impacts - Any proposed wetland encroachments will require submittal of an application for a Conservation Area Impact (CAI) Permit to EPD, as outlined in Chapter 15, Article X, Wetland Conservation Areas of the Orange County Code.

Staff Note: On July 5, 2022, EPD issued CAI Permit CAI-22-02-008, authorizing impacts to the 1.57 acres of onsite Class III wetlands to allow for the construction of the proposed multi-family residential buildings, associated infrastructure, and a stormwater pond. The permit also compensates for 0.28 acre of offsite secondary wetland impacts. As established in the permit, mitigation will include the purchase of 0.95 credit from the Hatchineha Ranch Mitigation Bank. CAI-22-02-008 expires July 5, 2027.

Acreage Approximation - All acreages that assume wetland and/or wetland buffer encroachment are considered approximations until finalized by a CAI Permit. Every application for development activity affecting wetlands is subject to Orange County Code Chapter 15, Environmental Control, and shall be reviewed to determine the functional significance, scarcity, replaceability, vulnerability, and productivity of the habitat on the lands to be considered in both their pre- and post-development condition. The applicants are advised not to make financial decisions based upon a presumption of approved conservation encroachment by development within the wetland or the upland protective buffer areas. Any plan showing development in a wetland or protective upland buffer area without Orange County and other jurisdictional government agency wetland permits is speculative and may not be approved.

Natural Features – Per Orange County Code Chapter 38, Zoning, Article VIII, PD Planned Development District, Division 2, General Site Development Standards, Section 38-1228, the natural topography, soils, and vegetation should be preserved and utilized, where possible, through the careful location and design of all elements (circulation ways, buildings, open space, drainage facilities, etc.). Designation and use of conservation areas must be consistent with adopted growth management policy.

Clearing Limitation - No construction, clearing, filling, alteration, or grading is allowed within or immediately adjacent to a conservation area (wetland or wetland buffer) without first obtaining a wetland impact permit approved by the County and obtaining other applicable jurisdictional agency permits.

Erosion Control - Use caution to prevent off-site erosion during construction along the boundary of the property into adjacent wetlands, buffers, surface waters, and open drainage facilities. Construction will require Best Management Practices (BMPs) for erosion control. Prior to earthwork or construction, the developer shall provide a copy of the completed Florida Department of Environmental Protection (FDEP) National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI). A copy of the NPDES NOI, the issued NPDES permit, and the Stormwater Pollution Prevention Plan (SWPPP) shall be kept onsite and available for inspection at any time.

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

Tree Protection - Any trees not within protected wetlands or wetland buffers shall be protected in compliance with Orange County Code Chapter 15, Environmental Control, Article VIII, Tree Protection and Removal, as administered by the Zoning Division.

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

Jurisdictional Coordination - This environmental review only addresses Orange County environmental regulatory code. However, the project shall also obtain and comply with all other existing environmental permits and applicable environmental regulations including, but not limited to, the Army Corps of Engineers, the Florida Department of Environmental Protection, the applicable Water Management District, the U.S. Fish and Wildlife Service (USFWS), and the Florida Fish & Wildlife Conservation Commission (FWC). It is possible that one of the other agencies could deny the request even if the County approves it, or they may have other natural resource protective requirements. Therefore, it is imperative that this proposed plan be addressed on a multi-agency basis.

Transportation. The Transportation Planning Division has reviewed the requested amendment and has provided the following analysis:

The applicant is requesting to change the future land use designation of ~14.45 acres from ACMU to ACR and to rezone the property from R-CE to PD to develop up to 350 multi-family dwelling units. Analysis of the projected trips based on the existing and proposed land use scenarios indicates that the proposed development will result in a decrease in the number of pm peak trips and, therefore, will not impact the area roadways. However, based on the Concurrency Management System Database, several roadways within the project’s impact area do not operate at acceptable levels of service, and capacity is not available to be encumbered.

Trip Generation (ITE 10th Edition)			
Land Use Scenario	PM Peak Hour Trips	% New Trips	New PM Peak Hour Trips
Existing Use: Up to 1,888,326 square feet of tourist commercial development	7,195	83%	5,972
Proposed Use: Up to 350 multi-family dwelling units	154	100%	154
Net New Trips (Proposed Development less Allowable Development): -5,818			

Future Roadway Network

Road Agreements: None

Planned and Programmed Roadway Improvements: None. A Development Plan—DP-21-02-048, Benson PD/Davis Vistana Apartments DP—was approved for a property (Parcel 23-24-28-5844-00-691) that is contiguous to and west of the subject property.

Note: Safe and adequate access will be required from the intersection of International Drive and Wildwood Avenue, south to Westwood Boulevard, and then east along Westwood Boulevard to the entrance of the subject property. This will require a two-lane road built to County standards. If the developer chooses to build a four-lane road to County standards, the developer will need to go to the Roadway Agreement Committee with a construction agreement. If the four-lane option is chosen, additional right-of-way will be needed along Wildwood Avenue.

Right-of-Way Requirements: Please note there is an International Drive Activity Center Comprehensive Plan requirement for a 15-foot transit easement and a separate 20-foot landscape, pedestrian, and utility easement.

Summary

- The subject property is not located within the County’s Alternative Mobility Area (AMA).
- The subject property is not located along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the approved ACMU future land use designation will generate 5,972 pm peak hour trips.
- Development of the proposed use under the requested ACR future land use classification will generate 154 pm peak hour trips, resulting in a net decrease of 5,818 pm peak hour trips.
- The subject property is located south of International Drive S, east of Wildwood Avenue, and west of Vistana Palm Beach Drive. Based on the Concurrency Management System (CMS) database dated December 2, 2021, two roadways currently operate at Level of Service F, and capacity is not available to be encumbered. All other roadway segments within the project’s impact area operate at acceptable levels of service. This information is dated and is subject to change.
- An analysis of existing conditions reveals that all roadway segments within the study area are currently not operating at adequate LOS.
- Analysis of projected conditions 2025 (2026) base conditions indicates that the segment on Vineland Avenue from Winter Garden-Vineland Road to Little Lake Bryan Parkway is projected to be deficient due to background traffic growth. The proposed FLUM Amendment is not considered significant on the deficient roadway segment.
- This development will undergo further evaluation and will be required to mitigate capacity deficiencies on the transportation network in accordance with the requirements of the Orange County Concurrency Management System.

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

Utilities. The subject site lies within Orange County Utilities’ (OCU’s) potable water, wastewater, and reclaimed water service areas. Per OCU, there is a 24-inch potable water main within the International Drive right-of-way. With respect to wastewater, a 30-inch forcemain is in place within the International Drive right-of-way. Reclaimed water is also available from OCU, with 24-inch and 12-inch reclaimed water mains within the International Drive right-of-way.

Schools. Per School Capacity Determination OC-21-044, issued November 16, 2021, capacity is currently available at the elementary school (Sunshine Elementary) and high school (Lake Buena Vista High) that would currently serve the proposed multi-family project. However, capacity is presently not available at the middle school that would serve the development, Freedom Middle. As stated in the School Capacity Determination, the mitigation of 18.750 seats will be required. Staff notes, though, that this determination expired May 14, 2022.

3. Rezoning Request Analysis

SITE DATA

Existing Use Undeveloped land

Adjacent Zoning

N: PD (*Planned Development District – Benson PD*) (1997)

E: PD, R-CE (*Planned Development District, Country Estate District*) (1997, 1968)

W: R-CE, PD (*Country Estate District, Planned Development District*) (1968, 1997)

S: R-CE (*Country Estate District*) (1968)

Adjacent Land Uses

N: Sheraton Vistana Villages Orlando

E: Sheraton Vistana Villages Orlando and undeveloped land (Duke Energy property)

W: Future Davis Vistana Apartments site (approved 400-unit multi-family community) and undeveloped land

S: Undeveloped land (Shingle Creek Management Area and Duke Energy property)

APPLICABLE PD DEVELOPMENT STANDARDS

PD Perimeter Setback: 25 feet

Maximum Building Height: 60 feet

Minimum Living Area: 350 square feet (under HVAC)

Minimum Building Setbacks

Front Setback: 40 feet

Rear Setback: 15 feet

Side Setback: 15 feet

SPECIAL INFORMATION

Subject Property Analysis

The applicant is seeking to rezone 14.43 acres from R-CE (Country Estate District) to PD (Planned Development District) in order to construct 348 multi-family residential dwelling units. This proposed project has a concurrent Future Land Use Map Amendment petition, Amendment 2022-1-A-1-1, from Activity Center Mixed Use (AMCU) to Activity Center Residential (ACR). In addition, three waivers from Orange County Code are requested to increase building height, to reduce parking ratio to allow 1.65 spaces for each dwelling unit that are two (2) And three (3) bedrooms, and to allow 1.5 spaces for each dwelling unit that are efficiencies and one (1) bedrooms.

Future Land Use Map (FLUM) Amendment

The subject property has an underlying Future Land Use Map (FLUM) designation of ACMU, a category intended to provide for a combination of tourist-related development and supporting residential activity. As stated above, this proposed project has a concurrent Future Land Use Map Amendment application, Amendment 2022-1-A-1-1, a requested change from ACMU to ACR. The proposed FLUM amendment appears to be consistent with the applicable Goals, Objectives, and Policies of the Comprehensive Plan. The requested PD zoning classification and residential development program are consistent with the desired ACR FLUM designation.

Activity Center

The subject property is located in the International Drive Activity Center.

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a JPA.

Overlay District Ordinance

The subject property is located within the Tourist Commercial Signage Overlay District.

Airport Noise Zone

The subject property is not located within an Airport Noise Zone.

Environmental

On July 5, 2022, the Orange County Environmental Protection Division issued Conservation Area Impact Permit CAI-22-02-008. This permit authorizes impacts to the 14.43-acre subject property's 1.57 acres of Class III wetlands to allow for the construction of the proposed multi-family residential buildings, associated infrastructure, and a stormwater pond. The permit also compensates for 0.28 acre of offsite secondary wetland impacts. As established in the permit, mitigation will include the purchase of 0.95 credit from the Hatchineha Ranch Mitigation Bank. CAI-22-02-008 expires July 5, 2027.

Transportation Planning

A parking waiver was requested, and a parking study was submitted and reviewed. Staff has agreed to support the waiver request for no fewer than 1.65 spaces, in lieu of 2.0 spaces, for two (2) and three (3) bedroom units and no fewer than 1.4 spaces, in lieu of 1.5 spaces, for efficiency and one (1) bedroom units.

Water/Wastewater/Reclaimed Water

Existing service or provider

Water: Orange County Utilities

Wastewater: Orange County Utilities

Reclaimed Water: Orange County Utilities

Schools

Per School Capacity Determination OC-21-044, issued November 16, 2021, capacity is currently available at the elementary school (Sunshine Elementary) and high school (Lake Buena Vista High) that would currently serve the proposed multi-family project. However, capacity is presently not available at the middle school that would serve the development, Freedom Middle. As stated in the School Capacity Determination, the mitigation of 18.750 seats will be required. This determination expires May 14, 2022.

Specific Project Expenditure Report and Relationship Disclosure Forms

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

4. Policy References

International Drive Element

GOAL ID3 – 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.

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

Housing Element

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.

Future Land Use Element

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

FLU1.1.2.A – The Future Land Use Map shall reflect the most appropriate 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.







FLU1.1.4

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

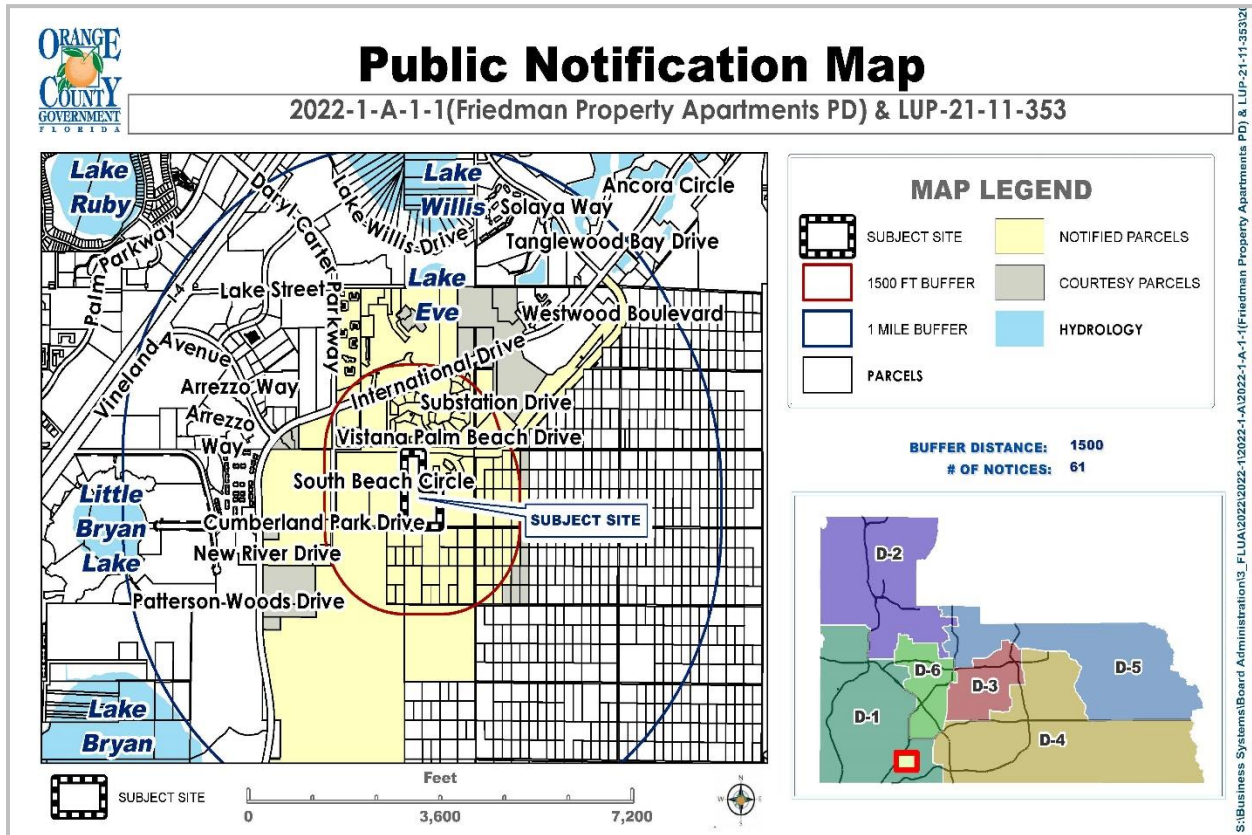
FLUM Designation	General Description	Density/Intensity
I – Drive – Refer to International Drive Activity Center Element		
Activity Center Residential (ACR)	As described in the I-Drive element, ACR facilitates residential development in proximity to employment areas to minimize travel distances between uses. Intended to promote workforce housing for tourist-oriented employment. Establishes 50,000 square feet of non-residential neighborhood support per development. A PD is required.	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)
* The maximum FAR or square footage does not include floor area within a parking structure associated with the parking requirements for the principal use.		
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.		

FLU8.2.1 – 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.

Site Visit Photos

<p>Subject Site</p>	<p>Subject Site</p>
	
<p>North of Subject Site</p>	<p>South of Subject Site</p>
	
<p>West of Subject Site</p>	<p>East of Subject Site</p>
	

PUBLIC NOTIFICATION MAP

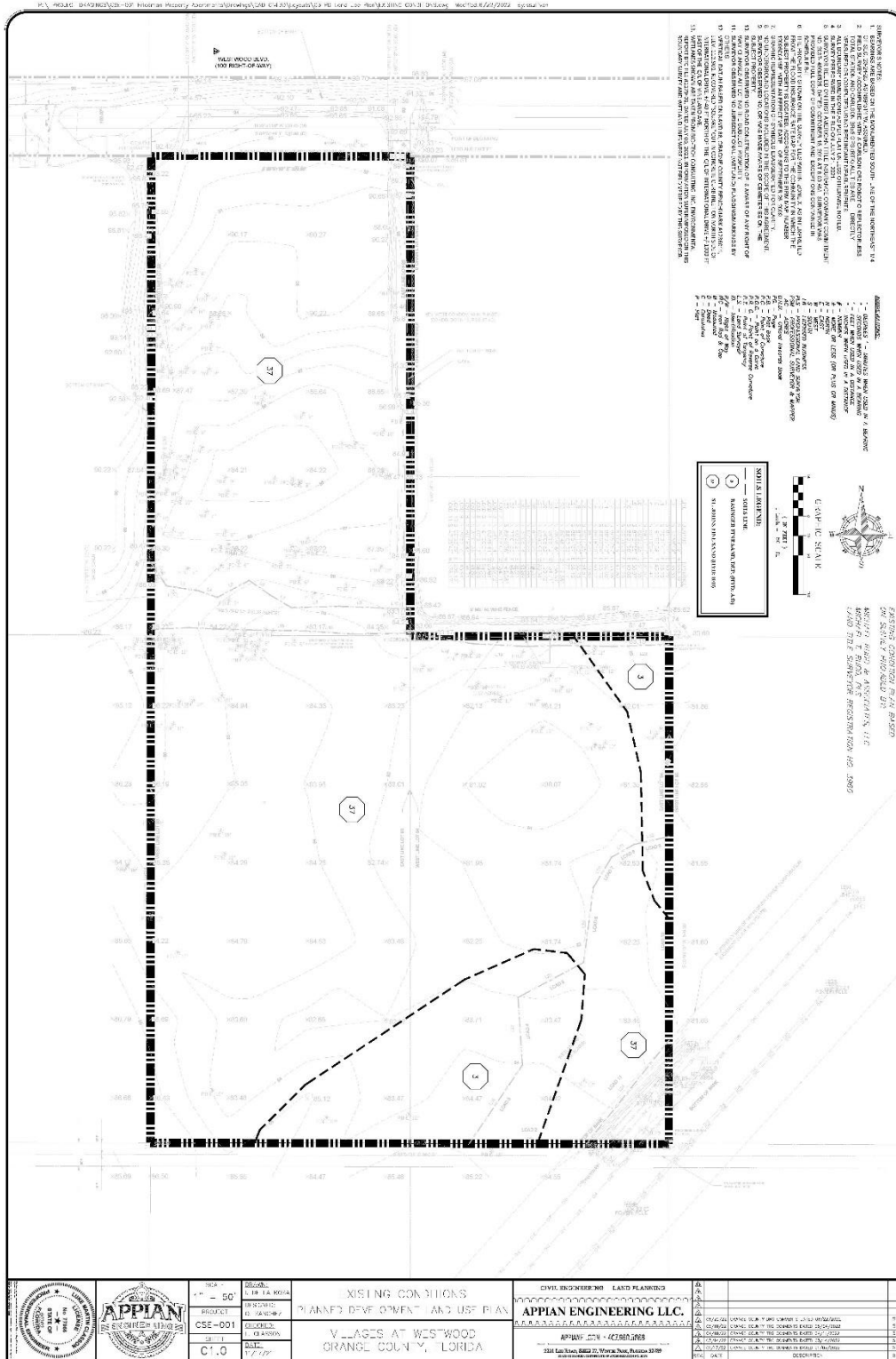


Notification Area

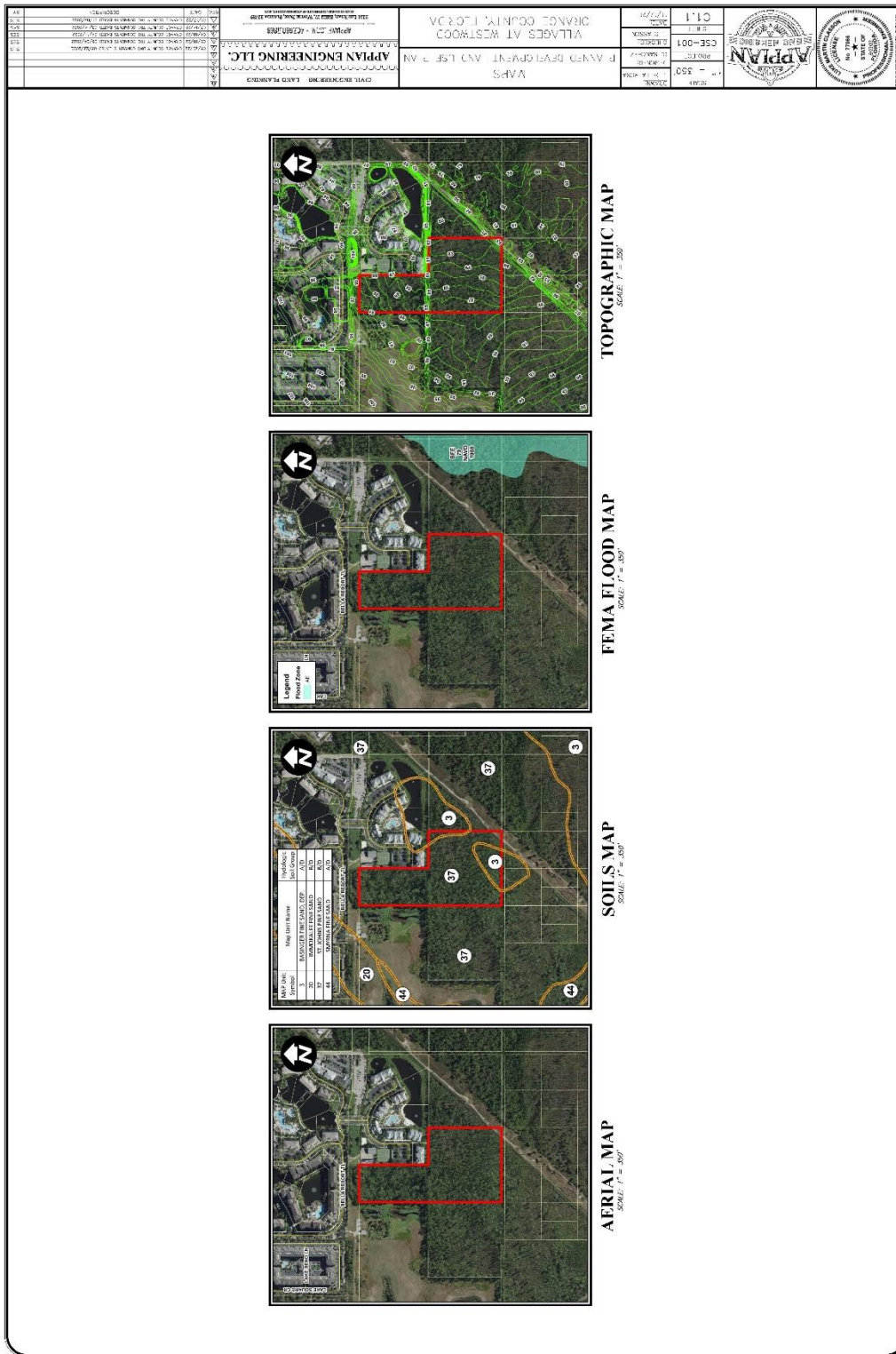
1,500 feet plus neighborhood and homeowners' associations within a one-mile radius of the subject site

61 notices sent

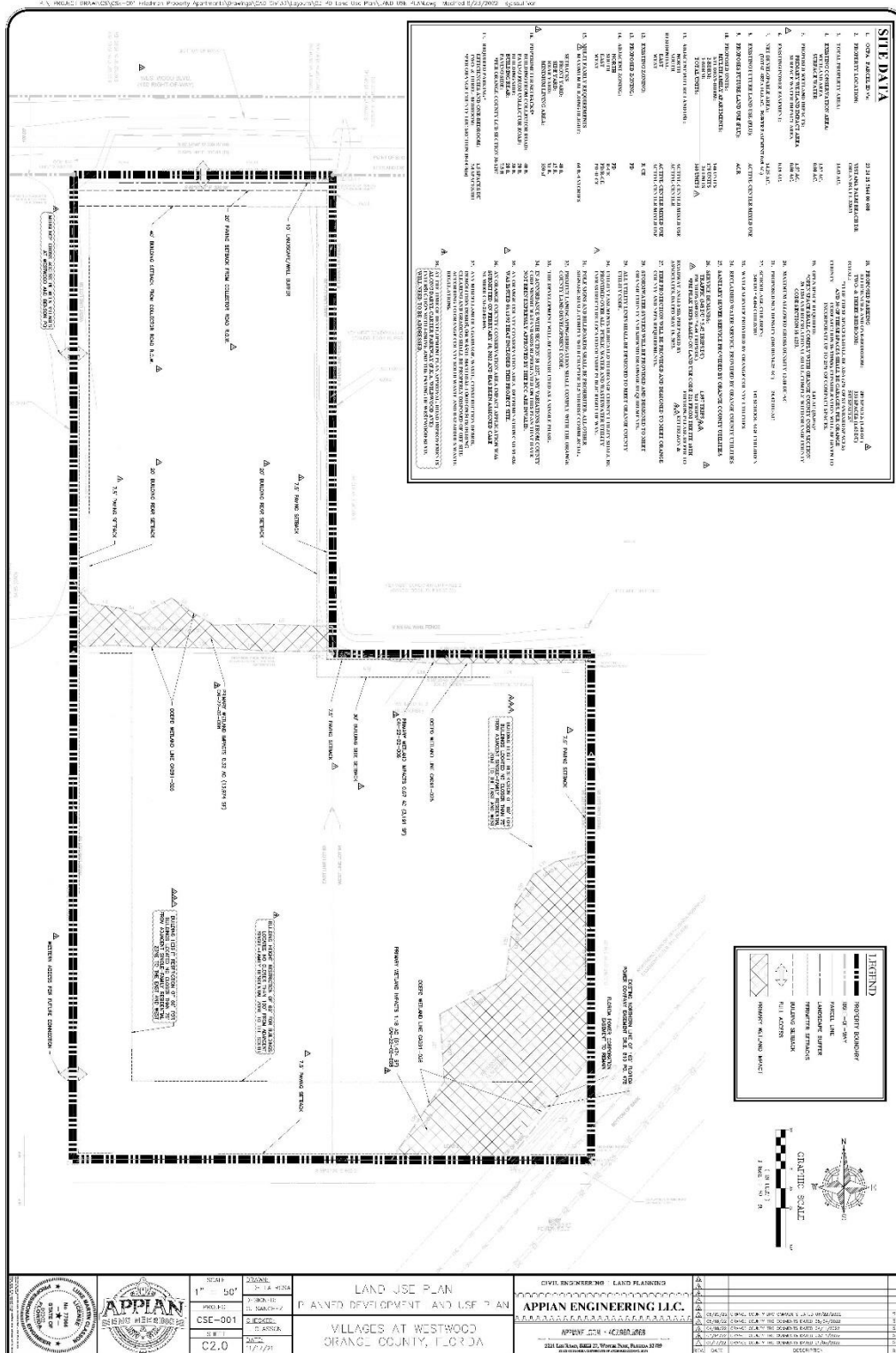
Villages at Westwood PD Land Use Plan
 DRC-Approved Plan



Villages at Westwood PD Land Use Plan
 DRC-Approved Plan



Villages at Westwood PD Land Use Plan
 DRC-Approved Plan



ORDINANCE NO. 2022-_____

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE “2010-2030 COMPREHENSIVE PLAN,” AS AMENDED, BY ADOPTING AN AMENDMENT PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2022 CALENDAR YEAR (FIRST CYCLE); 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. Part II of Chapter 163, Florida Statutes, sets forth procedures and requirements for a local government in the State of Florida to adopt a comprehensive plan and amendments to a comprehensive plan;

b. Orange County has complied with the applicable procedures and requirements of Part II of Chapter 163, Florida Statutes, for amending Orange County’s 2010-2030 Comprehensive Plan;

c. On September 13, 2022, the Board of County Commissioners held a public hearing on the adoption of the proposed amendment to the Comprehensive Plan, as described in this ordinance, and decided to adopt it.

Section 2. Authority. This ordinance is adopted in compliance with and pursuant to Part II of Chapter 163, Florida Statutes.

Section 3. Amendment to Future Land Use Map. The Comprehensive Plan is hereby amended by amending the Future Land Use Map designation as described at **Appendix “A,”**

31 attached hereto and incorporated herein.

32 * * *

33
34 **Section 4. Effective Dates for Ordinance and Amendment.**

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

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

41 (c) No development orders, development permits, or land uses dependent on this
42 amendment may be issued or commence before the amendment has become effective.

43

44

45 ADOPTED THIS 13th DAY OF SEPTEMBER, 2022.

46

47 **ORANGE COUNTY, FLORIDA**
48 By: Board of County Commissioners

49
50
51
52 By: _____
53 Jerry L. Demings
54 Orange County Mayor

55
56 ATTEST: Phil Diamond, CPA, County Comptroller
57 As Clerk to the Board of County Commissioners

58
59
60
61 By: _____
62 Deputy Clerk

63
64
65
66
67

APPENDIX "A"
FUTURE LAND USE MAP AMENDMENT

<i>Appendix A*</i>		
<i>Privately-Initiated Future Land Use Map Amendment</i>		
Amendment Number	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:
2022-1-A-1-1	Activity Center Mixed Use (ACMU)	Activity Center Residential (ACR)
*The Future Land Use Map (FLUM) shall not depict the above designation until such time as it becomes effective.		

68

TECHNICAL MEMORANDUM

Westwood-Rita Comp Plan Analysis

Date: September 22, 2021
To: Mr. Ken Churchill
Crosland Southeast
250 S. Park Ave, Suite 360
Winter Park, Florida 32789
From: Stephanie Shealey, P.E.

Project #: 24646

INTRODUCTION

The Westwood-Rita project is proposed a 280-unit multi-family development, located south of International Drive near Daryl Carter Parkway as shown in **Figure 1**. Per the Orange County Comprehensive plan, the property currently has an adopted Future Land Use (FLU) of Activity Center Mixed Use (ACMU). It is proposed to amend the Comprehensive Plan to change the property to the Activity Center Residential (ACR) FLU to facilitate the proposed development. To evaluate the proposed FLU map amendment's potential impact on the committed roadway network, the maximum trip generation potential for the adopted and proposed FLUs were compared.

Figure 1 – Project Location



TRIP GENERATION

Table 1.1.4D from the Orange County Comprehensive Plan (as shown below) provides the maximum density/intensity allowed under both the ACR and ACMU land uses.

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>		

The proposed project site is 14.445 acres. For the adopted Activity Center Mixed Use FLU, although there is an option for 30% of the site to be residential, the highest development potential in terms of trips is considering the entire site at a 3.0 FAR for commercial uses (for a total of 1,888,673 square feet of commercial land use). For the proposed Activity Center Residential FLU, the highest development potential is assuming 30 DU/AC (for a total of 433 multi-family dwelling units) and 10,000 square feet of commercial per 125 units (for a total of 35,000 square feet of commercial). The trip generation was done using the ITE Trip Generation Manual, 10th Edition. As shown in **Table 1**, the proposed FLU map amendment will reduce the trip generation potential for the project site by approximately 90 percent.

Table 1 – Potential Trip Generation

Land Use Type	ITE Code	Intensity		Daily Trips	AM Peak-Hour Trip			PM Peak-Hour Trip		
					In	Out	Total	In	Out	Total
ACMU - Existing										
Commercial	820	1,888	KSF	44,325	1,100	674	1,774	2,294	2,485	4,779
ACR - Proposed										
Multifamily Housing (Mid-Rise)	221	433	DU	2,358	37	107	144	110	71	181
Commercial	820	35	KSF	2,924	20	13	33	119	129	248
Total				5,28	57	120	177	229	200	429
Change in Potential Trip Generation				-39,03	-1,043	-554	-1,597	-2,065	-2,285	-4,350

CONCLUSION

The maximum development potential of the proposed ACR future land use produces fewer trips than the maximum development potential of the current ACMU future land use. Therefore, the proposed FLU map amendment will result in lower potential traffic volumes on the surrounding roadway network than the adopted FLU.



Environmental Protection Division

CONSERVATION AREA IMPACT PERMIT

Permit No: CAI-22-02-008

Date Issued: July 5, 2022

Date Expires: July 5, 2027

A Permit Authorizing:

Impacts to 1.57 acres of Class III wetlands associated with the construction of multi-family apartment buildings and associated infrastructure and stormwater pond. This permit also compensates for 0.28 acre of offsite secondary wetland impacts. Mitigation will include the purchase of 0.95 credit from the Hatchineha Ranch Mitigation Bank.

Environmental Protection Division (EPD) staff has evaluated the proposed activity and has made a finding that the request is consistent with Orange County Code, Chapter 15, Article X, Conservation Ordinance and is subject to the Permit Conditions provided on the following pages:

Activity Location:

Vistana Palm Beach Dr., Orlando, FL 32821
Parcel ID No.: 23-24-28-5844-00-680
Related CAD No.: CAD 91-026
Related Permit No.: LUP-21-11-353
Orange County Commission District: 1

Permittee / Authorized Entity:

Brandon Hueber
C4 Westwood Owner, LLC
c/o Daniel Gough
Bio-Tech Consulting, Inc.
E-mail: danny@bio-techconsulting.com

Orange County Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, Florida 32803
407-836-1400 / Fax: 407-836-1499
www.OCEPD.org

Approval of this permit is subject to the following conditions:

Specific Conditions:

1. This permit shall become final and effective upon expiration of a 15-calendar day appeal period following the date of issuance, unless an appeal has been filed within this timeframe. Any appeal shall stay the effective date of this permit until any and all appeals are resolved.
2. The operational phase of this permit is effective upon the completion of the construction phase and continues in perpetuity.
3. The wetland impacts must be completed in accordance with the site plan ('Wetland Impact Exhibit') prepared by Appian Engineering LLC., submitted by Bio-Tech Consulting, Inc., and received by EPD on April 28, 2022. Construction shall be completed within five years from issuance of this permit unless extended in writing. Requests for permit extension must be submitted to EPD prior to the expiration date.
4. Prior to initiating any construction within the wetlands to be impacted or approval of construction or mass grading plans, EPD shall receive documentation from the Hatchineha Ranch Mitigation Bank indicating that the purchase of 0.95 state UMAM mitigation credit has been completed.
5. In the event that the permittee does not successfully complete the transaction to obtain the requisite 0.95 credit from the Hatchineha Ranch Mitigation Bank, the permittee shall obtain a permit modification from the Environmental Protection Officer to provide alternative mitigation for the wetland impacts prior to the commencement of any construction activities.
6. Prior to any future construction plan approval, the permittee must obtain the appropriate zoning and land use approval. Additionally, prior to any future construction plan approval, the permittee must obtain proper authorization for road access to the project area.
7. Prior to any filling within the 100-year flood zone a Flood Plain Permit may be required from the Orange County Stormwater Management Division authorizing the fill.
8. The permittee shall notify EPD, in writing, within thirty days of any sale, conveyance, or other transfer of ownership or control of the real property subject to this permit. The permittee shall remain liable for all permit conditions and corrective actions that may be required as a result of any permit violations which occur prior to the transfer of the permit by Orange County to a subsequent owner. If applicable, no permit shall be transferred unless and until adequate financial assurance has been provided and approved by Orange County.
9. For projects which disturb one acre or more of land, or which are less than one acre but are part of a larger common plan of development of sale that is greater than one acre, coverage under a National Pollutant Discharge Elimination System (NPDES) Construction Generic Permit (CGP) is required. Prior to the start of land disturbing activities, which includes demolition, earthwork and/or construction, the operator shall prepare a Stormwater Pollution Prevention Plan (SWPPP) and submit to the Florida Department of Environmental Protection (FDEP) a Notice of Intent (NOI) to obtain coverage under the NPDES CGP pursuant to the requirements of 62-621.300(4)(a) Florida Administrative Code (F.A.C.). As the Operator of the MS4, a copy of the NOI shall also be submitted to the Orange County NPDES

Environmental Program Supervisor prior to the start of activities. Copies of the SWPPP, NOI, and FDEP Acknowledgement Letter are to be kept on the project site and made available upon request. Upon completion of all land disturbing activities and after final stabilization of the site is complete, the developer/contractor shall submit to FDEP a Notice of Termination (NOT) to end their coverage under the CGP and provide a copy of the NOT to the Operator(s) of the MS4. A copy of the CGP, NOI and additional information can be found on the FDEP website: <http://dep.state.fl.us/water/stormwater/npdes/construction3.htm>.

10. Turbidity and sediment shall be controlled to prevent off-site, unpermitted impacts and violations of water quality standards pursuant to Rules 62-302.500, 62-302.530, and 62-4.242 Florida Administrative Code (FAC). Best Management Practices (BMPs), as specified in the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (2013, or most current version), shall be installed and maintained at all locations where there is the possibility of transferring sediment, turbidity, or other pollutants, into wetlands and/or surface waters due to the permitted activities. BMPs are performance based, if selected BMPs are ineffective or if site-specific conditions require additional measures, then the permittee shall implement additional or alternative measures as necessary to prevent adverse impacts to wetlands and/or surface waters. Turbidity discharging from a site must not exceed 29 NTU over background for Class III waters and their tributaries or 0 NTU over background for those surface waters and tributaries designated as Outstanding Florida Waters (OFW). A copy of the Designer and Reviewer Manual can be found at the following website: <https://www.flrules.org/Gateway/reference.asp?No=Ref-04227>.
11. Discharge of groundwater from dewatering operations requires approval from FDEP and the applicable Water Management District. The operator/contractor shall obtain and FDEP Generic Permit for the Discharge of Ground Water from Dewatering Operations pursuant to the requirements of 62-621.300(2)(a) and 62-620 F.A.C. and Florida Statutes Chapter 403. Discharges directed to the County's MS4 require an Orange County Right-of-Way Utilization Permit for Dewatering prior to the start of any discharges.
12. All excess lumber, scrap wood, trash, garbage, and similar construction materials shall be removed from the preservation areas and/or surface water(s) immediately.

General Conditions

13. Subject to the terms and conditions herein, the permittee is hereby authorized to perform or cause to be performed, the impacts shown on the application and approved drawings, plans, and other documents attached hereto or on file with EPD. The permittee binds itself and its successors to comply with the provisions and conditions of this permit. If EPD determines at any time that activities, including without limitation the performance of the required mitigation, are not in accordance with the conditions of the permit, work shall cease and the permit may be revoked immediately by the Environmental Protection Officer. Notice of the revocation shall be provided to the permit holder promptly thereafter.
14. Prior to construction, the permittee shall clearly designate the limits of construction on-site. The permittee shall advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.

15. Construction plans shall be submitted to EPD prior to initiating any construction activities for review and approval. The construction plans shall include, but are not limited to, a site plan clearly depicting the location and acreage of the impacts and preservation.
16. The permittee shall require the contractor to maintain a copy of this permit, complete with all approved drawings, plans, conditions, attachments, exhibits, and modifications in good condition at the construction site. The permittee shall require the contractor to review the permit prior to commencement of the activity authorized by this permit. The complete permit shall be available upon request by Orange County staff.
17. Issuance of this permit does not warrant in any way that the permittee has riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittee. In the event that any part of the structure(s) permitted herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent property owner's riparian or other property rights, the permittee agrees to either obtain written consent or to remove the offending structure or encroachment within sixty days from the date of the adjudication. Failure to comply shall constitute a material breach of this permit and shall be grounds for its immediate revocation.
18. This permit does not release the permittee from complying with all other federal, state, and local laws, ordinances, rules and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities upon property which is not owned or controlled by the permittee(s), or convey any rights or privileges other than those specified in the permit and Chapter 15, Article X of the Orange County Code. If these permit conditions conflict with those of any other regulatory agency the permittee(s) shall comply with the most stringent conditions. The permittee shall immediately notify EPD of any conflict between the conditions of this Permit and any other permit or approval.
19. The permittee is hereby advised that Section 253.77 Florida Statutes (FS), states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
20. Should any other regulatory agency require changes to the property, permitted activities, or approved mitigation, the permittee shall provide written notification to EPD of the change prior to implementation so that a determination can be made whether a permit modification is required.
21. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.
22. The permittee shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.

23. EPD staff, with proper identification, shall have permission to enter the site at any reasonable time to ensure conformity with the plans and specifications approved by the permit.
24. The permittee shall hold and save the County harmless from any and all damages, claims or liabilities, which may arise by reason of the activities authorized by the permit.
25. All costs, including attorney's fees, incurred by the County in enforcing the terms and conditions of this permit shall be required to be paid by the permittee.
26. Permittee agrees that any dispute arising from matters relating to this permit shall be governed by the laws of Florida, and initiated only in Orange County.
27. Pursuant to Section 125.022 FS, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.
28. Pursuant to Section 125.022 FS, the applicant shall obtain all other applicable state or federal permits before commencement of development.

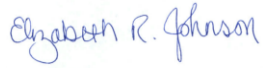
If you should have any questions concerning this permit, please contact Hayden Denton at 407-836-1433 or Hayden.Denton@ocfl.net.

Project Manager:



Hayden Denton, Environmental Specialist II

Authorized for the Orange County Environmental Protection Division by:



for

David D. Jones, Environmental Protection Officer

HD/~~NT~~/TMH/ERJ/DJ: gfdjr

Enclosure(s): Construction Notice
Approved Site Plans

c: Brandon Hueber, C4 Westwood Owner, LLC, Permittee, bhueber@csere.com
Rita Friedman, Property Owner, 35 Clearwater Drive, Willingboro, NJ 08046
Lisa Prather, South Florida Water Management District, lprather@sfwmd.gov
Conservation Planning Services, FWC, conservationplanningservices@MyFWC.com
Alyse Tristram, OCEPD, Alyse.Tristram@ocfl.net



Construction Notice

- BEGINNING OF CONSTRUCTION
- COMPLETION OF CONSTRUCTION

Mail to: Orange County Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, FL 32803
or Fax to: 407-836-1499
or E-Mail to: Hayden.Denton@ocfl.net

Permit Number and Name: **CAI-22-02-008, Villages at Westwood**

Permit Type: **Conservation Area Impact Permit (CAI)**

Approximate Starting Date: _____

Approximate Completion Date: _____

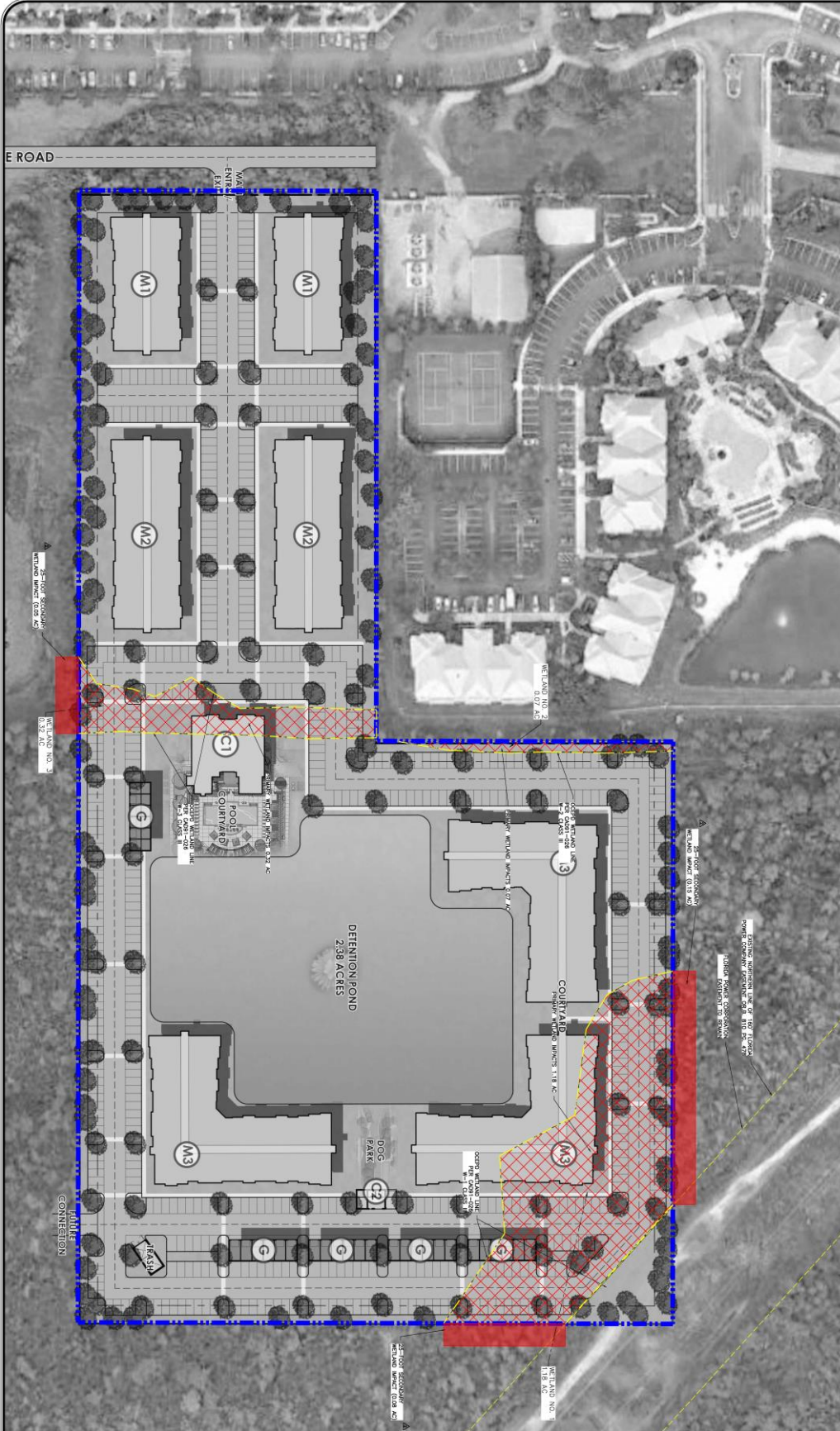
Remarks or any additional information:

I certify I am the permittee / Authorized Entity of the above permit issued by the Orange County Environmental Protection Division and in accordance with the terms of such permit will begin or have completed the actual construction of the work described in the permit.

Signature of Permittee: _____

Printed name of Permittee: _____

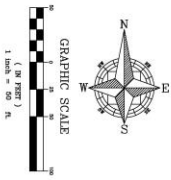
Date: _____



Received
4/28/2022

Approved By The
Orange County
Environmental Protection Division
Date: 6/30/2022
Reviewer: *H. DeWitt*
CAI-22-02-008

LEGEND	
	PROPERTY BOUNDARY
	EXISTING POWER LINE EXISTENT PLAZED WETLAND LINE
	PRIMARY WETLAND IMPACT
	SECONDARY WETLAND IMPACT



	SCALE 1" = 50'	DRAWN: S. SULLIVAN PROJECT: CSE-001 CHECKED: L. GLASSON SHEET: EX. 1 DATE: 4/22/22	WETLAND IMPACT EXHIBIT VILLAGES OF WESTWOOD (F.K.A. FRIEDMAN PROPERTY APARTMENTS) ORANGE COUNTY, FLORIDA	CIVIL ENGINEERING LAND PLANNING APPIAN ENGINEERING LLC. APPANFL.COM • 407.960.5868 2221 Lee Road, Suite 27, Winter Park, Florida 32789		04/21/22 ORANGE COUNTY EPO COMMENTS DATED 04/26/2022 01/17/22 ORANGE COUNTY TRS COMMENTS DATED 01/25/2022	SES SES BY	
						REV	DATE	DESCRIPTION

Ron DeSantis
GOVERNOR



Dane Eagle
SECRETARY

March 25, 2022

The Honorable Jerry L. Demings
Mayor, Orange County
201 S. Rosalind Avenue, 5th Floor
Orlando, Florida 32801

Dear Mayor Demings:

The Department of Economic Opportunity (“Department”) has reviewed Orange County’s proposed comprehensive plan amendment (Amendment No. 22-03ESR), received on February 23, 2022, pursuant to the expedited state review process in Section 163.3184(2)(3), Florida Statutes (F.S.). We have identified no comment related to adverse impacts to important state resources and facilities within the Department’s authorized scope of review.

We are, however, providing a technical assistance comment consistent with Section 163.3168(3), F.S. The technical assistance comment will not form the basis of a challenge. It is offered either as a suggestion which can strengthen the County's comprehensive plan in order to foster a vibrant, healthy community or is technical in nature and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S. The technical assistance comment is:

- The Department strongly encourages Orange County to coordinate with the South Florida Water Management District, St. Johns River Water Management District, and Southwest Florida Water Management District on all matters pertaining to regional water supply, water conservation, water supply planning, and water use permitting.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the County is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the County. **If the County receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
(850) 245.7105 | www.FloridaJobs.org | www.Twitter.com/FLDEO | www.Facebook.com/FLDEO

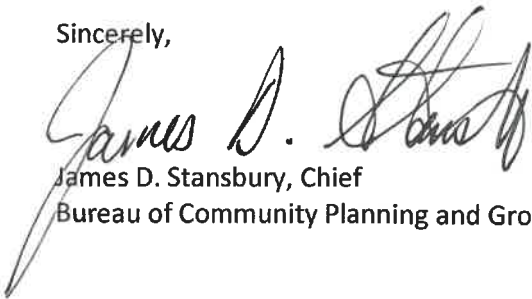
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notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.

- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the County that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

If you have any questions concerning this review, please contact Melissa Corbett, CFM, FCCM, Planning Analyst, by telephone at (850) 717-8505 or by email at Melissa.Corbett@deo.myflorida.com.

Sincerely,



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

JDS/mc

Enclosure(s): Procedures for Adoption

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

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

Section 163.3184(3), Florida Statutes

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

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

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

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

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

_____ Ordinance number and adoption date;

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

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

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

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

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

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

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

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

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

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

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

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

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

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

Ron DeSantis
GOVERNOR



Dane Eagle
SECRETARY

February 23, 2022

Mr. Greg Gologowski, AICP
Chief Planner
Orange County
Comprehensive Planning Section
201 South Rosalind Avenue, 2nd Floor
Post Office box 1393
Orlando, Florida 32802-1393

Dear Mr. Gologowski:

Thank you for submitting **Orange County's** proposed comprehensive plan amendment submitted for our review pursuant to the Expedited State Review process. The reference number for this amendment package is **22-03ESR**.

The proposed submission package will be reviewed pursuant to Section 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. You will receive the Department's Comment Letter no later than March 25, 2022.

If you have any questions please contact Terri Stoutamire, Plan Processor at (850) 717-8513 or Kelly Corvin, Regional Planning Administrator, whom will be overseeing the review of the amendments, at (850)717-8503.

Sincerely,

D. Ray Eubanks, Administrator
Plan Review and Processing

DRE/ts

cc: Alberto A. Vargas, MArch., Manager, Orange County
External Agencies

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
(850) 245.7105 | www.FloridaJobs.org | www.Twitter.com/FLDEO | www.Facebook.com/FLDEO

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February 21, 2022

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

Re: Orange County Transmittal of the 2022-1 Regular Cycle State-Expedited Review Comprehensive Plan Amendments

Dear Mr. Eubanks:

The Orange County Board of County Commissioners (BCC) is pleased to transmit to the Florida Department of Economic Opportunity (DEO) this 2022-1 transmittal packet, which consists of Regular Cycle – State-Expedited Review Amendments to the Orange County 2010-2030 Comprehensive Plan. This is the first amendment package of the calendar year 2022 and, therefore, is referred to as 2022-1 for Orange County filing purposes. This transmittal package consists of six Regular Cycle Amendments: Amendments 2022-1-A-1-1, 2022-1-A-2-1, 2022-1-A-4-1, 2022-1-B-FLUE-1, 2021-1-B-FLUE-3, and 2022-1-B-WFSWP-1. These amendments were heard by the Local Planning Agency (LPA) at transmittal public hearings on January 20, 2022, and by the BCC at transmittal public hearings on February 8, 2022.

This transmittal packet has been submitted through DEO's online portal.

Four additional 2022-1 Regular Cycle Amendments are currently proceeding through the public hearing process. Proposed Amendments 2022-1-A-4-2 and 2022-1-B-FLUE-4 were scheduled for LPA transmittal public hearings on January 20, 2022, but were continued to March 17, 2022. The BCC transmittal public hearings are scheduled for April 5, 2022. Proposed Amendments 2022-1-A-5-1 and 2022-1-B-FLUE-2 will be scheduled for LPA transmittal public hearings on April 21, 2022, and BCC transmittal public hearings on May 10, 2022. These amendments, if transmitted, will be sent under separate cover for your review at a later date.

Regular Cycle Amendments

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

The Regular Cycle – State-Expedited Review Amendments include three privately-initiated Future Land Use Map amendments and three staff-initiated map and/or text amendments. The proposed amendments were on a regular agenda and were heard individually.

Privately-Initiated Map Amendments

PLANNING DIVISION
ALBERTO A. VARGAS, MArch., *Planning Manager*
201 South Rosalind Avenue, 2nd Floor ■ Reply To: Post Office Box 1393 ■ Orlando FL 32802-1393
Telephone 407-836-5600 ■ FAX 407-836-5862 ■ orangecountyfl.net

2022-1-A-1-1 M. Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Rita J. Friedman
Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR)

2022-1-A-2-1 M. Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Susie Simpson Gilbert and Wayne P. Simpson
Low Density Residential (LDR) to Medium Density Residential (MDR)

2022-1-A-4-1 Jonathan P. Huels, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for CJD Property Hold CO, LLC; Alafaya TH Tract 4, LLC; Alafaya COM Tract 7, LLC; and Alafaya TH Tract 9, LLC
Mixed Use Tract: Planned Development-Commercial/Low-Medium Density Residential/Parks and Recreation/Open Space (PD-C/LMDR/PR-OS), Planned Development-Commercial (PD-C), Commercial (C), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Low-Medium Density Residential/Medium Density Residential/Parks and Recreation/Open Space (PD-C/LMDR/MDR/PR-OS)
Multi-Family Tract: Planned Development-Low-Medium Density Residential/Medium Density Residential (PD-LMDR/MDR) and Low-Medium Density Residential (LMDR) to Medium Density Residential (MDR)

Staff-Initiated Amendments

2022-1-B-FLUE-1 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 2022-1-A-4-1

2022-1-B-FLUE-3 Text amendment to Future Land Use Element to allow for properties within the Lake Avalon Rural Settlement with a Future Land Use designation of Rural Settlement 1/5 (RS 1/5) and with acreages between nine (9) and fifteen (15) acres to split into up to three lots whereas each lot is not less than four and one-half (4½) acres

2022-1-B-WSFWP-1 Proposed text amendments to the Potable Water, Wastewater and Reclaimed Water Element and related elements, incorporating changes to the Orange County 10-Year Water Supply Facilities Work Plan (WSFWP), and adopting the WSFWP by reference

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

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



Agency	Contact
Department of Agriculture and Consumer Services	Comprehensive Plan Review
Department of Education	Mark Weigly, Director
Department of Environmental Protection	Plan Review
Department of State	Robin Jackson, Historic Preservation Planner
Florida Fish and Wildlife Conservation Commission	Scott Sanders
Department of Transportation, District Five	Jean Parlow, Growth Management Coordinator
East Central Florida Regional Planning Council	Fred Milch, AICP, Project Review Coordinator
St. Johns River Water Management District	Steven Fitzgibbons, Intergovernmental Planner
South Florida Water Management District	Terry Manning, AICP, Policy and Planning Analyst

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

Sincerely,

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

AAV/GG/tlp

enc: 2022-1 Regular Cycle State-Expedited Review Amendments DEO Transmittal Binder

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

PLANNING DIVISION
ALBERTO A. VARGAS, MArch., *Planning Manager*
201 South Rosalind Avenue, 2nd Floor ■ Reply To: Post Office Box 1393 ■ Orlando FL 32802-1393
Telephone 407-836-5600 ■ FAX 407-836-5862 ■ orangecountyfl.net